

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



**ITEM: 3.25
(ID # 14299)**

MEETING DATE:

Tuesday, January 26, 2021

FROM: TLMA - AVIATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/AVIATION: Consent to Assignment of Lease and Bill of Sale between Hi Tech Aviation, Inc., a California Corporation and Thermal Hangar, LLC at Jacqueline Cochran Regional Airport, CEQA Exempt, District 4. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **Find** that the project is exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, Existing Facilities exemption, and Section 15601 (b)(3), "Common Sense" exemption;
2. **Approve** the attached Consent to Assignment of Lease, relating to that certain Lease Assignment, dated December 08, 2020, between Hi Tech Aviation, Inc., a California Corporation, (Assignor) and Thermal Hangar, LLC (Assignee) for 6225 square foot building located on a 17,850 square foot of leased area on the Jacqueline Cochran Regional Airport, Thermal, California, also identified as MIG Hangar, and authorize the Chairwoman of the Board to execute the same on behalf of the County;
3. **Approve** the attached Consent to Bill of Sale, relating to that certain Bill of Sale, dated November 23, 2020, between Hi Tech Aviation, Inc., a California Corporation (Seller) and Thermal Hangar, LLC (Buyer) for 6225 square foot building located on a 17,850 square foot of leased area on the Jacqueline Cochran Regional Airport, Thermal, California, also identified as MIG Hangar, and authorize the Chairwoman of the Board to execute the same on behalf of the County; and

Continued on Page 2

ACTION: Policy

Charissa Leach, Interim TLMA Director

1/7/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Hewitt, seconded by Supervisor Spiegel 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: January 26, 2021
xc: Aviation

Kecia R. Harper
Clerk of the Board

By:
Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors:

4. **Authorize** the Interim Assistant County Executive Officer/TLMA, or designee, to execute any additional documents necessary for the Consent to Assignment of Lease and Consent to Bill of Sale, subject to approval by County Counsel.

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: N/A			Budget Adjustment: No	
			For Fiscal Year: 20/21	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The County of Riverside, Transportation and Land Management Agency/Aviation received a request from Thermal Hangar, LLC (“Buyer” or “Assignee”) to consent to the assignment of Hi Tech Aviation, Inc. interest as lessee in that certain Lease, dated September 11, 2001, between the County, as lessor, and Hi Tech Aviation, Inc., a California Corporation, as lessee, (“Original Lessee”), as amended by that certain First Amendment to Lease, dated October 17, 2006 (collectively, the “Lease”). Hi Tech Aviation, Inc., a California Corporation (“Lessee”), desires to assign, and Assignee desires to assume, all of Lessee’s rights, title, interest, and obligations under the Lease.

The Lease pertains to that certain 6225 square foot building located on a 17,850 square foot of leased area on the Jacqueline Cochran Regional Airport, Thermal, California, also identified as MIG Hangar (“Leased Premises”), as more particularly depicted on Exhibit A to the Lease. Hi Tech Aviation, Inc., as assignor, and Thermal Hangar, LLC, as assignee, entered into the certain Lease Assignment dated December 08, 2020 (“Assignment”) relating to the Lease. Thermal Hangar, LLC has also acquired from Hi Tech Aviation, Inc. that certain Leased Premises, the sale of which is memorialized in that certain Bill of Sale dated November 23, 2020 (“Bill of Sale”). A copy of the Assignment and Bill of Sale are attached to the consent documents. The Assignment and Bill of Sale require County approval under the Lease. Thermal Hangar, LLC will not change the existing use of the Leased Premises. The Assignment and Bill of Sale will not impact the terms of the Lease.

Pursuant to the California Environmental Quality Act (CEQA), the Assignment and Bill of Sale were reviewed and determined to be categorically exempt from CEQA under State CEQA Guidelines Section 15301, Class 1 – Existing Facilities exemption, and State CEQA Guidelines Section 15061(b)(3), General Rule or “Common Sense” exemption. The proposed project, the assignment of lease rights under an existing Lease and sale of the existing hangar, is the leasing of property involving existing facilities and no expansion of an existing use will occur. In

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

addition, it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment since it is merely a continuation of existing use.

Staff recommends approval of the attached Consent to Assignment of Lease and Consent to Bill of Sale. The attached Consent to Assignment of Lease and Consent to Bill of Sale have each been approved as to form by County Counsel.

Impact on Residents and Businesses

The Lease and Bill of Sale will assist in the County's effort to increase airport operations which in turn provides increased patron activities for local businesses.

Additional Fiscal Information

There is no net county cost and no budget adjustment required.

