

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



ITEM: 3.15  
(ID # 11704)

**MEETING DATE:**  
Tuesday, March 10, 2020

**FROM:** FACILITIES MANAGEMENT:

**SUBJECT:** FACILITIES MANAGEMENT (FM): Ratification and Approval of Sixth Amendment to Lease with City of Canyon Lake, Riverside County Library System, Canyon Lake, One-Year Lease, CEQA Exempt, District 1, [\$84,790] County Library Fund 100%

**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 with City of Canyon Lake, 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 Notice of Exemption with the County Clerk within five (5) days of approval by Board.

**ACTION:** Policy

  
Heidi Marshall, Managing Director of EDA 2/10/2020

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Disqualify: Jeffries  
Date: March 10, 2020  
xc: Facilities Mgmt.

Kecia R. Harper  
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>	\$53,243	\$31,547	\$84,790	\$0
<b>NET COUNTY COST</b>	\$0	\$0	\$0	\$0
<b>SOURCE OF FUNDS:</b> County Library Fund 100%			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> 2019/20-2020/21	

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

**BACKGROUND:**

**Summary**

On February 15, 2000, the County of Riverside (County) entered into a lease with the City of Canyon Lake. The County operates a full service library to serve the residents of the County of Riverside. The leased facility located at 31516 Railroad Canyon Road, Canyon Lake, California, continues to meet the needs and requirements of the library and the County desires to extend the term an additional year commencing February 1, 2020, and terminating on January 31, 2021.

Pursuant to the California Environmental Quality Act (CEQA), the Sixth Amendment 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), “Common Sense” exemption. The proposed project, the Sixth Amendment, is the continuation of the letting of property involving existing facilities with no significant physical changes, and no expansion of an existing use will occur.

The attached Sixth Amendment to Lease is summarized below:

**Lessor:** City of Canyon Lake  
31516 Railroad Canyon Road, Suite 101  
Canyon Lake, California 92587

**Location:** 31516 Railroad Canyon Road  
Canyon Lake, California 92587

**Size:** Approximately 2,711 square feet

**Term:** Effective as of February 1, 2020 through January 31, 2021

**Rent:**

<b>Current</b>	<b>New</b>
\$ 1.43	\$ 1.47 per sq. ft.
\$ 3,871.19	\$ 3,985.39 per month
\$ 46,454.28	\$47,824.68 per year

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
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Rental Adjustments:	None
Utilities:	County pays for all telephone and other electronic data services in connection with the leased premises. Landlord pays for all other utilities.
Custodial Services:	Landlord
Maintenance:	Landlord

The attached Sixth Amendment to Lease has been approved as to form by County Counsel.

**Impact on Residents and Businesses**

There will be a positive impact on residents and local businesses since this facility provides, among other programs, adult literacy services to the communities through one-on-one literacy tutoring, English-as-a- Second-Language classes and family literacy events. In general, this facility provides exciting and innovating programs and services to the community.

**SUPPLEMENTAL:**

**Additional Fiscal Information**


See attached Exhibits A and B. County Library has budgeted these costs in FY 2019/20 through 2020/21.

**Contract History and Price Reasonableness**

This is a one-year renewal. This contract has been in place since 2000.

Attachments:

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

  
Steven Atkeson 2/27/2020

  
Gregory B. Priamos, Director County Counsel 2/27/2020

# Exhibit A

FY 2019/20

County Libraries Lease Cost Analysis  
31516 Railroad Canyon Road, Canyon Lake, CA

**ESTIMATED AMOUNTS**

**Total Square Footage to be Leased:**

New Office:	2,711	SQFT		
Approximate Cost per SQFT (Jul - Jan)	\$	1.43		
Approximate Cost per SQFT Feb - Jun	\$	1.47		
Lease Cost per Month (Jul - Jan)		\$	3,871.19	
Lease Cost per Month Feb - Jun		\$	3,985.39	
Total Lease Cost (Jul - Jan)			\$	27,098.33
Total Lease Cost Feb - Jun			\$	19,926.95
<b>Total Estimated Lease Cost for FY 2019/20</b>			<b>\$</b>	<b>47,025.28</b>

**Estimated Additional Costs:**

Utility Cost per Square Foot	\$	0.12		
Estimated Utility Costs per Month		\$	325.32	
Total Estimated Utility Cost (July-Feb)			\$	2,277.24
Total Estimated Utility Cost (March -June)			\$	1,626.60
EDA Lease Management Fee - 4.92%			\$	2,313.64
<b>TOTAL ESTIMATED COST FOR FY 2019/20</b>			<b>\$</b>	<b>53,242.76</b>

