

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



ITEM: 3.23
(ID # 15327)

MEETING DATE:

Tuesday, June 29, 2021

FROM: FACILITIES MANAGEMENT:

SUBJECT: FACILITIES MANAGEMENT - REAL ESTATE (FM-RE): Approval of the Sixth Amendment to Lease by and between the County of Riverside, a Political Subdivision of the State of California and Lake Hemet Municipal Water District, a Municipal Water District, Pursuant to the Municipal Water District Law of 1911, Located in Mountain Center, CEQA Exempt, District 3. [\$144,477 - 100% General Fund] (Clerk of the Board to file the 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 the State CEQA Guidelines Section 15301, Existing Facilities, and Section 15061 (b) (3), the common sense exemption;
2. Approve the Sixth Amendment to Lease by and between the County of Riverside, a political subdivision of the State of California and Hemet Municipal Water District, a municipal water district pursuant to the Municipal Water District law of 1911, located in Mountain Center and authorize the Chair of the Board to execute the same on behalf of the County;
3. Authorize the Director of Facilities Management to execute any documents related to or ancillary to the action; and
4. Authorize and direct the Clerk of the Board to file Notice of Exemption with five (5) business days.

ACTION: Policy



Rose Salgado, Director of Facilities Management 6/11/2021


Robert Gunzel, Assistant Sheriff 6/12/2021

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 29, 2021
xc: FM-RE, 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	\$21,662	\$26,194	\$144,477	\$0
NET COUNTY COST	\$21,662	\$26,194	\$144,477	\$0
SOURCE OF FUNDS: 100% General Fund			Budget Adjustment: No	
			For Fiscal Year: 2021/22	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On August 28, 2018, the Board of Supervisors approved item 3.31, approving the Fifth Amendment to Lease, to extend the term of the lease for the Sheriff's Department for the facility located at 56550 Highway 74, Mountain Center. This facility continues to meet the needs and requirements for Sheriff's substation. This Sixth Amendment to Lease represents a five-year lease renewal at the same current rate and reduction of the annual increase from two percent to one percent.

The Sixth Amendment to Lease is summarized as follows:

Location: 56550 Highway 74, Mountain Center, CA

Lessor: Lake Hemet Municipal Water District
P.O. Box 5039
Hemet, CA 92544

Size: 1,360 Square Feet

Term: Five years: September 1, 2021 to August 31, 2026

Annual Escalator: One percent

Rent:	Current:	New:
	\$ 1.40 Psf.	\$ 1.40 Psf.
	\$ 1,910.17 Per Mo.	\$ 1,910.17 Per Mo.
	\$22,922.04 Per Yr.	\$22,922.04 Per Yr.

Improvements: None

RCIT: None

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

Maintenance: Lessor

Utilities: County pays electricity and telephone services. Lessor is responsible for water, trash, and sewer

Custodial: Lessor

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

Impact on Residents and Businesses

The renewal of this lease agreement will enhance public safety through the continued presence by the Sheriff in this region of the County.

Additional Fiscal Information

See Attachments Exhibits A, B & C. The Sheriff's Department has budgeted these costs in FY 21/22 and will reimburse FM for all lease costs monthly through the life of the term.

Contract History and Price Reasonableness

The Lease rate is deemed competitive based upon the current market. This contract has been in place since August 11, 2003.

Attachments

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

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

CC:ar/05142021/30.526

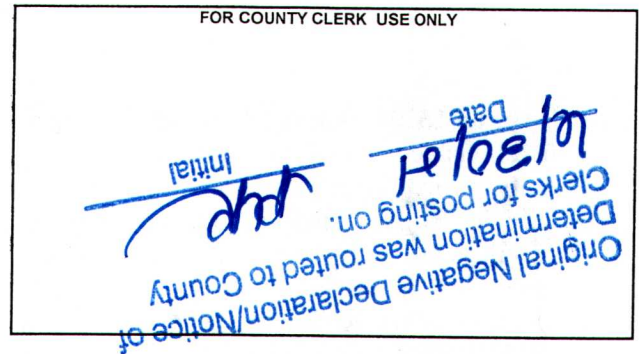

Meghan Hahn, Administrative Analyst

6/17/2021


Gregory V. Priapos, Director County Counsel

6/14/2021

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



NOTICE OF EXEMPTION

May 18, 2021

Project Name: Sheriff Sixth Amendment to Lease, Mountain Center,

Project Number FM042463000100

Project Location: 56550 Highway 74, south of Hemet Lake Road, Mountain Center, California 92561; Assessor's Parcel Number (APN) 568-060-012

