

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
3.5  
(ID # 5335)

**MEETING DATE:**

Tuesday, November 7, 2017

**FROM :** ECONOMIC DEVELOPMENT AGENCY (EDA):

**SUBJECT:** ECONOMIC DEVELOPMENT AGENCY (EDA): Resolution No. 2017-177, Acceptance of a Grant Deed for the Wilderness Animal Shelter from County Riverside Asset Leasing Corporations (CORAL) to the County of Riverside, identified with Assessor's Parcel Number 189-080-001, City of Riverside, CEQA Exempt; District 2; [\$0] (Clerk to File Notice of Exemption)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Find that the acceptance of the conveyance of fee interest in real property is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; and Section 15061(b)(3), General Rule or "Common Sense" Exemption;
2. Adopt Resolution No. 2017-177, Acceptance of the conveyance of the released property to the County of Riverside, identified with Assessor's Parcel Number 189-080-001, from CORAL;

**ACTION:** Policy

Robert Field, Assistant County Executive Officer/EDA 10/20/2017

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington and Perez  
Nays: None  
Absent: Ashley  
Date: November 7, 2017  
xc: EDA, Corporation, Recorder

Kedia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

**RECOMMENDED MOTION:** That the Board of Supervisors:

3. Authorize the Assistant County Executive Officer of the Economic Development Agency to execute the certificate of acceptance of the Grant Deed for the fee simple interest in real property in favor of the County of Riverside;
4. Authorize the Assistant County Executive Officer of the Economic Development Agency, or his designee, to execute any other documents and administer all actions necessary to complete the acceptance of real property; and
5. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five working days of approval by the Board.

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment: No</b>	
			<b>For Fiscal Year: 17/18</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

County of Riverside Asset Leasing Corporation (CORAL) is the owner of record of the real property located at 5950 Wilderness Avenue, Riverside, California 92504 and formerly known as Wilderness Animal Shelter (Wilderness Shelter). The property consists of a concrete tilt-up industrial building with a total approximate area of 48,608 square feet on approximately 2.33 gross acres of land, also known as APN 189-080-001. CORAL acquired this real property for the purpose of providing for a public animal shelter facility and for a portion to be used as a County of Riverside (County) record storage area. The County leased the Property from CORAL and entered into a long-term sublease (Agreement) with the City of Riverside (City) in order to jointly provide for a public animal shelter facility for the residents of the City and the County. The Wilderness Shelter was replaced by the new Western Riverside County/City Animal Shelter and is now partially vacant and no longer in use as a shelter.

Although rental payments derived from leasing of the Wilderness Shelter previously supported debt service on the County's 1985 Certificates of Participation, those Certificates have matured and the County and CORAL entered into and recorded a termination agreement with respect to this lease financing on November 14, 2014. Because the Wilderness Shelter is no longer encumbered with bond financing and because it is no longer being utilized as an animal shelter, the sublease agreement with the City requires the County to sell the Wilderness Shelter to a third party and split a percentage of the sale proceeds with the City who holds a partial equity interest in a portion of the property.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

To effectuate that purpose and desire of a government surplus sale, the County requested that CORAL authorize, approve, and execute a Grant Deed between CORAL and the County to convey the Wilderness Shelter to the County, who will then sell the property to a third party through the required surplus process.

Pursuant to the California Environmental Quality Act, the acceptance of the fee simple interest in real property from CORAL, the conveyance, was reviewed and determined to be categorically exempt from CEQA under State CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; and Section 15061(b)(3), General Rule or "Common Sense" Exemption. The Project merely involves the conveyance of real property, and real property interests in favor of the County and does not involve any specific development on any of the property.

