

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



ITEM: 3.12
(ID # 14951)

MEETING DATE:

Tuesday, June 15, 2021

FROM: FACILITIES MANAGEMENT AND RIVERSIDE COUNTY PROBATION
DEPARTMENT:

SUBJECT: FACILITIES MANAGEMENT-REAL ESTATE (FM-RE) AND RIVERSIDE COUNTY
PROBATION DEPARTMENT: Ratification and Approval of the Third Amendment to Lease
between County of Riverside as Lessee and James and Joyce Rumary as Lessor, 1201
Research Park, Suite 100, Riverside, Probation Department, 5-Year Lease Extension, CEQA
Exempt, District 2. [Total Cost \$2,000,557, General Fund 43.3%; Juvenile Justice Crime
Prevention Act 14%; State Funds 42.7%] (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. Ratify and Approve the attached Third Amendment to Lease between the County of Riverside, a political subdivision of the State of California, as Lessee, and James & Joyce Rumary, Trustees of the Rumary Revocable Living Trust, as Lessor, and authorize the Chair 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 the Board.

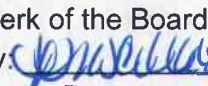
ACTION: Policy, CIP


Rose Salgado, Director of Facilities Management 5/12/2021 
Ronald L. Miller, Chief Probation Officer 5/27/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Jeffries 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 15, 2021
xc: FM, Probation; Recorder

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	\$96,729	\$387,167	\$ 2,000,557	\$0
NET COUNTY COST	\$41,883	\$167,644	\$866,241	\$0
SOURCE OF FUNDS: General Fund 43.3%; Juvenile Justice Crime Prevention Act 14%; State Funds 42.7%			Budget Adjustment: No	
			For Fiscal Year: 20/21-25/26	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The County of Riverside ("County") entered into a lease agreement on behalf of the Probation Department and with J.D. Guthrie, LLC, a California limited liability company, predecessor in interest to James and Joyce Rumary, on May 1 2012. The Probation Department uses the leased space as a training facility and for daily staff functions.

This requested Third Amendment to the Lease will extend the lease for an additional five (5) years effective as of April 1, 2021. The County will have the option to terminate this lease after twenty-four (24) months. This facility continues to meet the Probation Department's requirements and needs. Facilities Management-Real Estate Division (FM-RE) has negotiated the rent to remain the same at \$1.66 per square foot and reduced the annual increases from 2.5% to 2% percent.

Pursuant to the California Environmental Quality Act (CEQA), the Third 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 Third Amendment, is the continuation of the letting of property involving existing facilities with no significant physical changes, and no expansion of an existing use occurring.

Location: 1201 Research Park Drive, Suite 100
Riverside, California 92507

Lessor: James and Joyce Rumary, Trustees of the Rumary Revocable Living Trust

Size: 17,247 square feet

Rent: Current rate New Rate

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\$ 1.66 per sq. ft.	\$ 1.66 per sq. ft.
\$ 28,556.18 per month	\$ 28,556.18 per month
\$342,674.16 per year	\$ 342,674.16 per year

Increases: 2% percent annually, effective April 1, 2022

Term: 5 years, commencing on April 1, 2021 and expiring March 31, 2026

Option to Terminate: County has the option to terminate the lease after April 1, 2023 with 90 day written notice

Utilities: County pays for phone, gas, and electric, Lessor pays for all other utilities

Custodial: Lessor shall provide and pay for custodial services. County has the option to cancel custodial services with 60 days' written notice

Maintenance: Lessor shall provide and pay for maintenance services

Impact on Citizens and Businesses

The Probation Department's occupancy at this location continues to meet the departmental requirements and provides efficient use of the space to support the need to provide these vital community services.

Additional Fiscal Information

See attached Exhibits A, B, and C. All associated costs for this Third Amendment will be budgeted in FY20/21-FY25/26 by the Probation Department. The Probation Department will reimburse FM-RE for all associated Lease costs on an annual basis.

Contract History and Price Reasonableness

This is a five-year lease and the lease rate is deemed competitive based upon the current market.

