

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



**ITEM**  
3.31  
(ID # 7379)

**MEETING DATE:**

Tuesday, August 28, 2018

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

**SUBJECT:** ECONOMIC DEVELOPMENT AGENCY (EDA): Approval of the Fifth Amendment to Lease, Sheriff's Substation, 3 Year Lease Extension, Mountain Center, District 3, CEQA Exempt, [\$76,946], 100% General Funds (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 Fifth Amendment to Lease and authorize the Chairman of the Board to execute the Fifth 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 7/30/2018

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Perez, 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:** August 28, 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>	\$ 20,895	\$ 25,786	\$ 76,946	\$ 0
<b>NET COUNTY COST</b>	\$ 20,895	\$ 25,786	\$ 76,946	\$ 0
<b>SOURCE OF FUNDS:</b> 100% General Funds			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> 2018/19-2021/22	

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

**BACKGROUND:**

**Summary**

On August 11, 2003, the Board of Supervisors approved minute order 3.32 and the County entered into a Lease Agreement on behalf of the Sheriff's Department for the facility located at 56550 Highway 74, Mountain Center. This facility continues to meet the needs and requirements of the department. This Fifth Amendment to Lease represents a three year renewal which was negotiated by the Real Estate Division of the Economic Development Agency Commencing on September 1, 2018.

The Fifth Amendment to Lease is summarized as follows:

**Location:** 56550 Highway 74  
Mountain Center, CA

**Lessor:** Lake Hemet Municipal Water District  
P.O. Box 5039  
Hemet, CA 92544

**Size:** 1,360 Square Feet

**Term:** Three years: September 1, 2018 to August 31, 2021

**Annual Escalator:** Two percent

**Rent:**

<b>Current:</b>	<b>New:</b>
\$ 1.32 Per sq. ft.	\$ 1.35 Per sq. ft.
\$ 1,796.77 Per month	\$ 1,836.00 Per Month
\$ 21,561.24 Per year	\$ 22,032.00 Per Year

**Tenant Improvements:** None

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

RCIT: None

Maintenance: Lessor

Utilities: County pays electricity and telephone services. Lessor responsible to water, trash and sewer services

Custodial: Lessor

The attached Fifth Amendment to Lease has been reviewed and approved by County Counsel as to legal form.

**Impact on Citizens and Businesses**

The benefit to the public by the renewal of this lease agreement is a continuing presence by the Sheriff in this region.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

See attached Exhibits A, B & C. The Sheriff's Department will budget these costs in FY 18/19 thru FY 21/22 and will reimburse EDA for all lease costs on a monthly basis.

**Contract History and Price Reasonableness**

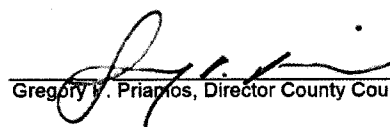
The Lease rate is deemed competitive based upon the current market. This contract has been in place since August 11, 2003.

**Attachments:**

- Fifth Amendment to Lease
- Exhibits A, B and C
- Notice of Exemption
- Aerial Image

RF:HM:VY:CC:ra MC001 19.845 13851  
MinuteTrak: 7379

  
Rohini Dasika, Principal Management Analyst 8/20/2018

  
Gregory V. Priamos, Director County Counsel 8/7/2018

# Exhibit A

FY 2018/19  
Sheriff's Department  
56550 Highway 74, Mountain Center

## **ESTIMATED AMOUNTS**

### **Total Square Footage to be Leased:**

Current Office:		1,360	SQFT
Approximate Cost per SQFT (July - Aug)	\$	1.32	
Approximate Cost per SQFT (Sep - June)	\$	1.35	
Lease Cost per Month (July - Aug)	\$	1,796.77	
Lease Cost per Month (Sep - June)	\$	1,836.00	
Total Lease Cost (July - Aug)	\$	3,593.54	
Total Lease Cost (Sep - June)	\$	18,360.00	
<b>Total Estimated Lease Cost for FY 2018/19</b>	<b>\$</b>	<b>21,953.54</b>	

### **Estimated Additional Costs:**

Utility Cost per Square Foot	\$	0.12	
Estimated Utility Costs per Month	\$	163.20	
Total Estimated Utility Cost (July - Aug)	\$	326.40	
Total Estimated Utility Cost (Sep - June)	\$	1,632.00	
EDA Lease Management Fee (Based at 4.12%)	\$	148.05	
EDA Lease Management Fee (Based at 4.92%)	\$	903.31	