Resolution No 2017-177 and the Certificate of Acceptance have been approved as to form by County Counsel

**Impact on Residents and Businesses**

The conveyance of the Wilderness Animal Shelter to the County will allow the County to sell the property and use a portion of the proceeds to provide for other facility needs and services to the community.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

The property will be sold in the future, and at that time, the Real Estate Division of the Economic Development Agency will be reimbursed for any and all costs associated with this transaction through the proceeds of the sale of the property. Also and upon the completion of a surplus sale the County will transfer a percentage of the proceeds to the City and as required in the Agreement between the City and the County.


**Attachments:**

- Resolution No. 2017-177
- Grant Deed with the Certificate of Acceptance
- Notice of Exemption
- Aerial Image

RF:JWW:VC:VY:CAO:ra 162FM 19.213 13662  
MinuteTrak: 5335

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA

  
Reshmi Dasika, Principal Management Analyst 10/30/2017

  
Gregory H. Priamos, Director County Counsel 10/23/2017

1 Board of Supervisors

County of Riverside

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RESOLUTION NO. 2017-177  
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE  
ACCEPTING THE TRANSFER TO THE COUNTY OF RIVERSIDE FOR THE  
WILDERNESS ANIMAL SHELTER FROM THE COUNTY OF RIVERSIDE ASSET  
LEASING CORPORATION

WHEREAS, the County of Riverside (the "County") has previously caused to be executed and delivered its 1985 Certificates of Participation Type One: Series A, Series B, Series C and Series D and Type Two: Series E (Riverside County Public Facilities Project) (hereinafter "the ACES financing") in the aggregate principal amount of \$169,400,000 which have subsequently been paid off at maturity;

WHEREAS, the County of Riverside Asset Leasing Corporation, a California nonprofit benefit corporation (the "Corporation") owns the real property located at 5950 Wilderness Avenue, Riverside, California 92504 containing an "L" shaped concrete tilt-up type industrial building which has been used as public animal shelter facility and a record storage area (the "Wilderness Animal Shelter");

WHEREAS, the Wilderness Animal Shelter was leased to the County by the Corporation to support debt service payments on the ACES financing but is no longer needed for that purpose because the ACES financing has been paid off;

WHEREAS, the Wilderness Animal Shelter is no longer being used as an animal shelter;

WHEREAS, the County has requested the Corporation to transfer the Wilderness Animal Shelter to the County so that it can be sold, and the Corporation has agreed to such transfer.

NOW, THEREFORE, THIS BOARD OF SUPERVISORS DOES HEREBY FIND, RESOLVE, DETERMINE AND ORDER as follows:

FORM APPROVED COUNTY COUNSEL  
BY: *Dale A. Gardner* 10/23/17  
DALE A. GARDNER DATE

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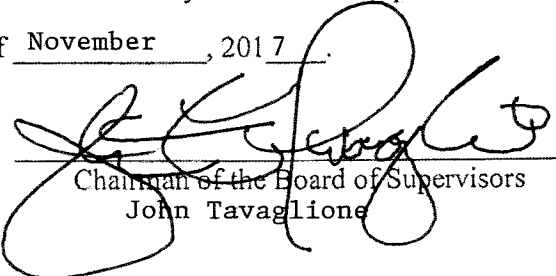
Section 1. This Board of Supervisors (the "Board") hereby finds that the foregoing recitals are true and correct.

Section 2. The Board hereby accepts the transfer of the Wilderness Animal Shelter to the County.

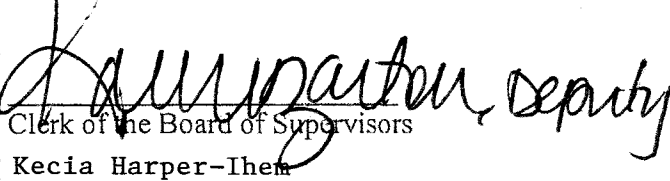
Section 3. The County Executive Officer, the County Finance Director, the Deputy County Executive Officer and any other authorized officers of the County acting on behalf of the County Executive Officer (each an "Authorized Representative" and collectively, the "Authorized Representatives") are, and each of them acting alone is, hereby authorized to take any and all actions and execute and deliver such documents as they deem necessary or advisable to carry out the purposes of this Resolution and to consummate the transactions contemplated herein and all actions heretofore taken by any of them with respect to or in connection with or related to any of the transactions referenced herein are hereby approved, confirmed and ratified.