Attachments

Attachment A – Consent to Bill of Sale

Attachment B – Consent to Assignment of Lease

Attachment C – Notice of Exemption



Jason Farin, Principal Management Analyst 1/20/2021



Gregory V. Priamos, Director County Counsel 1/11/2021

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

FOR COUNTY CLERK USE ONLY	
Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.	
<u>02/05/21</u> Date	<u>PR</u> Initial

NOTICE OF EXEMPTION

December 22, 2020

Project Name: County of Riverside, Consent to Assignment of Lease and Bill of Sale between Hi Tech Aviation, Inc., a California Corporation, and Thermal Hangar, LLC, at the Jacqueline Cochran Regional Airport, Thermal

Project Number: ED1910012

Project Location: MIG Hangar C-24, 56850 Higgins Drive, south of Airport Boulevard, Assessor's Parcel Number (APN) 759-060-017, Thermal, Riverside County, California, 92274

Description of Project: The County of Riverside, Transportation and Land Management Agency/Aviation received a request from Thermal Hangar, LLC ("Buyer" or "Assignee") to consent to the assignment of Hi Tech Aviation, Inc. interest as lessee in that certain Lease, dated September 11, 2001, between the County, as lessor, and Hi Tech Aviation, Inc., a California Corporation, as lessee, ("Original Lessee"), as amended by that certain First Amendment to Lease, dated October 17, 2006 (collectively, the "Lease"). Hi Tech Aviation, Inc., a California Corporation ("Lessee"), desires to assign, and Assignee desires to assume, all of Lessee's rights, title, interest, and obligations under the Lease.

The Lease pertains to a 6,225 square-foot building located on 17,850 square feet of leased area on the Jacqueline Cochran Regional Airport, Thermal, California, also identified as MIG Hangar (Leased Premises), as more particularly depicted on Exhibit A to the Lease. Hi Tech Aviation, Inc., as assignor, and Thermal Hangar, LLC, as assignee, entered into the certain Lease Assignment dated December 08, 2020 (Assignment) relating to the Lease. Thermal Hangar, LLC has also acquired from Hi Tech Aviation, Inc. that certain Leased Premises, the sale of which is memorialized in that certain Bill of Sale dated November 23, 2020 (Bill of Sale). The Assignment of Lease and Bill of Sale require County approval under the existing Lease. Thermal Hangar, LLC will not change the existing use of the Leased Premises. The Assignment and Bill of Sale will not impact the terms of the Lease, including the existing use of Premises. The consent of the Assignment of Lease and Bill of Sale 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: Riverside County

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

JAN 26 2021 3.25

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

Date: December 22, 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 # ED1910012**
Consent to Assignment of Sublease and Bill of Sale for the MIG Hangar at
Cochran Regional Airport

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 #2600

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

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Consent to Assignment of Sublease and Bill of Sale for the MIG Hangar at Cochran Regional Airport

Accounting String: 537080-22100-1910700000- ED1910012

DATE: December 22, 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: Liliana Valle, County Airport Manager

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -

Attachment A
Consent to Bill of Sale

CONSENT TO BILL OF SALE

The County of Riverside, a political subdivision of the State of California, ("County") hereby consents to the Bill of Sale, dated November 23, 2020, between Hi Tech Aviation Inc., a California Corporation ("Seller") and Thermal Hangar LLC ("Buyer"), relating to MIG Hangar, a 6225 square foot building located on a 17,850 square foot of leased area on the Jacqueline Cochran Regional Airport, Thermal, California ("Hangar"). The Bill of Sale is attached hereto as Exhibit "A".

By consenting to the Bill of Sale, the County neither undertakes nor assumes nor will have any responsibility or duty to Buyer or to any third party to review, inspect, supervise, pass judgment upon or inform Buyer or any third party of any matter in connection with the Hangar, whether regarding the quality, adequacy or suitability of the Hangar for Buyer's proposed use or otherwise. Buyer and all third parties shall rely upon its or their own judgment regarding such matters. The County makes no representations, express or implied, with respect to the legality, fitness, or desirability of the Hangar for Buyer's intended use.

IN WITNESS WHEREOF, the County has caused its duly authorized representative to execute this Consent to Bill of Sale as of the date set forth below.

Date: JAN 26 2021

COUNTY OF RIVERSIDE, a political
subdivision of the State of California

By: Karen S. Spiegel
KAREN SPIEGEL
Board of Supervisors

ATTEST:
Kecia R. Harper
Clerk of the Board

APPROVED AS TO FORM:
Gregory P. Priamos
County Counsel

By: Yusef Kassar
Deputy

By: Synthia M. Gunzel
Synthia M. Gunzel
Chief Deputy County Counsel

[Thermal Hangar, LLC Acknowledgement on Following Page]

Thermal Hangar, LLC hereby acknowledges, agrees and consents to all of the terms set forth in this Consent to Bill of Sale.

