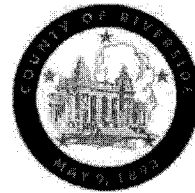


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM  
3.12  
(ID # 4348)

**MEETING DATE:**

Tuesday, January 23, 2018

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

**SUBJECT:** ECONOMIC DEVELOPMENT AGENCY (EDA): Ratification and approval of First Amendment to Lease, RUHS - Public Health, Women, Infant and Children's Clinic (WIC), Jurupa Valley, 2 Year Lease Extension, District 2, CEQA Exempt [\$143,425], Federal Funds 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), the Common Sense exemption;
2. Ratify and approve the First Amendment to Lease and authorize the Chairman of the Board to execute the First Amendment to Lease on behalf of the County; and
3. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk upon approval by the Board.

**ACTION:** Policy

Robert Field, Assistant County Executive Officer/EDA

10/19/2017

Danielle Huntsman, Deputy Director

1/10/2018

---

**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley  
Nays: None  
Absent: None  
Date: January 23, 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**

<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>	\$ 70,891	\$ 72,534	\$ 143,425	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> Federal Funds 100%			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> 2017/18-2019	

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

**BACKGROUND:**

**Summary**

On March 12, 2013, the Board of Supervisors authorized the Chairman of the Board to execute a lease agreement with Lessor on behalf of RUHS, Public Health for the existing Women's Infant and Children (WIC) clinic located at the below address (Agenda Number 3-17). Thereafter, RUHS directed the Economic Development Agency (EDA) to initiate the RFP process to solicit developers to construct a new build to suit leased facility to accommodate a new WIC location to create expansion space and efficiencies for RUHS Public Health. On June 30, 2015, the Board of Supervisors approved minute order 3-54, which authorized EDA's Real Estate Division to identify suitable space to support RUHS – Care Clinics (Agenda Number 3-54).

The new build to suit leased facility will be constructed at 8876 Mission Boulevard in Jurupa Valley, on the southwest corner of Mission Blvd. and Pedley Road. The purpose of this First Amendment is to extend the lease on the current facility until such time that the new facility is completed. The Real Estate Division has negotiated a twenty four month lease extension with a right to terminate after twelve months so as to terminate the lease upon completion of the new leased facility. The Real Estate Division has also negotiated the reduction of the annual escalator from three percent to two and one half percent.

Pursuant to the California Environmental Quality Act (CEQA), the First Amendment was reviewed and determined to be categorically exempt from CEQA pursuant to State CEQA guidelines Section 15301, Class 1 – Existing facilities exemption and Section 15061 (b) (3) – Common Sense exemption. The proposed project, the First Amendment, is the letting of property involving existing facilities, no expansion of an existing use will occur.

County Counsel has approved the First Amendment to Lease as to form.

The Lease is summarized as follows:

Location: 9415 Mission Blvd. Suite I-K  
Jurupa Valley, CA 92509

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

Lessor: J&M Oostdam Properties, LLC  
C/O Jurupa Town Center, Alden Management Group  
1970 N. Warren Road  
San Jacinto, CA 92582

Size: Approximately 3,600 Square Feet

Term: Twenty four months, commencing July 1, 2017 through  
June 30, 2019

Early termination Right: An early termination right to terminate the lease after  
twelve months. County must provide Lessor with thirty day  
notice in writing

Rent:	Current	New
	\$ 1.42 Sq. Ft.	\$ 1.45 Sq. Ft.
	\$ 5,091.53 Per Month	\$ 5,218.82 Per Month
	\$ 61,098.36 Per Year	\$ 62,625.84 Per Year

Annual Escalator: 2.5%

Utilities: Lessor pays for water and refuse collection. County pays  
for electricity and telephone service

Maintenance: Lessor is responsible for maintenance

Custodial: County

RCIT: None

**Impact on Citizens and Businesses**

This RUHS Public Health WIC Clinic continues to provide the care services that serve the wellness care needs for Women, Infants and Children within the region. The RUHS Public Health WIC Clinic is conveniently located close to public transportation for ease of access.

**SUPPLEMENTAL:  
Additional Fiscal Information**

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

RUHS Public Health WIC will budget these costs in FY 2017/18 and will reimburse EDA for all costs on a monthly basis. See Exhibits A and B.