Section 4. The Clerk of the Board shall certify to the passage of this Resolution, shall transmit a copy hereof to the Corporation, and shall cause the action of the Board of Supervisors in adopting the same to be entered in the official minutes of this Board of Supervisors.

**PASSED and ADOPTED** by the Board of Supervisors of the County of Riverside on the 7th day of November, 2017.

  
\_\_\_\_\_  
Chairman of the Board of Supervisors  
John Tavaglione

ATTEST:

  
\_\_\_\_\_  
Clerk of the Board of Supervisors  
Kecia Harper-Ithen

CAO:ra/081017/162FM/19.214

1 CERTIFICATE OF THE CLERK

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3 I, Kecia Harper-Ihem, Clerk of the Board of Supervisors of the County of Riverside, do  
4 hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a  
5 regular meeting of the Board of Supervisors of the County of Riverside duly and regularly held  
6 at the regulation meeting place thereof on November 7, 2017, of which meeting  
7 all of the members of said board had due notice.

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9 AYES: Supervisors Jeffries, Tavaglione, Washington and Perez

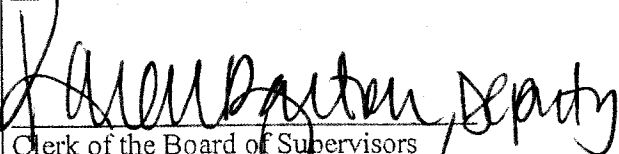
10 NAYS: Supervisors None

11 ABSENT: Supervisors Ashley

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13 I do hereby further certify that I have carefully compared the foregoing copy with the  
14 original minutes of said meeting on file and of record in my office; that said copy is a full, true  
15 and correct copy of the original resolution adopted at said meeting and entered in said minutes;  
16 and that said resolution has not been amended, modified, rescinded or revoked in any manner  
17 since the date of its adoption, and the same is now in full force and effect.

18 I do hereby further certify that an agenda for said meeting was posted at least seventy-  
19 two (72) hours before said meeting at 4080 Lemon Street, Riverside, California, a location  
20 freely accessible to members of the public, and a brief general description of said resolution  
21 appeared on said agenda.

22 WITNESS my hand and the seal of the County of Riverside on this 7th day of  
23 November 7, 2017.

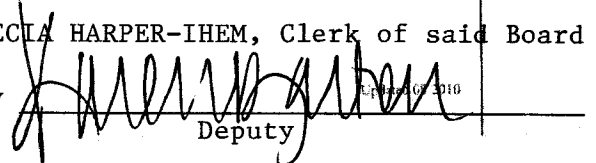
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26 Clerk of the Board of Supervisors  
27 Kecia Harper-Ihem

28 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

Page 3 of 3

By

  
Deputy

RECORDING REQUESTED BY )  
County of Riverside )  
WHEN RECORDED MAIL TO: )  
Economic Development Agency )  
Real Estate Division )  
3403 Tenth Street, Suite 400 )  
Riverside, CA 92501 )

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(Space above for Recorder's Use)

FEE-EXEMPT  
[Cal. Gov't. Code §§ 6103, 27383]

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the County of Riverside Asset Leasing Corporation, a California non-profit public benefit corporation, hereby GRANTS to the County of Riverside, a political subdivision of the state of California, all that real property situated in the city of Riverside, County of Riverside, State of California, described in the attached "Exhibit A (Description of Land)."

Executed on the 15 day of October, 2016 at Riverside, California.

