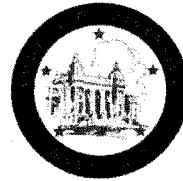


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.9
(ID # 5821)

MEETING DATE:

Tuesday, January 9, 2018

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA):

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA): Ratification and Approval of Sixth Amendment to Lease, Cooperative Extension, Moreno Valley, 1 year Lease Extension, District 5, CEQA Exempt, [\$85,040], General Fund 100% (Clerk to File Notice of Exemption)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 Existing Facilities exemption and Section 15061(b)(3) "Common Sense" exemption;
2. Ratify and approve the attached Sixth Amendment to Lease and authorize the Chairman of the Board to execute the same on behalf of the County; and
3. Direct the Clerk of the Board to file the attached Notice of Exemption with the County Clerk for posting within five days of approval by the Board.

ACTION: Policy

Robert Field, Assistant County Executive Officer/EDA

11/30/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez 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: January 9, 2018
xc: EDA, Recorder

Kecia Harper-Ihem
Clerk of the Board

By:
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$42,520	\$42,520	\$85,040	\$
NET COUNTY COST	\$42,520	\$42,520	\$85,040	\$
SOURCE OF FUNDS: 100% General Fund			Budget Adjustment:	No
			For Fiscal Year: 2017/18-18/19	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The County of Riverside entered into a Lease Agreement (Lease) on February 24, 2004, on behalf of the Cooperative Extension Program for the facility located at 21150 Box Springs Road, Suite 202, in Moreno Valley. This Sixth Amendment to Lease represents a one year extension effective January 1, 2018. This facility continues to meet the Cooperative Extension's space needs and requirements.

Pursuant to the California Environmental Quality Act (CEQA), the Sixth Amendment to Lease was reviewed and determined to be categorically exempt from CEQA under State CEQA Guidelines 15301, Class 1 – Existing Facilities and 15061(b)(3) "Common Sense" exemption. The proposed project, the Sixth Amendment to Lease, is the letting of property where no or negligible expansion of an existing use will occur.

Lessor: Riverside County Farm Bureau
21160 Box Springs Road
Moreno Valley, California

Location: 21150 Box Springs Road, Suite 202
Moreno Valley, California

Size: 6,000 square feet

Rent:	Current rate	New Rate
	\$.99 per sq. ft.	\$ 1.01 per sq. ft.
	\$ 5,949.16 per month	\$ 6,068.14 per month
	\$71,389.92 per year	\$ 72,817.68 per year

Increases: 2% percent annually

Term: One year commencing January 1, 2018 and expiring December 31, 2018

Option: Two, one year options to extend Lease

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

Utilities: County pays for phone and electric, Lessor pays for all other utilities

Impact on Residents and Businesses

Riverside Cooperative Extension Center is the local University of California office that provides research for the local agricultural community. As part of the agricultural community, they help local farmers develop more-efficient growing methods, solve pest management problems and develop crops and irrigation methods that use less water. The benefits from local agricultural research are passed on for the residents and businesses by providing and encouraging a healthier and more sustainable environment for the entire community through programs such as Nutrition and Consumer Sciences, 4-H Youth Leadership, good citizenship and Skill Development, and Master Gardener outreach.

Additional Fiscal Information

See attached Exhibits A & B. Cooperative Extension will reimburse EDA for all Lease costs on a monthly basis for FY 2017/18 through FY 2018/19.

Contract History and Price Reasonableness

This is a one year Lease extension. The Lease rate is deemed below the current market.

Attachments:

- Aerial Image
- Sixth Amendment to Lease
- Notice of Exemption
- Exhibits A & B

RF:HM:VC:VY:CD:ra MV002 19.326 13728
Minute Traq ID 5821


Rohini Basu, Principal Management Analyst 1/2/2018

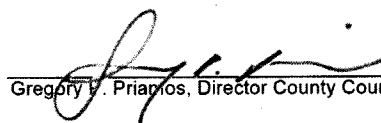

Gregory P. Priamos, Director County Counsel 12/18/2017

Exhibit A

FY 2017/18

Cooperative Extension

21150 Box Springs Road, Suite 202, Moreno Valley

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office: 6,000 SQFT

Approximate Cost per SQFT (July - Dec) \$ -

Approximate Cost per SQFT (Jan - June) \$ 1.01

Lease Cost per Month (July - Dec) \$ -

Lease Cost per Month (Jan - June) \$ 6,068.14

Total Lease Cost (July - Dec) \$ -

Total Lease Cost (Jan - June) \$ 36,408.84

Total Estimated Lease Cost for FY 2017/18 **\$ 36,408.84**

Estimated Additional Costs:

