

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



**ITEM
3.17
(ID # 7252)**

MEETING DATE:
Tuesday, July 17, 2018

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA):

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA): Approval of the Sixth Amendment to Lease, Operation SafeHouse, 5 Year Lease Extension, Riverside, District 1, CEQA Exempt, [\$0], No Financial Impact on County (Clerk of the Board to File Notice of Exemption)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the project is exempt from the Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines Section 15301, Existing Facilities, and Section 15061 (b) (3), the common sense exemption;
2. Approve the Sixth Amendment to Lease and authorize the Chairman of the Board to execute the Sixth 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 of the project.

ACTION: Policy

Robert Field, Assistant County Executive Officer/ECD 6/18/2018

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: July 17, 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 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| NET COUNTY COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| SOURCE OF FUNDS: No Financial Impact on County | | | Budget Adjustment: No | |
| | | | For Fiscal Year: 2018/19-2023/24 | |

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The original Lease was approved by the Board of Supervisors on November 1, 1998. Through the Lease the Board of Supervisors has deemed that the Operation SafeHouse Program is necessary to meet the social needs of residents of the County. The program provides social services and education for youth. The County has made certain real property available to Lessee to carry out its community outreach program. This County owned facility continues to meet the needs of the Operation SafeHouse. This Sixth Amendment to Lease extends the lease to October 31, 2023.

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

The Sixth Amendment to Lease is summarized as follows:

Lessor: County of Riverside

Lessee: Operation SafeHouse, Inc, A California non-profit

Location: 9685 Hayes Street, Riverside, CA 92503

Term: Five years; November 1, 2018 to October 31, 2023

Rent: None in consideration for services provided

Utilities: Paid for by Operation SafeHouse, Inc.

Maintenance: Provided by Operation SafeHouse, Inc.

RCIT: None

1 a. The First Option shall be exercised by Lessee giving County notice of its
2 election thereof, in writing, no later than sixty (60) days prior to the expiration of the
3 Extended Term.

4 b. The Second Option shall be exercised by Lessee giving County notice of
5 its elections thereof, in writing, no later than sixty (60) days prior to the expiration of the
6 First Option.

7 3. SIXTH AMENDMENT TO PREVAIL. The provisions of this Sixth
8 Amendment shall prevail over any inconsistency or conflicting provisions of the Lease.

9 4. MISCELLANEOUS. Except as amended or modified herein, all the terms of the
10 Lease shall remain in full force and effect and shall apply with the same force and
11 effect. If any provisions of this Amendment or the Lease shall be determined to be
12 illegal or unenforceable, such determination shall not affect any other provision of the
13 Lease and all such other provisions shall remain in full force and effect.

14 5. EFFECTIVE DATE. This Sixth Amendment to Lease shall not be binding or
15 consummated until its approval by the Riverside County Board of Supervisors and fully
16 executed by the Parties.

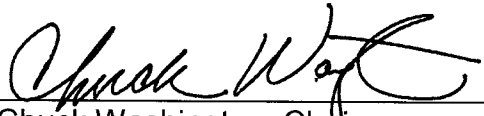
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18 SIGNATURE PROVISION ON NEXT PAGE
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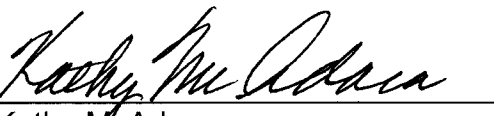
1 IN WITNESS WHEREOF, the parties have executed this Sixth Amendment as
2 of the date first written above.

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4 Dated: JUL 17 2018

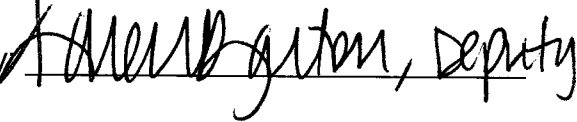
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6 LESSOR:
COUNTY OF RIVERSIDE

LESSEE:
OPERATION SAFE HOUSE, Inc.

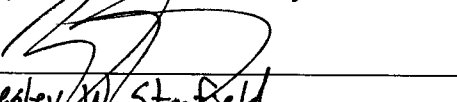
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8 By: 
9 Chuck Washington, Chairman
10 Board of Supervisors

By: 
Kathy McAdara,
Executive Director

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

15 By: , Deputy

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19 APPROVED AS TO FORM:
20 Gregory P. Priamos, County Counsel

21 By: 
22 Wesley W. Stanfield
Deputy County Counsel

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25 CC:ra/050318/RV107/19.823.
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Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

7/19/18

KB

Date

Initial

NOTICE OF EXEMPTION

April 27, 2018

Project Name: County of Riverside, Economic Development Agency (EDA) Operation Safehouse Program, Sixth Amendment to Lease

Project Number: FM047611010700

Project Location: 9685 Hayes Street, north of Magnolia Avenue, Riverside, California 92503; Assessor's Parcel Number (APN) 145-290-019; (See Attached Exhibit)

Description of Project: On November 1, 1998, the County of Riverside (County) entered into a lease agreement with Operation Safehouse, Inc. for the lease of County-owned building located at 9685 Hayes Street in Riverside, (APN 145-290-019) for use for the Operation Safehouse Program, which provides social services and education for certain County residents. The facility continues to meet the needs for the Safehouse Program and a Sixth Amendment to the Lease Agreement is being sought, which will extend the term for an additional five years, commencing November 1, 2018 and terminating October 31, 2022. The Sixth Amendment also includes two options to extend the Lease Agreement, each for a period of an additional five years. The Sixth Amendment to the Lease Agreement, which is the letting of property involving existing facilities for an additional five 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 Operation Safehouse, Inc.

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 Sixth Amendment to the Lease Agreement.

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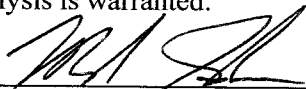
P.O. Box 1180 • Riverside, California • 92502 • T: 951.955.8916 • F: 951.955.6686 org

- 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 an existing building and would not result in any direct or indirect impacts on the environment. The use of the building 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 Sixth Amendment to the Lease Agreement is limited to a lease agreement and the direct and indirect effects would be limited to the continued use of the building. The Lease Agreement will not result in any direct or indirect physical environmental impacts. 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: _____

4/27/18

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

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Operation Safehouse Program, Riverside, 6th Amendment to Lease

Accounting String: 524830-47220-7200400000- FM047611010700

DATE: April 27, 2018

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, Senior Real Property Agent, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -



Date: April 27, 2018

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 # FM047611010700**
Operation Safehouse Program, 6th 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 10th Street, Suite 400, Riverside, CA 92501

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

Attachment

cc: file

Operation Safehouse
9685 Hayes Street, Riverside



0 200 401 Feet



IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON... 4/26/2018 2:52:01 PM

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Legend

Notes
APN 145-290-019