County of Riverside Asset Leasing Corporation

by Harold S. Trumbo  
President



EXHIBIT A  
(DESCRIPTION OF LAND)

All that certain real property situated in the County of Riverside, State of California, described as follows:

That portion of Lot 40, Block 20 of Tract 4 of Riverview addition to the City of Riverside, in the City of Riverside, County of Riverside, State of California, as per map recorded in Book 7, Page(s) 6, of Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at the Northwest corner of the property described in Deed to Prudential Overall Supply recorded October 23, 1963 as Instrument No. 112034 of Official Records of Riverside County, California, said corner being North  $00^{\circ} 06' 45''$  East, as measured on the East line of Wilderness Street, (formerly Marion Street) 60.00 feet in width, 376.00 feet from the Southwest corner of Lot 39 of said Block 20;

Thence continuing North  $00^{\circ} 06' 45''$  East on the East line of Wilderness Street to the South line of Gage Street, 50.00 feet in width, as shown on Map of Riverview Addition to the City of Riverside;

Thence Easterly on the South line of Gage Street to the intersection of the Southwesterly line of the property described in deed to the Metropolitan Water District of Southern California, recorded in Book 262, Page(s) 194 of Official Records of Riverside County, California;

Thence South  $23^{\circ} 20' 00''$  East on the Southwesterly line of the Metropolitan Water District conveyance to the Northeast corner of the aforementioned conveyance to Prudential Overall Supply, Thence North  $89^{\circ} 53' 15''$  West on the North Line of Prudential Overall Supply conveyance, 370.59 feet to the point of beginning.

Except that portion described in Deed to the City of Riverside, a Municipal Corporation, recorded March 4, 1966 as Instrument No. 23700, Official Records.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California                    )  
  )    ss.  
County of Riverside                 )

On October 25, 2016, before me, Jennifer Kammerer, Notary Public  
a Notary Public, personally appeared Harold Trubo,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same  
in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument  
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Affix seal here]



  
Signature of Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
 ) ss.  
County of Riverside )

On October \_\_\_\_, 2016, before me, \_\_\_\_\_,  
a Notary Public, personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument  
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Affix seal here]


\_\_\_\_\_  
Signature of Notary Public

## CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within Grant Deed to the County of Riverside, a political subdivision of the State of California, is hereby accepted by order of the Board of Supervisors as of October 25, 2016, and that the Grantee consents to the recordation thereof by the County Recorder.

FORM APPROVED:

Gregory P. Priamos, County Counsel

  
By: Dale A. Gardner  
Deputy

COUNTY OF RIVERSIDE (Grantee)

By: \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:

Kecia Harper-Ihem  
Clerk of the Board

By: \_\_\_\_\_  
Deputy



Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on. 11/9/17 Date KB Initial

NOTICE OF EXEMPTION

August 21, 2017

Project Name: County of Riverside, Conveyance of Wilderness Animal Shelter Property to the County of Riverside

Project Number: FM0417200162

Project Location: 5950 Wilderness Avenue, north of Jurupa Avenue, Assessor's Parcel Number (APN) 189-080-001, Riverside, California, 92504 (See attached exhibit)

Description of Project: The County Riverside Asset Leasing Corporations (CORAL) is the owner of the real property, located at 5950 Wilderness Avenue, Riverside, California 92504. The property contains a 48,608-square-foot concrete tilt-up industrial building on approximately 2.33 gross acres of land, also known as APN 189-080-001 (Wilderness Shelter). CORAL acquired this real property for the purpose of providing for a public animal shelter facility and for a portion to be used as a County of Riverside (County) record storage area. The County leased the Property from CORAL and entered into a sublease with the City of Riverside (City) in order to jointly provide a public animal shelter facility for the residents of the City and the County. The Wilderness Shelter is no longer in use as a public animal shelter. Although rental payments derived from leasing of the Wilderness Shelter previously supported debt service on the County's 1985 Certificates of Participation (COP), those Certificates have matured and the County and CORAL entered into and recorded a termination agreement with respect to this lease financing on November 14, 2014. Because the Wilderness Shelter is no longer encumbered with the COP financing and because it is no longer being utilized as an animal shelter, the sublease agreement with the City requires the County to sell the Wilderness Shelter to a third party and split a portion of the sale proceeds with the City. The County requests that CORAL authorize, approve, and execute a Grant Deed between CORAL and the County to convey the Wilderness Shelter to the County, who will then sell the property to a third party. The conveyance of the Property from CORAL to the County for the disposition of the property is identified as the proposed Project under the California Environmental Quality Act (CEQA).