<u>Agreement</u>	<u>Date and M.O.</u>
Lease	May 1, 2012 (M.O. 3-15)
First Amendment	April 30, 2013 (M.O. 3-6)
Second Amendment	April 12, 2016 (M.O. 3-11)

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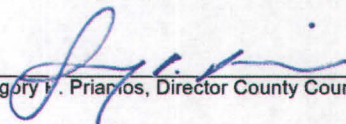
Attachments:

- Third Amendment to Lease
- Exhibits A,B & C
- Aerial Image
- Notice of Exemption

CD:ar/04062021/


Meghan Hahn, Administrative Analyst

6/7/2021


Gregory P. Priamos, Director County Counsel

6/2/2021

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

FOR COUNTY CLERK USE ONLY

NOTICE OF EXEMPTION

April 6, 2021

Project Name: Riverside Probation Third Amendment to Lease, Research Park

Project Number: FM042611050400

Project Location: 1201 Research Park Drive, Suite 100, south of Columbia Avenue, Riverside, California 92507; Assessor's Parcel Number (APN) 257-030-058

Description of Project: The County of Riverside (County) entered into a lease agreement on behalf of the Probation Department with J.D. Guthrie, LLC, predecessor in interest to James and Joyce Rumary, on May 1, 2012, Minute Order 3.15. The Probation Department uses the space as a training facility and for daily staff functions. This Third Amendment to the lease will extend the lease for a period of five years effective as of April 1, 2021. The County will have the option to terminate this lease after 24 months. This facility continues to meet the Probation Department's requirements and needs. The Third Amendment to the Lease Agreement with James and Joyce Rumary is identified as the proposed project under the California Environmental Quality Act (CEQA). The proposed project would involve the letting of space and would involve ongoing use of office space for the Probation Department. No expansion of the existing facility will occur. The operation of the facility will continue to provide probation 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.

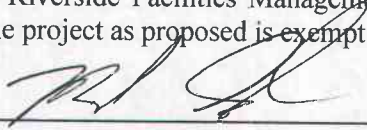
Reasons Why Project is Exempt: The proposed project is categorically exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA 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 five-year extension of the Lease.

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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 an extension of an existing lease for the use of office space for the Probation Department. The Third Amendment will extend the Lease for an additional five-year term; will not require physical modifications to the existing building which would increase or expand the use of the site; and is limited to the continued use of the site in a similar capacity. 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 Lease 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: _____

4/6/21

Mike Sullivan, Senior Environmental Planner
County of Riverside, Facilities Management

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Riverside Probation Third Amendment to Lease, Research Park

Accounting String: 526700-47220-7200400000 - FM042611050400

DATE: April 6, 2021

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 III, 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: April 6, 2021
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 # FM042611050400**
Riverside Probation Third Amendment to Lease, Research Park

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

1 **THIRD AMENDMENT TO LEASE**

2 **1201 Research Park Drive, Suite 100**

3 **Riverside, California**

4
5 **THIS THIRD AMENDMENT TO LEASE** ("Third Amendment"), dated as
6 of June 15, 2021, is entered into by and between the **COUNTY OF**
7 **RIVERSIDE**, a political subdivision of the State of California, ("County"), and **James**
8 **and Joyce Rumary**, Trustees of the Rumary Revocable Living Trust ("Lessor").
9 County and Lessor are hereinafter collectively referred to as the "Parties" or individually
10 as a "Party."

11 **RECITALS**

12 a. J.D. Guthrie, LLC, a California limited liability company, predecessor in
13 interest to James and Joyce Rumary, as Lessor, and County of Riverside, have
14 entered into that certain Lease, dated May 1, 2012, ("Original Lease") pursuant to
15 which County has agreed to lease from Lessor and Lessor has agreed to lease to
16 County that certain portion of the building located at 1201 Research Park Drive, Suite
17 100, Riverside, California 92507 ("Property"), as more particularly described in the
18 Lease.

19 b. The Original Lease has been amended by:

20 1. That certain First Amendment to Lease dated April 30,
21 2013, by and between the County of Riverside and J.D. Guthrie, LLC (the "First
22 Amendment"), whereby the Parties agreed to extend the term and expand the
23 premises; and

24 2. That certain Second Amendment to Lease dated April 12,
25 2015, by and between County of Riverside and J.D. Guthrie, LLC (the "Second
26 Amendment"), whereby the Parties amended the Lease to extend the term, adjust the
27 rent, and have the interior of the premises painted and the carpet replaced.