By: 
Thermal Hangar, LLC
Jeffrey Wright, Manager

Dated: 01/05/21

EXHIBIT "A"

Bill of Sale

(behind this page)

**BILL OF SALE
JACQUELINE COCHRAN REGIONAL AIRPORT**

Seller: Hi-Tech Aviation Inc., a California Corporation

Buyer: Thermal Hangar LLC and/or Assigned

Property: MIG Hangar, a 6,225 square foot building, located on a 17,850 square foot of leased area on the Jacqueline Cochran Regional Airport

Price: \$60,000, all cash at close of escrow

Close of Escrow: Closing will occur 5 days after an acceptable lease to buyer by the county.

Terms: The hangar is being sold "As Is" without any warranties from the seller:

- The sale shall be subject to an executed lease extension from Riverside County
- Seller will notify Riverside County of a 5-year lease extension
- Seller will notify Riverside County of its intention to transfer the lease to Thermal Hangar LLC


Buyer and Seller agree to cooperate and use their joint best effort to obtain such approval within the escrow period.

Hi-Tech Aviation, Inc.

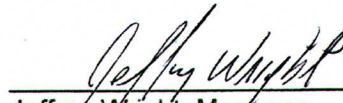
Thermal Hangar LLC

Seller

Buyer



Liliana Hornack, President



Jeffrey Wright, Manager

11-23-2020
Date

11-23-2020
Date

Attachment B
Consent to Assignment of Lease

CONSENT TO ASSIGNMENT OF LEASE
Jacqueline Cochran Regional Airport

The County of Riverside, a political subdivision of the State of California, ("County") hereby consents to the assignment of Hi Tech Aviation, Inc., a California Corporation, ("Assignor") interest as lessee in that certain Lease (defined below) to Thermal Hangar, LLC, ("Assignee"), as set forth in the Lease Assignment, dated December 08, 2020, attached hereto as Attachment "A" ("Assignment"). Pursuant to the Assignment, the Assignor transferred and assigned to Assignee all of Assignor's rights, title, interest and obligations ("Rights and Obligations") under that certain Lease dated September 11, 2001, between the County, as lessor, and Hi Tech Aviation, Inc., a California Corporation, as lessee, ("Original Lessee"), as amended by that certain First Amendment to Lease, dated October 17, 2006 (collectively, the "Lease"). The Lease pertains to that certain 6225 square foot building located on a 17,850 square foot of leased area on the Jacqueline Cochran Regional Airport, Thermal, California, also identified as MIG Hangar, as more particularly depicted in Exhibit "A" to the Lease. The Lease is attached hereto as Attachment "B".

In reliance upon the assumption by Assignee of all Rights and Obligations under the Lease as set forth in the attached Assignment, the County does hereby approve and consent to the assignment of the Rights and Obligations under the Lease by Assignor to Assignee and Assignee's assumption thereof. Approval and consent hereof by the County shall not be construed to relieve or release Assignor from its duty to comply with any obligations under the Lease.

[Remainder of Page Intentionally Blank]

[Signature on Following Page]

IN WITNESS WHEREOF, the County of Riverside has executed this Consent to Assignment of Lease as of the date set forth below.

Date: JAN 26 2021

COUNTY OF RIVERSIDE, a political
subdivision of the State of California

By: Karen S. Spiegel
KAREN SPIEGEL
Board of Supervisors

ATTEST:
Kecia R. Harper
Clerk of the Board

By: Priscilla Raso
Deputy

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

By: Synthia M. Gunzel
Synthia M. Gunzel
Chief Deputy County Counsel

ASSIGNMENT

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the undersigned *Hi-Tech Aviation Inc.* individual or Company, ("Assignor") transferred and assigned to *Thermal Hangar LLC* individual or Company, ("Assignee") all of the Assignor's rights, title, interest and obligations ("Rights and Obligations") under that certain Lease dated September 11, 2001, between the County as "lessor" and *Hi-Tech Aviation Inc.* an individual or company, as "lessee", as amended by that certain First Amendment to Lease at Jacqueline Cochran Regional Airport dated October 17, 2006 (collectively the "lease"). The lease pertains to that certain 1 acre of land, being described in Exhibit "A" of original lease located at Jacqueline Cochran Regional Airport in Thermal, California including, as more particularly depicted in Exhibit "A" to the Lease.

Dated: 12/08/20

Name & Signature of Assignor


Liliana Hornak

ACCEPTANCE AND AGREEMENT

The undersigned, *Thermal Hangar LLC*, an individual or Company, named in the foregoing Assignment, hereby accepts said Assignment and hereby agrees to keep, perform and be bound by all of the terms, covenants and conditions in said Lease on the part of the Lessee therein to be kept and performed all intents and purposes as though the undersigned Assignee was the original Lessee thereunder

Dated:

12/08/20

Name & Signature of Assignee


Jeffrey Wright