Name of Public Agency Approving Project: County of Riverside, Economic Development Agency

Name of Person or Agency Carrying Out Project: County of Riverside, Economic Development Agency; County Riverside Asset Leasing Corporation

Exempt Status: State CEQA Guidelines, Section 15301, Class 1, Existing Facilities Exemption; and Section 15061(b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061 and 15300 to 15301.

NOV 07 2017 3.5

**Reasons Why Project is Exempt:** The Project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The Project is the conveyance of real property from CORAL to the County, so that the County can sell the property and split the proceeds with the City. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. The discretionary action to convey the property is exempt from the requirements of CEQA as it would not result in direct impacts to the physical environment or reasonably foreseeable indirect effects. The indirect effects of the action will result in the sale of the property and whether the eventual buyer elects to keep the existing building or redevelop the property cannot be reasonably known or foreseeable. Any future change to the property would require an additional, separate discretionary action by the City, which would be the appropriate timing for environmental review.

- **Section 15301 – Class 1 Existing Facilities Exemption:** This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site's use. The Project, as proposed, is limited to the conveyance of real property from CORAL to the County. The Project would not result in any change in use and will not increase or expand the use of the site. The site to be transferred conveyed is currently developed with a 48,608 square-foot industrial building and does not contain environmentally sensitive areas. The existing building would not result in a change in use and would continue to operate in a similar capacity; therefore, the Project is exempt as the Project meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the conveyance of the property may have a significant physical effect on the environment. The conveyance of the property does not facilitate an increase in the intensity of use of the site. The conveyance of this property does not require any construction activities and would not lead to any direct or reasonably foreseeable indirect physical environmental impacts to the existing sites. Therefore, in no way, would the transfer of property between CORAL and the County and the City, as proposed, have the potential to cause a significant environmental impact and the Project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Economic Development Agency hereby concludes that no physical environmental impacts are anticipated to occur and the Project as proposed meets all of the required categorical exemptions as identified. No further environmental analysis is warranted.

Signed:  Date: 8/21/17

Mike Sullivan, Senior Environmental Planner  
County of Riverside, Economic Development Agency

**RIVERSIDE COUNTY CLERK & RECORDER**

**AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

**Project Name:** Conveyance of Wilderness Animal Shelter Property to the County of Riverside

**Accounting String:** 528500-47220-7200400000- FM0417200162

DATE: August 21, 2017

AGENCY: Riverside County Economic Development Agency

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Mike Sullivan, Senior Environmental Planner, Economic Development Agency

Signature: 

PRESENTED BY: Craig Olsen, Senior Real Property Agent, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -



Date: August 21, 2017

To: Mary Ann Meyer, Office of the County Clerk

From: Mike Sullivan, Senior Environmental Planner, Project Management Office

Subject: **County of Riverside Economic Development Agency Project # FM0417200162**  
Conveyance of Wilderness Animal Shelter Property to the County of Riverside

The Riverside County's Economic Development Agency's Project Management Office is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher for your posting fee.

**After posting, please return the document to:**

**Mail Stop #1330**

**Attention: Mike Sullivan, Senior Environmental Planner,**

**Economic Development Agency,**

**3403 10<sup>th</sup> Street, Suite 400, Riverside, CA 92501**

**If you have any questions, please contact Mike Sullivan at 955-8009.**

Attachment

cc: file