Description of Project: On August 11, 2003, the County of Riverside (County) entered into a lease agreement on behalf of the Sheriff's Department with the Lake Hemet Municipal Water District for the facility located at 56550 Highway 74 in the community of Mountain Center. The Lease agreement for a 1,360 square foot facility has been amended five times previously and the facility continues to meet the requirements for the Sheriff's Department and is seeking a sixth Amendment for a five-year lease renewal, beginning September 1, 2021 and terminating August 31, 2026. The Sixth Amendment to the Lease Agreement is defined as the proposed project under the California Environmental Quality Act (CEQA). The project is the lease of an existing facility and does include minor tenant improvements; and no significant expansion of the existing facility will occur. The operation of the facility will continue to provide public services for RUHS. 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 Sixth 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 use of an existing building and will not require physical modifications to the existing building footprint or 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 Sixth 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: _____

5/18/21

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

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Sheriff 6th Amendment to Lease, Mountain Center

Accounting String: 524830-47220-7200400000 - FM042463000100

DATE: May 18, 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: Cindy Campos, Senior 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 18, 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 # FM042463000100**
Sheriff Sixth Amendment to Lease, Mountain Center

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

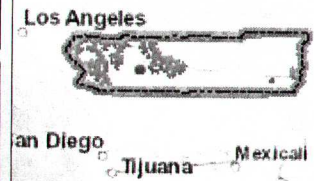
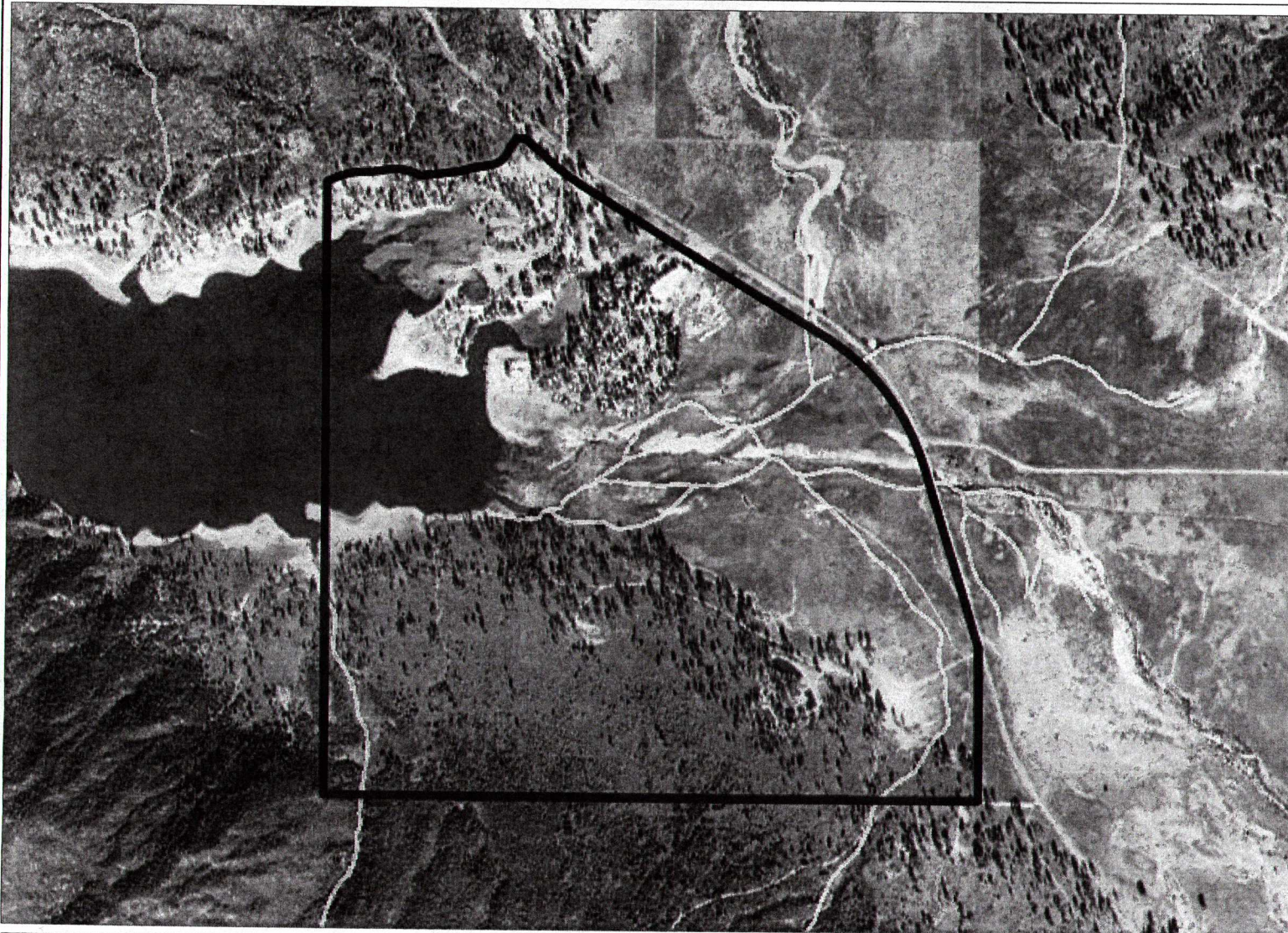
If you have any questions, please contact Mike Sullivan at 955-8009 or email at msullivan@rivco.org.