**Contract History and Price Reasonableness**

The lease rate is deemed competitive based upon the current market.

**Attachments:**

- Exhibits A and B
- First Amendment to Lease
- Notice of Exemption
- Aerial Image

RF:VC:VY:CC:tg RV084 PH/WIC 18.746 13524  
MinuteTrak # 4348

  
Rohini Dasika, Principal Management Analyst 1/16/2018

  
Gregory V. Priamos, Director County Counsel 12/26/2017

1 **FIRST AMENDMENT TO LEASE**

2 (RUHS, Department of Public Health, WIC Clinic)

3 9415 Mission Blvd., Suites I, J, K, Jurupa Valley, CA

4  
5 This FIRST AMENDMENT to Lease ("First Amendment"), dated as of  
6 January 23, 2018, is entered by and between the **COUNTY OF**  
7 **RIVERSIDE**, a political subdivision of the State of California ("County"), as Lessee, and  
8 **J&M OOSTDAM PROPERTIES, LLC** a California limited liability company, hereinafter  
9 referred to as "Lessor". County and Lessor are hereinafter collectively referred to as  
10 the "Parties" or individually as a "Party".

11 **RECITALS**

12 **A.** J&M Oostdam Properties, LLC, and County, entered into that certain  
13 Lease dated March 12, 2013, ("Lease") pertaining to the premises located at 9415  
14 Mission Blvd., Suites I, J and K, Jurupa Valley, CA, as more particularly described in  
15 the Lease.

16 **B.** The Parties now desire to amend the Lease by extending the term of the  
17 Lease and adjusting the rent.

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

20 **1. Term.** Section 4.1 of the Lease is hereby amended as follows: The  
21 Original Term of the Lease shall be extended for twenty four (24) months commencing  
22 on July 1, 2017 and terminating on June 30, 2019 ("Extended Term").

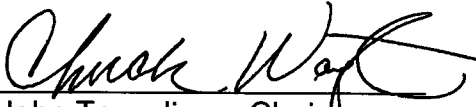
23 **2. Early Termination.** Section 5.5 of the Lease is hereby amended as  
24 follows: In addition to the rights granted in Section 5.5 of the Lease, County may  
25 terminate the Lease for any reason after twelve (12) months of the commencement  
26 date of the Extended Term, as defined in the First Amendment. Notwithstanding the  
27 notice provision in section 5.5 of the Lease, County shall provide thirty (30) days prior  
28 written notice to Lessor of such termination.

JAN 23 2018 3.12

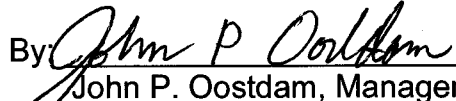
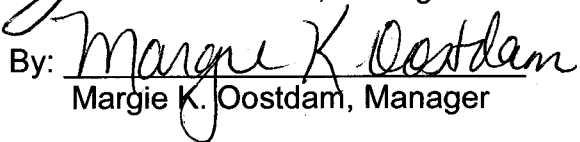


1           **IN WITNESS WHEREOF**, the Parties have executed this **First Amendment** as  
2 of the date first written above.

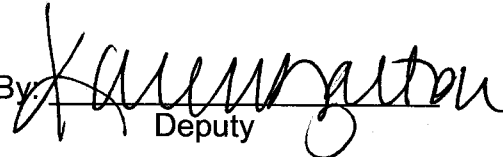
3  
4  
5 **LESSEE:**  
6 **COUNTY OF RIVERSIDE**

7 By:   
8 ~~John Favaglione~~, Chairman  
9 Board of Supervisors  
10 **Chuck Washington**

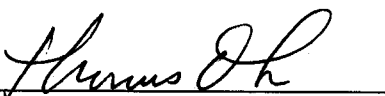
5 **LESSOR:**  
6 **J&M OOSTDAM PROPERTIES, LLC a**  
7 **California limited liability Company**

8 By:   
9 John P. Oostdam, Manager  
10 By:   
11 Margie K. Oostdam, Manager

11  
12 **ATTEST:**  
13 **Kecia Harper-Ihem**  
14 **Clerk of the Board**

15 By:   
16 Deputy

17 **APPROVED AS TO FORM:**  
18 **Gregory P. Priamos, County Counsel**

19  
20 By:   
21 **Thomas Oh,**  
22 **Deputy County Counsel**

23  
24  
25  
26  
27  
28 **CC:ra/090717/RV084/18.747**



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

1/24/18  
Date

kb  
Initial

NOTICE OF EXEMPTION

September 12, 2017

**Project Name:** County of Riverside, Economic Development Agency (EDA) Riverside University Health System (RUHS) Women Infants and Children (WIC), Jurupa Valley, 1st Amendment to Lease