**TOTAL ESTIMATED COST FOR FY 2018/19** **\$ 24,963.31**

Amount Approved in Previous Agreement \$ 4,067.99

Amount of FY18/19 \$ 20,895.31

TOTAL COUNTY COST 100% \$ 20,895.31

# Exhibit B

FY 2019/20  
Sheriff's Department  
56550 Highway 74, Mountain Center, CA

## ESTIMATED AMOUNTS

### Total Square Footage to be Leased:

Current Office:		1,360	SQFT
Approximate Cost per SQFT (July - Aug)	\$	1.35	
Approximate Cost per SQFT (Sep - June)	\$	1.38	
Lease Cost per Month (July - Aug)	\$	1,836.00	
Lease Cost per Month (Sep - June)	\$	1,872.72	
Total Lease Cost (July - Aug)	\$	3,672.00	
Total Lease Cost (Sep - June)	\$	18,727.20	
<b>Total Estimated Lease Cost for FY 2019/20</b>	<b>\$</b>	<b>22,399.20</b>	

### Estimated Additional Costs:

Utility Cost per Square Foot	\$	0.12	
Estimated Utility Costs per Month	\$	163.20	
Total Estimated Utility Cost (July - Aug)	\$	326.40	
Total Estimated Utility Cost (Sep - June)	\$	1,958.40	
EDA Lease Management Fee (Based at 4.92%)	\$	1,102.04	
<b>TOTAL ESTIMATED COST FOR FY 2019/20</b>	<b>\$</b>	<b>25,786.04</b>	
TOTAL COUNTY COST 100%	\$	25,786.04	