28
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Exhibit A

FY 2020/21

Probation

1201 Research Park, Suite 100, Riverside

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office:	17,247 SQFT	
Approximate Cost per SQFT(April-June)	\$ 1.66	
Lease Cost per Month(April-June)		\$ 28,556.18
Total Lease Cost(April-June)		<u>\$ 85,668.54</u>
Total Estimated Lease Cost for FY 2020/21		\$ 85,668.54

Estimated Additional Costs:

Utility Cost per SQFT	\$ 0.12	
Estimated Utility Costs per Month		<u>\$ 2,069.64</u>
Total Estimated Utility Cost(April-June)		<u>\$ 6,208.92</u>
Total Estimated Utility Cost for FY 2020/21		\$ 6,208.92
Total Estimated Additional Costs for FY2021/22		\$ 6,208.92
FM Lease Management Fee as of April 2021	5.28%	<u>\$ 4,851.13</u>
TOTAL ESTIMATED COST FOR FY 2020/21		\$ 96,728.59
TOTAL COUNTY COST	43.30%	\$ 41,883.48

Exhibit B

FY 2021/22

Probation

1201 Research Park, Suite 100, Riverside

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office:	17,247 SQFT	
Approximate Cost per SQFT(July-March)	\$ 1.66	
Approximate Cost per SQFT(April-June)	\$ 1.69	
Lease Cost per Month(July-March)		\$ 28,556.18
Lease Cost per Month(April-June)		\$ 29,127.30
Total Lease Cost(July-March)		\$ 257,005.62
Total Lease Cost(April-June)		\$ 87,381.90
Total Estimated Lease Cost for FY 2021/22		\$ 344,387.52

Estimated Additional Costs:

Utility Cost per SQFT	\$ 0.12	
Estimated Utility Costs per Month		\$ 2,069.64
Total Estimated Utility Cost (Jul-Jun)		\$ 24,835.68
Total Estimated Additional Costs for FY2021/22		\$ 24,835.68
FM Lease Management Fee as of 07/01/2021	4.86%	\$ 17,944.25
TOTAL ESTIMATED COST FOR FY 2021/22		\$ 387,167.45
TOTAL COUNTY COST	43.30%	\$ 167,643.51

Exhibit C

FY 2022/23 to 2025/26

Probation

1201 Research Park, Suite 100, Riverside

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office: 17,247 SQFT

	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
Approximate Cost per SQFT(July-March)	\$ 1.69	\$ 1.72	\$ 1.76	\$ 1.79
Approximate Cost per SQFT(April-June)	\$ 1.72	\$ 1.76	\$ 1.79	-
Lease Cost per Month(July-March)	29,127.30	29,709.85	30,304.05	30,910.13
Lease Cost per Month(April-June)	29,709.85	30,304.05	30,910.13	
Total Lease Cost(July-March)	\$ 262,145.70	\$ 267,388.65	\$ 272,736.45	\$ 278,191.17
Total Lease Cost(April-June)	\$ 89,129.55	\$ 90,912.15	\$ 92,730.39	-
Total Estimated Lease Cost for FY 2022/23 to 2025/26	\$ 351,275.25	\$ 358,300.80	\$ 365,466.84	\$ 278,191.17

Estimated Additional Costs:

Utility Cost per SQFT	\$ 0.12	\$ 0.12	\$ 0.12	\$ 0.12
Estimated Utility Costs per Month	\$ 2,069.64	\$ 2,069.64	\$ 2,069.64	\$ 2,069.64
Total Estimated Utility Cost	\$ 24,835.68	\$ 24,835.68	\$ 24,835.68	\$ 18,626.76

Total Estimated Additional Costs for FY 2022/23 to 2025/26 \$ 24,835.68 \$ 24,835.68 \$ 24,835.68 \$ 18,626.76

FM Lease Management Fee as of 07/01/2021 4.86% \$ 18,278.99 \$ 18,620.43 \$ 18,968.70 \$ 14,425.35

TOTAL ESTIMATED COST FOR FY 2022/23 to 2025/26 **\$ 394,389.92** **\$ 401,756.91** **\$ 409,271.22** **\$ 311,243.28**

F11 Total Cost \$ 2,000,557.38
F11 Total County Cost 43.30% \$ 866,241.34

Third Amendment: Probation Research Park

1201 Research Park, Riverside



Legend

Notes
District 1



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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