Attachment

cc: file

Sheriff Department, Sixth Amendment

56550 Highway 74, Mountain Center, CA



Legend

- Blueline Streams
- City Areas



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.

0 1, 3,009 Feet
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REPORT PRINTED ON... 5/13/2021 5:06:24 PM

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Notes

APN 568-060-012

SIXTH AMENDMENT TO LEASE

56550 Highway 74, Mountain Center

THIS SIXTH AMENDMENT TO LEASE ("Sixth Amendment"), dated as of June 29, 2021, is entered into by and between the **COUNTY OF RIVERSIDE**, a political subdivision of the State of California, ("County"), and **LAKE HEMET MUNICIPAL WATER DISTRICT**, a municipal water district created pursuant to the Municipal Water District law of 1911, ("Lessor"), sometimes collectively referred to as the "Parties".

RECITALS

A. Lessor and County have entered into that certain Lease dated August 11, 2003, (the "Original Lease") pursuant to which Lessor has agreed to lease to County and County has agreed to lease from Lessor approximately 1,360 square feet of office space in those certain buildings located at 56550 Highway 74, Mountain Center, as more particularly described in Exhibit "A" of the Original Lease.

B. The Original Lease together with this Sixth Amendment are collectively referred to herein as the Lease.

C. The Parties now desire to amend the Lease to extend the term of the Lease and reduce the annual escalator.

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

1. TERM. Section 3 (a) of the Original Lease is amended by adding the following:

The Term of this Lease shall be extended five (5) years commencing on September 1, 2021 and terminating on August 31, 2026.

2. RENT. Section 4 (a) of the Original Lease shall be amended as follows:

(a) Effective September 1, 2021 the rental rate shall be \$1,910.17 per month.

1 3. RENT. Section 4 (b) of the Original Lease shall be amended as follows: The
2 monthly rent shall be increased each anniversary of this lease by an amount equal to
3 one percent (1%).

4 4. SIXTH AMENDMENT TO PREVAIL. The provisions of this Sixth Amendment
5 shall prevail over any inconsistency or conflicting provisions of the Lease. Any
6 capitalized terms shall have the meaning defined in the Lease, unless defined herein or
7 context requires otherwise.

8 5. MISCELLANEOUS. Except as amended or modified herein, all terms of the
9 Lease shall remain in full force and effect. If any provisions of this Amendment shall be
10 determined to be illegal or unenforceable, such determination shall not affect any other
11 provision of the Lease. Neither this Amendment nor the Lease shall be recorded by
12 the County.

13 6. EFFECTIVE DATE. This Sixth Amendment to Lease shall not be binding or
14 consummated until its approval by the Riverside County Board of Supervisors and fully
15 executed by the Parties.

