

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



ITEM: 3.12
(ID # 12674)

MEETING DATE:
Tuesday, June 30, 2020

FROM: FACILITIES MANAGEMENT AND RIVERSIDE COUNTY LIBRARY SYSTEM:

SUBJECT: FACILITIES MANAGEMENT-REAL ESTATE (FM-RE) and RIVERSIDE COUNTY LIBRARY SYSTEM: Approval of First Amendment to Lease with the City of Calimesa for the Operation of the Calimesa Library, Calimesa, Five Year Lease Extension, CEQA Exempt, District 5, [\$0], (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. Approve the attached First Amendment to Lease with the City of Calimesa, 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 5 days of approval by the Board.

ACTION: Policy


Rose Salgado, Director of Facilities Management 5/28/2020


Suzanne Holland, Director of EDA 6/16/2020

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: June 30, 2020
xc: FM-RE, Library

Kecia R. Harper
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: | | | Budget Adjustment: No | |
| | | | For Fiscal Year: 2020/2021- 2024/25 | |

C.E.O. RECOMMENDATION: Approve.

BACKGROUND:

Summary

The City of Calimesa owns an existing library facility (Library) located at 974 Calimesa Blvd., Calimesa, California. The purpose of this submittal is to request the approval of the attached First Amendment to Lease (First Amendment) between the City and the County of Riverside (County) which operates the Library. The First Amendment will allow for the continued provision of Library services that will serve the needs of the community. This Library continues to meet the needs and requirements of the County and through the attached First Amendment the term will be extended for an additional five years through June 22, 2025.

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

The attached First Amendment is summarized below:

Lessor: City of Calimesa
908 Park Avenue
Calimesa, California 92320

Location: 974 Calimesa Blvd.
Calimesa, California 92320

Size: 2,400 Square Feet

Rent: In consideration for the use of the leased premises, County shall provide library services to the community.

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STATE OF CALIFORNIA**

Term: Five (5) years; commencing June 23, 2020

Utilities: County pays for gas and electricity; the City pays for water and trash

Custodial Services: County

Maintenance: Lessor

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

Impact on Residents and Businesses

The Library's presence in the City of Calimesa continues to provide an important public benefit to the community by providing Library services to our residents.

Contract History and Price Reasonableness

This is a five-year extension of the original Lease and the use rate is deemed below the current market rate.

The Lease history is as follows:

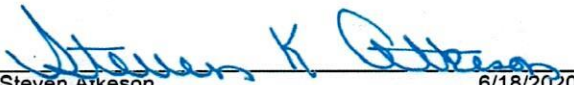
| <u>Lease</u> | <u>Date</u> |
|--------------|---------------------|
| Lease | June 23, 2015 (EDA) |

CM002

Attachments:

- First Amendment to Lease
- Notice of Exemption
- Aerial

CD:ar/061520/CM002


Steven Atkeson 6/18/2020


Gregory L. Priamos, Director County Counsel 6/17/2020

County of Riverside
Facilities Management
3133 Mission Inn Avenue, Riverside, CA

FOR COUNTY CLERK USE ONLY

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

7/1/20
Date

PR
Initial

NOTICE OF EXEMPTION

May 28, 2020

Project Name: First Amendment to Calimesa Library Operating Agreement

Project Number: FM042161000200

Project Location: 974 Calimesa Boulevard, south of West County Line Road, Calimesa, California 92320; Assessor's Parcel Number (APN) 411-080-021; (See Attached Exhibit)

Description of Project: The City of Calimesa (City) owns an existing library facility (Library) located at 974 Calimesa Boulevard., Calimesa, California. The County is seeking a First Amendment to the Lease between the City and the County of Riverside (County) which operates the Library. The First Amendment will allow for the continued provision of Library services that will serve the needs of the community. This Library continues to meet the needs and requirements of the County and through the attached First Amendment the term will be extended for an additional five years through June 22, 2025. The First Amendment to the Lease Agreement is identified as the proposed project under the California Environmental Quality Act (CEQA). The proposed project would involve the continuation of the letting of library space and would involve ongoing maintenance and repair of the facilities. 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: Riverside County

Name of Person or Agency Carrying Out Project: Riverside County Facilities Management

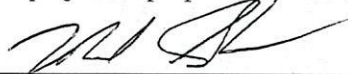
Exempt Status: State CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption. Codified under California Code of Regulations Title 14, Article 5, Section 15061.

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 would the project involve unusual circumstances that could potentially 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 First Amendment to the Lease Agreement.

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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 extension of an existing Lease Agreement for the operation of a library and would include the continued 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 extension of the term for the First Amendment to the Lease Agreement will not result in any direct or indirect physical environmental impacts. The use and operation of the facility will be substantially similar to the existing use and will not create any new environmental impacts to the surrounding area. No impacts beyond the ongoing, existing use of the site 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.

Therefore, the County of Riverside Facilities Management 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: 5/28/20
Mike Sullivan, Senior Environmental Planner
County of Riverside, Facilities Management

RIVERSIDE COUNTY CLERK & RECORDER

AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER

Project Name: **First Amendment to Calimesa Library Operating Agreement**

Accounting String: **524830-47220-7200400000 - FM042161000200**

DATE: May 28, 2020

AGENCY: Riverside County Facilities Management

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, Facilities Management**

Signature: 

PRESENTED BY: **Candice Diaz, Real Property Agent, Facilities Management**

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -

County of Riverside
Facilities Management
3133 Mission Inn Avenue, Riverside, CA 92507

Date: May 28, 2020
To: Kiyomi Moore/Josefina Castillo, Office of the County Clerk
From: Mike Sullivan, Senior Environmental Planner, Facilities Management
Subject: **County of Riverside Facilities Management Project # FM042161000200**
First Amendment to Calimesa Library Operating Agreement

The Riverside County's Facilities Management'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,

Facilities Management,

3133 Mission Inn Avenue, Riverside, CA 92507

If you have any questions, please contact Mike Sullivan at 955-8009 or email at msullivan@rivco.org.

Attachment

cc: file

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

3 Dated: JUN 30 2020
4

5 **LESSEE:**
6 COUNTY OF RIVERSIDE,
7 a political subdivision of
8 State of California

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

LESSOR:
CITY OF CALIMESA,
a California municipal corporation

By: *Bonnie Johnson*
Bonnie Johnson
City Manager

By: *Darlene Gerdes*
Darlene Gerdes
City Clerk

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

15 By: *Priscilla Rasso*
16 Deputy



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

21 By: *Thomas Oh*
22 Thomas Oh
23 Deputy County Counsel

APPROVED AS TO FORM:

By: *Amy Greyson*
Amy Greyson
City Attorney

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25 CD:dr/05142020/CM002/30.095
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