# Exhibit B

FY 2020/21

County Libraries Lease Cost Analysis  
31516 Railroad Canyon Road, Canyon Lake, CA

**ESTIMATED AMOUNTS**

**Total Square Footage to be Leased:**

New Office:	2,711		
Approximate Cost per SQFT (Jul - Jan)	\$ 1.47		
Approximate Cost per SQFT (Feb - Jun)			
Lease Cost per Month (Jul - Jan)		\$ 3,985.39	
Lease Cost per Month (Feb - Jun)			
Total Lease Cost (Jul - Jan)			\$ 27,897.73
Total Lease Cost (Feb - Jun)			\$ -
<b>Total Estimated Lease Cost for FY 2020/21</b>			<b>\$ 27,897.73</b>

**Estimated Additional Costs:**

Utility Cost per Square Foot	\$ 0.12		
Estimated Utility Costs per Month		\$ 325.32	
Total Estimated Utility Cost			\$ 2,277.24
EDA Lease Management Fee - 4.92%			\$ 1,372.57
<b>TOTAL ESTIMATED COST FOR FY 2020/21</b>			<b>\$ 31,547.54</b>
F11: Cost - Total Cost			\$ 84,790.30



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

3/12/2020  
Date

kh  
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## NOTICE OF EXEMPTION

January 9, 2020

**Project Name:** County of Riverside, Economic Development Agency (EDA) Canyon Lake Library, Sixth Amendment to the Lease Agreement, Canyon Lake, County of Riverside

**Project Number:** FM042116200200

**Project Location:** 31516 Railroad Canyon Road, Canyon Lake, California 92587; Assessor's Parcel Number (APN) 355-330-034; (See Attached Exhibit)

**Description of Project:** The County of Riverside (County) currently operates a library occupying approximately 2,711 square feet of space in a building owned by the City of Canyon Lake at 31516 Railroad Canyon Road, in Canyon Lake. The County entered into the Lease Agreement with the City of Canyon Lake on February 15, 2000 and the Lease has been amended five times previously. The space continues to meet the needs for the Library and the parties now desire to amend the Lease Agreement and extend the term of the Lease for an additional year, commencing February 1, 2020 and terminating on January 31, 2021. The Sixth Amendment to the Lease Agreement with Canyon Lake is identified as the proposed project under the California Environmental Quality Act (CEQA). The proposed project would involve the letting of library space and would involve ongoing use, maintenance and repair of the facility. No expansion of the existing library will occur. The operation of the facility will continue to provide library services and 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 City of Canyon Lake

**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 Sixth Amendment to the Lease Agreement for the use and operation of the Canyon Lake Library.

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- **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 contractual agreement for an existing facility and would include the continued use, maintenance and repairs of the facility to keep the library functional. The use of the facility by the County 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 a contractual transaction to continue use of an existing facility. The indirect effects would be limited to existing maintenance and use of an existing building containing a library. 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 beyond the minor maintenance and continued use of the facility would occur. 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: 1/9/20

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

**RIVERSIDE COUNTY CLERK & RECORDER**

**AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

**Project Name: Canyon Lake Library, Sixth Amendment to the Lease Agreement, Canyon Lake, Riverside County, California**

**Accounting String: 524830-47220-7200400000 - FM042116200200**

DATE: January 9, 2020

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: Maribel Hyer, Senior Real Property Agent, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -





Date: January 9, 2020

To: Kiyomi Moore/Josefina Castillo, Office of the County Clerk

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

Subject: **County of Riverside Economic Development Agency Project # FM042116200200**  
Canyon Lake Library, Sixth Amendment to the Lease Agreement, Canyon Lake, Riverside County, California

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 or email at [msullivan@rivco.org](mailto:msullivan@rivco.org).**

Attachment

cc: file

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**SIXTH AMENDMENT TO LEASE**

**31516 Railroad Canyon Road, Canyon Lake, California**

**THIS SIXTH AMENDMENT TO LEASE** ("Sixth Amendment"), dated as of March 10, 2020, is entered into by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California, as County, and CITY OF CANYON LAKE, as Lessor, sometimes collectively referred to as the "Parties."