# Exhibit C

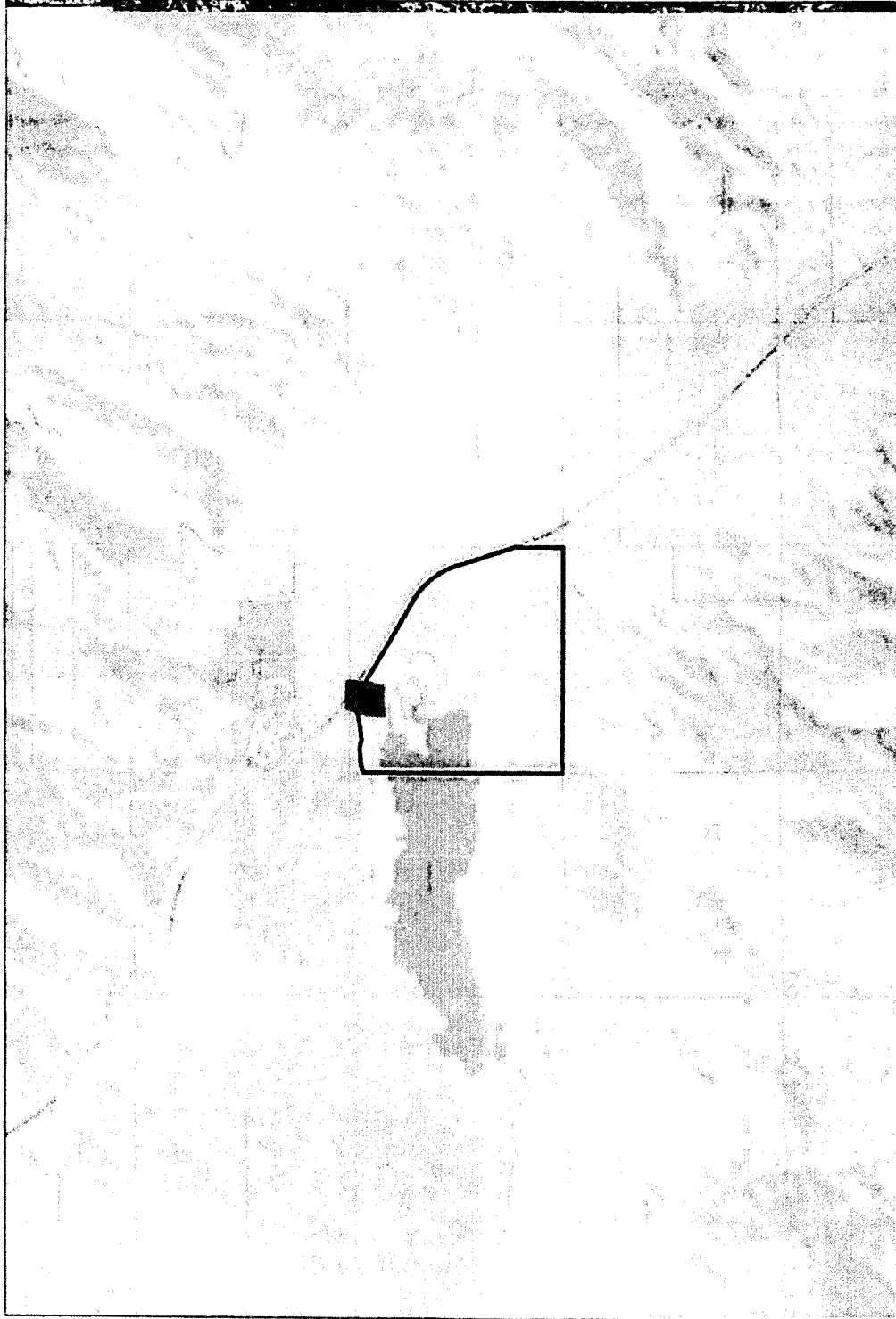
FY 2020/21 - 2021/22




Sheriff's Department

56550 Highway 74, Mountain Center

	FY 2020/21	FY 2021/22
<b><u>Total Square Footage to be Leased:</u></b>		
Current Office:	1,360	1,360
Approximate Cost per SQFT (July - Aug)	\$ 1.38	\$ 1.40
Approximate Cost per SQFT (Sep - June)	\$ 1.40	
Lease Cost per Month (July - Aug)	\$ 1,872.72	\$ 1,910.17
Lease Cost per Month (Sep - June)	\$ 1,910.17	
Total Lease Cost (July - Aug)	\$ 3,745.44	\$ 3,820.35
Total Lease Cost (Sep - June)	\$ 19,101.74	
<b>Total Estimated Lease Cost for FY 2020/21 - 2021/22</b>	<b>\$ 22,847.18</b>	<b>\$ 3,820.35</b>
<b><u>Estimated Additional Costs:</u></b>		
Utility Cost per Square Foot	\$ 0.12	\$ 0.12
Estimated Utility Costs per Month	\$ 163.20	\$ 163.20
Total Estimated Utility Cost	\$ 1,958.40	\$ 326.40
EDA Lease Management Fee (Based at 4.92%)	\$ 1,124.08	\$ 187.96
<b>TOTAL ESTIMATED COST FOR FY 2020/21 - 2021/22</b>	<b>\$ 25,929.67</b>	<b>\$ 4,334.71</b>
F11: Cost - Total Cost	\$ 76,945.73	
F11: Net County Cost - Total Cost	\$ 76,945.73	

**Fifth Amendment**  
56550 Highway 74, Mountain Center, CA



- Legend**
-  City Boundaries
  -  Cities
  -  World Street Map



0 4,438

8,876 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.

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**Notes**  
APN 568-060-012



1 **FIFTH AMENDMENT TO LEASE**  
2 **56550 Highway 74, Mountain Center**  
3  
4

5 **THIS FIFTH AMENDMENT TO LEASE** ("Fifth Amendment"), dated as of  
6 August 28, 2018, is entered into by and between the **COUNTY OF**  
7 **RIVERSIDE**, a political subdivision of the State of California, ("County"), and **LAKE**  
8 **HEMET MUNICIPAL WATER DISTRICT**, a municipal water district created pursuant to  
9 the Municipal Water District law of 1911, ("Lessor"), sometimes collectively referred to  
10 as the "Parties".

11 **RECITALS**

12 A. Lessor and County have entered into that certain Lease dated August 11, 2003,  
13 (the "Original Lease") pursuant to which Lessor has agreed to lease to County and  
14 County has agreed to lease from Lessor approximately 1,360 square feet of office  
15 space in those certain buildings located at 56550 Highway 74, Mountain Center, as  
16 more particularly described in Exhibit "A" of the Original Lease.

17 B. The Original Lease together with this Fifth Amendment are collectively referred  
18 to herein as the Lease.

19 C. The Parties now desire to amend the Lease to extend the term of the Lease.  
20 NOW THEREFORE, for good and valuable consideration the receipt and adequacy of  
21 which is hereby acknowledged, the Parties agree as follows:

22 1. TERM. Section 3 (a) of the Original Lease is amended by adding the following:

23 The Term of this Lease shall be extended three (3) years commencing on  
24 September 1, 2018 and terminating on August 31, 2021.

25 2. RENT. Section 4 (a) of the Original Lease shall be amended as follows:

26 (a) Effective September 1, 2018 the rental rate shall be  
27 \$1,836.00 per month.  
28



1 3. FIFTH AMENDMENT TO PREVAIL. The provisions of this Fifth Amendment  
2 shall prevail over any inconsistency or conflicting provisions of the Lease. Any  
3 capitalized terms shall have the meaning defined in the Lease, unless defined herein or  
4 context requires otherwise.

5 4. MISCELLANEOUS. Except as amended or modified herein, all terms of the  
6 Lease shall remain in full force and effect. If any provisions of this Amendment shall be  
7 determined to be illegal or unenforceable, such determination shall not affect any other  
8 provision of the Lease. Neither this Amendment nor the Lease shall be recorded by  
9 the County.