Utility Cost per Square Foot \$ 0.12

Estimated Utility Costs per Month \$ 720.00

Total Estimated Utility Cost \$ 4,320.00

EDA Lease Management Fee - 4.92% \$ 1,791.31

Total EDA Lease Management Fee \$ 1,791.31

TOTAL ESTIMATED COST FOR FY 2017/18 **\$ 42,520.15**

TOTAL COUNTY COST 100% **\$ 42,520.15**

Exhibit B

FY 2018/19

Cooperative Extension

21150 Box Springs Road, Suite 202, Moreno Valley

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office:	6,000	SQFT	
Approximate Cost per SQFT (July - Dec)	\$	1.01	
Approximate Cost per SQFT (Jan - June)	\$	-	
Lease Cost per Month (July - Dec)	\$	6,068.14	
Lease Cost per Month (Jan - June)			
Total Lease Cost (July - Dec)		\$	36,408.84
Total Lease Cost (Jan - June)		\$	-
Total Estimated Lease Cost for FY 2018/19		\$	36,408.84

Estimated Additional Costs:

Utility Cost per Square Foot	\$	0.12	
Estimated Utility Costs per Month		\$	720.00
Total Estimated Utility Cost		\$	4,320.00
EDA Lease Management Fee - 4.92%		\$	1,791.31
Total EDA Lease Management Fee		\$	1,791.31
TOTAL ESTIMATED COST FOR FY 2018/19		\$	42,520.15
TOTAL COUNTY COST 100%		\$	42,520.15

F11: Cost - Total Cost	\$	85,040.31
F11: Net County Cost - Total Cost	\$	85,040.31



Original Negative Declaration/Notice of
Determination was routed to County
Clerks for posting on.

1/10/18
Date

LCB
Initial

NOTICE OF EXEMPTION

November 13, 2017

Project Name: County of Riverside, Economic Development Agency (EDA) Cooperative Extension Program, Sixth Amendment to Lease – Box Springs Road, Riverside

Project Number: FM042462000200

Project Location: 21150 Box Springs Road, Suite 202, east of Morton Road, Moreno Valley, California 92557; APN 256-200-002; (See Attached Exhibit)

Description of Project: On February 24, 2004, the County of Riverside (County) entered a lease agreement with the Riverside County Farm Bureau, for the County Cooperative Extension Program to occupy 6,000 square feet of space at the facility located at 21150 Box Springs Road, Suite 202, Moreno Valley, California. The current space continues to meet the needs of the Cooperative Extension Program and the County seeks to extend the lease for an additional year, effective January 1, 2018. The Sixth Amendment to the Lease Agreement is identified as the proposed Project under the California Environmental Quality Act (CEQA). The Sixth Amendment to the Lease Agreement consists of a one-year extension term, starting at a monthly rate of \$6,068.14, with a 2 percent annual increase. The use of the facility by the Cooperative Extension Program would continue, consistent with the existing land use. The operation of the facility will continue to provide services and will not result in an expansion of existing use. No additional direct or indirect physical environmental impacts are anticipated.

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, and Riverside County Farm Bureau

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

Reasons Why Project is Exempt: The proposed Project is categorically exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. 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 will not cause an impact to an environmental resource of hazardous or critical concern nor does the Project have unusual circumstances that could have the possibility of a significant effect on the environment. The Project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the Sixth Amendment to the Lease Agreement.

JAN 09 2018 3.9

- **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 Project only involves negligible or no expansion of the previous site's use. The Project, as proposed, is limited to a Lease Amendment to an existing facility. The use of the facility by the Cooperative Extension Program would be consistent with the current land use, and would not require any expansion of public services and facilities. 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 Project may have a significant effect on the environment. The proposed Sixth Amendment to the Lease Agreement is limited to a contractual transaction and indirect effects would be limited to the existing use of an office building. The Lease Agreement will not result in any direct or indirect physical environmental impacts. The use and operation of the facility will not differ from the existing use and will not create any new environmental impacts to the surrounding area. No impacts would occur from the continued use of the facility. Therefore, in no way, would the Project 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 is exempt under CEQA. No further environmental analysis is warranted.

Signed: _____



Date: _____

11/13/17

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

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Cooperative Extension Program, Sixth Amendment to Lease – Box
Springs Road, Moreno Valley

Accounting String: 524830-47220-7200400000- FM042462000200

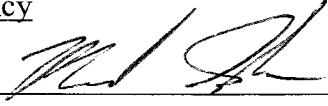
DATE: November 13, 2017

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: 

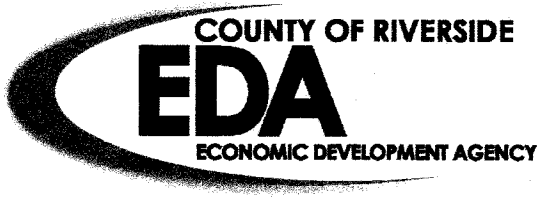
PRESENTED BY: Candice Diaz, Real Property Agent II, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -



Date: November 13, 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 # FM042462000200**
Cooperative Extension Program, Fifth Amendment to Lease – Box Springs Road, Moreno Valley

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 10th Street, Suite 400, Riverside, CA 92501

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

Attachment

cc: file

1 **SIXTH AMENDMENT TO LEASE**

2
3 **THIS SIXTH AMENDMENT TO LEASE** ("Sixth Amendment"), dated as of
4 January 9, 2018, is entered into by and between the **COUNTY OF**
5 **RIVERSIDE**, a political subdivision of the State of California, as Lessee, and
6 **RIVERSIDE COUNTY FARM BUREAU**, a 501(c) (5) non-profit California corporation,
7 as Lessor. Lessee and Lessor are hereinafter collectively referred to as the "Parties"
8 and individually as "Party".