**Project Number:** FM042611008400

**Project Location:** 9415 Mission Boulevard, Suites I through K, west of Hunter Street, Jurupa Valley, California 92582; Assessor's Parcel Number (APN) 170-190-028; (See Attached Exhibit)

**Description of Project:** On March 12, 2013, the County of Riverside (County) entered into a lease agreement for Suites I, J, and K, consisting of 3,600 square feet, in the building located at 9415 Mission Boulevard, in Jurupa Valley, (APN 170-190-028) for use by the RUHS WIC. On September 13, 2016, the Board of Supervisors approved Minute Order 3-12 for a new build to suit facility to meet the needs of RUHS in Jurupa Valley. The new RUHS facility will be constructed at 8876 Mission Boulevard in Jurupa Valley. Until the new RUHS Care Clinic Facility is completed, the current WIC space continues to meet the requirements for RUHS. In an effort to assist RUHS with achieving their goals to prepare for their relocation to the new facility upon completion and acceptance by County the Real Estate Division has negotiated a new 24 month lease, commencing on July 1, 2017 and terminating on June 30, 2019. The 1st Amendment to the Lease Agreement, which is the letting of property involving existing facilities for an additional two year term is identified as the proposed Project under the California Environmental Quality Act (CEQA). 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 J&M Oostdam Properties, LLC

**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 possibility have 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 1st Amendment to the Lease Agreement.

JAN 23 2018 3.12

P.O. Box 1180 • Riverside, California • 92502 • T: 951.955.8914 • F: 951.955.6686 www.rivcoeda.org

Administration  
Aviation  
Business Intelligence  
Cultural Services  
Community Services  
Custodial

Housing  
Housing Authority  
Information Technology  
Maintenance  
Marketing

Economic Development  
Edward-Dean Museum  
Environmental Planning  
Fair & National Date Festival  
Foreign Trade  
Graffiti Abatement

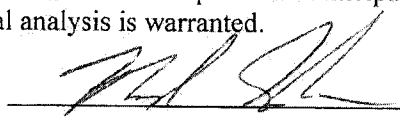
Parking  
Project Management  
Purchasing Group  
Real Property  
Redevelopment Agency  
Workforce Development



- **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 a Lease Agreement of office space in an existing building. The use of the office space would be consistent with the designated 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 1st Amendment to the Lease Agreement is limited to the extension of an existing lease agreement. The direct and indirect effects would be limited to the continued use of an office building.

The potential indirect effects from the action to develop a build to suit facility were previously addressed in a Notice of Exemption approved by the Board on September 13, 2016. The Lessor, as required by terms of that previous agreement, would be required to provide CEQA review and analyze the effects of all of the discretionary actions involved in the development of the future site for the RUHS facility. This proposed lease extension is separate from the previous action as the proposed action has independent utility. The current extension of the lease is required whether or not the future site is developed. Therefore, the Lease Agreement will not result in any direct or indirect physical environmental impacts. 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: 9/12/17

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

**RIVERSIDE COUNTY CLERK & RECORDER**

**AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

**Project Name:** Riverside University Health System Women Infants and Children (WIC), Jurupa Valley, 1st Amendment to Lease

**Accounting String:** 524830-47220-7200400000- FM042611008400

**DATE:** September 12, 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:** 

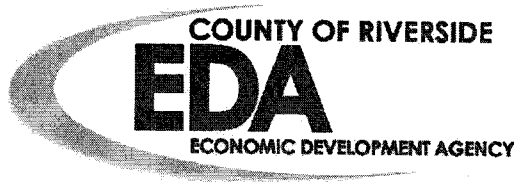
**PRESENTED BY:** Cindy Campos, Real Property Agent III, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

**ACCEPTED BY:** -

**DATE:** -

**RECEIPT # (S)** -



Date: September 12, 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 # FM042611008400**  
Riverside University Health System Women Infants and Children (WIC), Jurupa Valley, 1st  
Amendment to Lease

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