10 5. EFFECTIVE DATE. This Fifth Amendment to Lease shall not be binding or  
11 consummated until its approval by the Riverside County Board of Supervisors and fully  
12 executed by the Parties.

13 6. MISCELLANEOUS. "Except as amended or modified herein all the terms of the  
14 Original Lease shall remain in full force and effect and shall apply with the same force  
15 and effect. Time is of the essence in this Amendment and the Lease and each and all  
16 their respective provisions. Subject to the provisions of the Lease as to assignment,  
17 the agreements, conditions and provisions herein contained shall apply to and bind the  
18 heirs, executors, administrators, successors and assigns of the parties hereto. If any  
19 provisions of this Amendment or the Lease shall be determined to be illegal or  
20 unenforceable, such determination shall not affect any other provisions of the Lease  
21 and all such other provisions shall remain in full force and effect. The language in all  
22 parts of the Lease shall be construed according to its normal and usual meaning and  
23 not strictly for or against either the Lessor or County. Neither this Amendment, nor the  
24 Original Lease, nor any notice nor memorandum regarding the terms hereof, shall be  
25 recorded by County.

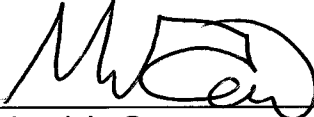
26  
27 SIGNATURE PROVISION ON NEXT PAGE  
28

1 IN WITNESS WHEREOF, the parties have executed this Fifth Amendment to  
2 Lease as of the date first written above.

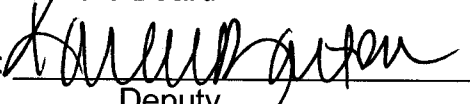
3 LESSEE:  
4 COUNTY OF RIVERSIDE, a political  
5 Subdivision of the State of California

LESSOR:  
6 LAKE HEMET MUNICIPAL WATER  
7 DISTRICT, a municipal Water District  
8 Created pursuant to the municipal  
9 Water District

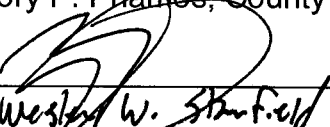
10  
11 By:   
12 Chairman Chuck Washington  
13 Board of Supervisors

By:   
14 Michael A. Gow,  
15 General Manager

16 ATTEST:  
17 Kecia Harper-Ihem  
18 Clerk of the Board

19 By:   
20 Deputy

21 APPROVED AS TO FORM:  
22 Gregory P. Priamos, County Counsel

23 By:   
24 Wesley W. Stanfield  
25 Deputy County Counsel

26 CC:ra/061418/MC001/19.846  
27  
28



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

07/29/18  
Date

kb  
Initial

## NOTICE OF EXEMPTION

June 7, 2018

**Project Name:** County of Riverside, Economic Development Agency (EDA) Sheriff's Substation, Mountain Center, Fifth Amendment to Lease

**Project Number:** FM0424630000100

**Project Location:** 56550 Highway 74, south of Hemet Lake Road, Mountain Center, California 92561; Assessor's Parcel Number (APN) 568-060-012; (See Attached Exhibit)

**Description of Project:** On August 11, 2003, the County of Riverside (County) entered into a lease agreement on behalf of the Sheriff's Department with the Lake Hemet Municipal Water District for the facility located at 56550 Highway 74 in the community of Mountain Center. The Lease agreement for a 1,360 square foot facility has been amended four times previously and the facility continues to meet the requirements for the Sheriff's Department. A three-year extension of the lease term is being sought. The Fifth Amendment to the Lease Agreement, which is the letting of property involving existing facilities for an additional three-year term, commencing September 1, 2018 and terminating August 31, 2021, 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, Lake Hemet Municipal Water District

**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 possibly 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 Fifth Amendment to the Lease Agreement.

AUG 28 2018 3:31

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

org

Administration  
Aviation  
Business Intelligence  
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Marketing

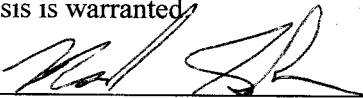
Economic Development  
Edward-Dean Museum  
Environmental Planning  
Fair & National Date Festival  
Foreign Trade  
Graffiti Abatement

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 space in an existing building and would not result in any direct or indirect impacts on the environment. The use of the 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 Fifth 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 facility. 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: \_\_\_\_\_

6/7/18

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

**RIVERSIDE COUNTY CLERK & RECORDER**

**AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

**Project Name:** Sheriff's Substation, Mountain Center, 5th Amendment to Lease

**Accounting String:** 524830-47220-7200400000- FM0424630000100

DATE: May 22, 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, Real Property Agent III, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

RECEIPT # (S) \_\_\_\_\_



Date: May 22, 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 # FM0424630000100**  
Sheriff's Substation, Mountain Center, 5<sup>th</sup> 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