9 **RECITALS**

10 a. Lessor and Lessee have entered into that certain Lease dated February
11 24, 2004 ("Lease"), pursuant to which Lessor has agreed to lease to Lessee and
12 Lessee has agreed to lease from Lessor that certain building located at 21150 Box
13 Springs Road, Suite 202, Moreno Valley (the "Building"), as more particularly described
14 in the Lease (the "Original Premises").

15 b. The amendments of the Lease are summarized as follows:

16 1. The First Amendment to Lease dated January 25, 2005 by and
17 between County of Riverside and Riverside County Farm Bureau. The Parties agreed
18 to extend the term and increase the rent.

19 2. The Second Amendment to Lease dated April 15, 2008 by and
20 between County of Riverside and Riverside County Farm Bureau. The Parties agreed
21 to extend the term, add an option to extend the Lease, and increase the rent.

22 3. The Third Amendment to Lease dated December 9, 2008 by and
23 between County of Riverside and Riverside County Farm Bureau. The Parties agreed
24 to extend the term and increase the rent, and Lessor added the right to terminate if the
25 property was sold.

26 4. The Fourth Amendment to Lease dated April 23, 2013 by and
27 between County of Riverside and Riverside County Farm Bureau. The Parties agreed
28

JAN 09 2018 3.9

1 to extend the term, add an option to extend the Lease, and minor tenant improvements
2 to add blinds.

3 5. The Fifth Amendment to Lease dated May 17, 2016 by and
4 between County of Riverside and Riverside County Farm Bureau. The Parties agreed
5 to extend the term.

6 c. The Parties now desire to amend the Lease to extend the term, increase
7 the rent, and add an option to extend the Lease.

8 NOW THEREFORE, for good and valuable consideration the receipt and
9 adequacy of which is hereby acknowledged, the Parties agree as follows:

10 1. TERM. Section 3 (a) of the Lease is hereby amended by the
11 following:

12 The term of the Lease shall be extended twelve (12) months commencing
13 on January 1, 2018 and shall expire on December 31, 2018.

14 2. RENT. Section 5 of the Lease is hereby amended by the
15 following:

16 Commencing January 1, 2018 rent shall be six thousand sixty-eight
17 dollars and fourteen cents (\$6,068.14) per month.

18 3. OPTION TO EXTEND. Section 4 of the Lease is hereby
19 amended by the following:

20 Lessor grants to Lessee two (2) options to extend the Lease for two
21 separate one (1) year terms. Lease will automatically renew unless either Party gives
22 sixty (60) days written notice prior to the expiration of the Lease term.

23 4. SIXTH AMENDMENT TO PREVAIL. The provisions of this Sixth
24 Amendment shall prevail over any inconsistency or conflicting provisions of the Lease.
25 Any capitalized terms shall have the meaning defined in the Lease, unless defined
26 herein or context requires otherwise.

27 5. MISCELLANEOUS. Time is of the essence in this Sixth
28 Amendment and the Lease and each and all of their respective provisions. Subject to

1 the provisions of the Lease as to assignment, the agreements, conditions and
2 provisions herein contained shall apply to and bind the heirs, executors, administrators,
3 successors and assigns of the parties hereto. The language in all parts of the Lease
4 shall be construed according to its normal and usual meaning and not strictly for or
5 against either Lessor or Lessee. Neither this Sixth Amendment, nor the Lease, nor any
6 notice nor memorandum regarding the terms hereof, shall be recorded by the Lessee.

7 6. EFFECTIVE DATE. This Sixth Amendment to Lease shall not be
8 binding or consummated until its approval by the Riverside County Board of
9 Supervisors and fully executed by the Parties.

10 WITNESS WHEREOF, the parties have executed this Fifth Amendment as of
11 the date first written above.

12 LESSEE:
13 COUNTY OF RIVERSIDE

14 By: Chuck Washington
15 Chairman
16 Board of Supervisors

LESSOR:
RIVERSIDE COUNTY FARM BUREAU

By: Richard A. Schmid, Jr.
President
By: Rachael Johnson
Rachael Johnson,
Executive Director/Corporate Secretary

18 ATTEST:
19 Kecia Harper-Ihem
20 Clerk of the Board

21 By: Kecia Harper-Ihem
22 Deputy

23 APPROVED AS TO FORM:
24 Gregory P. Priamos, County Counsel

25 By: Thomas Oh
26 Deputy County Counsel

27 CD:ra/112917/MV002/19.327
28