**RECITALS**

a. Lessor and County have entered that certain Lease, dated February 15, 2000, (the "Original Lease") pursuant to which Lessor has agreed to lease to County and County has agreed to lease from Lessor that certain building located at 31516 Railroad Canyon Road, Canyon Lake (the "Building"), as more particularly described in the Lease (the "Original Premise").

b. The Original Lease has been amended by:

i. That certain First Amendment to Lease dated March 22, 2005, by and between County of Riverside and City of Canyon Lake (the "First Amendment"), whereby the Parties amended the Lease to extend the term period; and

ii. That certain Second Amendment to Lease dated May 13, 2008, by and between County of Riverside and City of Canyon Lake (the "Second Amendment"), whereby the Parties amended the Lease to, among other things, to amend the description of the premises to increase the square footage from 1,886 to 2,711 square feet and amend the tenant improvements to the new space; and

iii. That certain Third Amendment to Lease dated August 16, 2011, by and between County of Riverside and City of Canyon Lake (the "Third Amendment"), whereby the Parties amended the Lease to, among other things, to extend the term period, modify the rental amounts, amend the County's representative to administer the Lease and the address for both parties under Notices; and

1           iv. That certain Fourth Amendment to Lease dated February 2, 2016,  
2 by and between County of Riverside and City of Canyon Lake (the 4<sup>th</sup> Amendment),  
3 whereby the Parties amended the Lease to extend the term period, and modify the  
4 rental amounts; and

5           v. That certain Fifth Amendment to Lease dated May 22, 2018, by  
6 and between County of Riverside and City of Canyon Lake (the 5<sup>th</sup> Amendment),  
7 whereby the Parties amended the Lease to extend the term period, and modify the  
8 rental amounts; and

9           c. The Original Lease together with these amendments are collectively  
10 referred to herein as the "Lease."

11           d. The Parties now desire to amend the Lease to extend the term period  
12 and modify the rental amounts.

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

15           1.     **TERM.** Section 3 (a) of the Original Lease is hereby amended by the  
16 following:

17           The term of this Lease shall be extended from February 1, 2020 terminating  
18 January 31, 2021.

19           2.     **CONSIDERATION.** Section 5 of the Original Lease is hereby amended  
20 by the following:

21           County shall pay to Lessor the monthly sum of \$3,985.39 as rent for the  
22 leased premises effective February 1, 2020 ("Effective Date").

23           3.     **CAPITALIZED TERMS. SIXTH AMENDMENT TO PREVAIL.** Unless  
24 defined herein or the context requires otherwise, all capitalized terms herein shall have  
25 the meaning defined in the Lease, as heretofore amended. The provisions of this Sixth  
26 Amendment shall prevail over any inconsistency or conflicting provisions of the Lease,  
27 as heretofore amended, and shall supplement the remaining provisions thereof.

28

1           **4. MISCELLANEOUS.** Except as amended or modified herein, all terms of  
2 the Original Lease shall remain in full force and effect and shall apply with the same  
3 force and effect. This is of the essence in this Amendment and the Lease and each  
4 and all of their respective provisions. Subject to the provisions of the Lease as to  
5 assignment, the agreements, conditions and provisions herein contained shall apply to  
6 and bind the heirs, executors, administrators, successors and assigns of the parties  
7 hereto. If any provision of this Amendment or the Lease shall be determined to be  
8 illegal or unenforceable, such determination shall not affect any other provision of the  
9 Lease and all such other provisions shall remain in full force and effect. The language  
10 in all parts of the Lease shall be construed according to its normal and usual meaning  
11 and not strictly for or against either Lessor or Lessee. Neither this Amendment, nor the  
12 Original Lease, nor any notice nor memorandum regarding the terms hereof, shall be  
13 recorded by Lessee.

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

4           IN WITNESS WHEREOF, the parties have executed this Amendment as of the  
5 date first written above.


6  
7 LESSEE:  
8 COUNTY OF RIVERSIDE

LESSOR:  
CITY OF CANYON LAKE

9 By:   
10 \_\_\_\_\_  
11 V. Manuel Perez, Chairman  
Board of Supervisors

By:   
10 \_\_\_\_\_  
11 Jordan Ehrenkranz, Mayor  
City of Canyon Lake

12 ATTEST:  
13 Kecia R. Harper  
14 Clerk of the Board

15 By:   
16 \_\_\_\_\_  
Deputy

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

20  
21 By:   
22 \_\_\_\_\_  
Wesley W. Stanfield  
Deputy County Counsel

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27 MH:ar/010820/CL002/20.975