

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



**ITEM: 3.16
(ID # 14962)**

MEETING DATE:

Tuesday, June 15, 2021

FROM: FACILITIES MANAGEMENT AND Department of Waste Resources:

SUBJECT: FACILITIES MANAGEMENT-REAL ESTATE (FM-RE) AND DEPARTMENT OF WASTE RESOURCES: Approval of the First Amendment to Lease with Kenneth M. Fago, doing business as Cherry Mobile Park, Portion of Land on the Corner of Euclid Ave and First Street, Beaumont, Department of Waste Resources, 2-Year Lease, District 5, CEQA Exempt. [Total Cost \$10,067- 100% Waste Resource Enterprise Funds] (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; and
2. Approve the attached First Amendment to Lease between the County of Riverside and Cherry Mobile Park, 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.

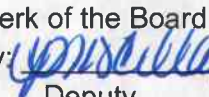
ACTION: Policy


Rose Salgado, Director of Facilities Management 4/15/2021 Hans Kerkamp, General Manager - Chief Engineer 4/28/2021

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, Waste Resources, 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	\$5,033	\$5,033	\$ 10,067	\$0
NET COUNTY COST	\$ 0	\$ 0	\$0	\$ 0
SOURCE OF FUNDS: 100% Waste Resource Enterprise Funds			Budget Adjustment: No	
			For Fiscal Year: 2021/22-2022-23	

C.E.O. RECOMMENDATION: [CEO use]

BACKGROUND:

Summary

On August 27, 2019, the Board of Supervisors approved Minute Order 3-12, to provide for the County of Riverside to enter into a lease agreement (Lease) on behalf of the Department of Waste Resources for land located near the northwest corner of Euclid Avenue and First Street in Beaumont, California, also known as a portion of APN: 418-280-031. The leased portion of land is for the exclusive use of a water tower. The water tower is necessary for the operations of the nearby Lamb Canyon Landfill. This Lease represents a two-year term and is summarized below.

Pursuant to the California Environmental Quality Act (CEQA), the First 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 First 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.

Lessor: Cherry Mobile Park
10420 Beaumont Avenue, Suite A
Cherry Valley, California 92223

Premises: Northwest corner of Euclid Avenue and First Street in Beaumont, California

Term: Two years, commencing July 1, 2021 and expiring June 30, 2023

Size: 30ft x 40ft of unimproved land

Rent:

<u>Current</u>	<u>New</u>
\$ 300 per month	\$ 400 per month
\$3,600 per year	\$4,800 per year

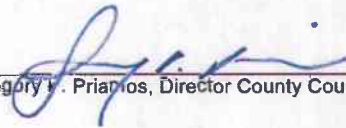
SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

CD:ar/04062021/30.477



Meghan Hahn, Administrative Analyst

6/7/2021



Gregory V. Priamos, Director County Counsel

6/3/2021

Lamb Canyon Water Tower Lease



Legend

- Blueline Streams
- City Areas
- World Street Map

Notes

District 5



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.



REPORT PRINTED ON... 2/20/2019 7:45:53 AM

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

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

LESSOR:
Kenneth M. Fago, doing business as,
CHERRY MOBILE PARK

By: Karen S. Spiegel
Karen Spiegel, Chair
Board of Supervisors

By: Kenneth M. Fago
Kenneth M. Fago

ATTEST:
Kecia Harper
Clerk of the Board

By: [Signature]
Deputy

APPROVED AS TO FORM:
Gregory P. Priamos
County Counsel

By: [Signature]
Wesley Stanfield
Deputy County Counsel

CD:dr/05062021/BE003/30.477

Exhibit A

FY2021/22
Lamb Canyon Water Tower
Portion of Land in Beaumont

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Lease Cost per Month (Jul-Jun)		\$	400.00
Total Lease Cost (Jul-Jun)		\$	4,800.00
Total Estimated Lease Cost for FY2021/22		\$	4,800.00
<u>Estimated Additional Costs:</u>			
FM Lease Management Fee as of 07/01/2021	4.86%	\$	233.28
TOTAL ESTIMATED COST FOR FY2021/22		\$	5,033.28
Amount in FY2021/22 for New Amendment		\$	5,033.28
TOTAL COUNTY COST	0%	\$	-

Exhibit B

FY2022/23
Lamb Canyon Water Tower
Portion of Land in Beaumont

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Lease Cost per Month (Jul-Jun) \$ 400.00

Total Lease Cost (Jul-Jun) \$ 4,800.00
Total Estimated Lease Cost for FY2022/23 \$ 4,800.00

Estimated Additional Costs:

FM Lease Management Fee as of 07/01/2021 4.86% \$ 233.28

TOTAL ESTIMATED COST FOR FY2022/23 \$ **5,033.28**

TOTAL COUNTY COST 0% \$ -

F11 Total Cost \$ 10,066.56

F11 Total County Cost 0% \$ -

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.

4/17/21 Date

YPR Initial

NOTICE OF EXEMPTION

April 12, 2021

Project Name: Lamb Canyon Landfill Water Tower First Amendment to Lease Agreement, Beaumont

Project Number: FM042131000300

Project Location: Northwest corner of Euclid and First intersection; west of Highway 79; Beaumont, CA 92223
California Assessor's Parcel Number (APN) 418-280-031

Description of Project: On August 27, 2019, Minute Order 3-12, the County of Riverside entered into a lease agreement (Lease) on behalf of the Department of Waste Resources for a portion of land located near the northwest corner of Euclid Avenue and First Street in Beaumont, California. The leased portion of land is for the exclusive use of a water tower. The water tower is necessary for the operations of the nearby Lamb Canyon Landfill. This First Amendment to the Lease represents a two-year extension of term commencing July 1, 2021 and expiring June 30, 2023. The First Amendment to the Lease Agreement with Cherry Mobile Park 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 the water tank for the Department of Waste Resources 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

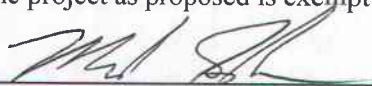
Exempt Status: State CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption. Codified under California Code of Regulations Title 14, Article 5, Section 15061.

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 two-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 land containing a water tower for the Department of Waste Resources. The First Amendment will extend the Lease for an additional two-year term; will not require physical modifications to the existing facility 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: 4/13/21
Mike Sullivan, Senior Environmental Planner
County of Riverside, Facilities Management

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Lamb Canyon Landfill Water Tower First Amendment to Lease Agreement

Accounting String: 526700-47220-7200400000 - FM042131000300

DATE: April 12, 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 12, 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 # FM042131000300**
Lamb Canyon Landfill Water Tower First Amendment to Lease 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 #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