16 7. MISCELLANEOUS. "Except as amended or modified herein all the terms of the
17 Original Lease shall remain in full force and effect and shall apply with the same force
18 and effect. Time is of the essence in this Amendment and the Lease and each and all
19 their respective provisions. Subject to the provisions of the Lease as to assignment,
20 the agreements, conditions, and provisions herein contained shall apply to and bind the
21 heirs, executors, administrators, successors and assigns of the parties hereto. If any
22 provisions of this Amendment or the Lease shall be determined to be illegal or
23 unenforceable, such determination shall not affect any other provisions of the Lease
24 and all such other provisions shall remain in full force and effect. The language in all
25 parts of the Lease shall be construed according to its normal and usual meaning and
26 not strictly for or against either the Lessor or County. Neither this Amendment, nor the
27 Original Lease, nor any notice nor memorandum regarding the terms hereof, shall be
28 recorded by County.

1
2 IN WITNESS WHEREOF, the parties have executed this Sixth Amendment to
3 Lease as of the date first written above.

4 LESSEE:
5 COUNTY OF RIVERSIDE, a political
6 Subdivision of the State of California

7
8 By: Karen S. Spiegel
9 Karen Spiegel, Chair
10 Board of Supervisors
11

LESSOR:
LAKE HEMET MUNICIPAL WATER
DISTRICT, a municipal Water District
Created pursuant to the municipal
Water District

By: [Signature]
Michael A. Gow,
General Manager

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

15 By: [Signature]
16 Deputy
17
18

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

21 By: [Signature]
22 Ryan Yabko
23 Deputy County Counsel
24
25
26

27 CC:dr/05202021/MC001/30.526 Sixth Amendment
28

Exhibit A

FY 2021/22

**Sheriff Department, Sixth Amendment to Lease
56550 Highway 74, Mountain Center, CA**

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office:	1,360 SQFT	
Approximate Cost per SQFT (Sep-Jun)	\$ 1.40	
Lease Cost per Month (Sep-Jun)	\$ 1,910.17	
Total Lease Cost (Sep-Jun)		\$ 19,101.70
Total Estimated Lease Cost for FY 2021/22		\$ 19,101.70

Estimated Additional Costs:

Utility Cost per SQFT	\$ 0.12	
Estimated Utility Costs per Month	\$ 163.20	
Total Estimated Utility Cost (Sep-Jun)		\$ 1,632.00
Total Estimated Utility Cost for FY 2021/22		\$ 1,632.00
FM Lease Management Fee as of 09/01/2021	4.86%	\$ 928.34
TOTAL ESTIMATED COST FOR FY 2021/22		\$ 21,662.04
TOTAL COUNTY COST	100%	\$ 21,662.04

Exhibit B

FY 2022/23

**Sheriff Department, Sixth Amendment to Lease
56550 Highway 74, Mountain Center, CA**

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office:	1,360	SQFT	
Approximate Cost per SQFT (Jul-Aug)	\$	1.40	
Approximate Cost per SQFT (Sep-Jun)	\$	1.42	
Lease Cost per Month (Jul-Aug)	\$	1,910.17	
Lease Cost per Month (Sep-Jun)	\$	1,929.27	
Total Lease Cost (Jul-Aug)	\$	3,820.34	
Total Lease Cost (Sep-Jun)	\$	19,292.70	
Total Estimated Lease Cost for FY 2022/23	\$	23,113.04	

Estimated Additional Costs:

Utility Cost per SQFT	\$	0.12	
Estimated Utility Costs per Month	\$	163.20	
Total Estimated Utility Cost (Jul-Jun)	\$	1,958.40	
FM Lease Management Fee as of 09/01/2021	4.86%	\$	1,123.29
TOTAL ESTIMATED COST FOR FY 2022/23		\$	26,194.73
TOTAL COUNTY COST	100%	\$	26,194.73

Exhibit C

FY 2023/24 to 2026/27
Sheriff Department, Sixth Amendment to Lease
56550 Highway 74, Mountain Center, CA

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office: 1,360 SQFT

	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27
Approximate Cost per SQFT (Jul-Aug)	\$ 1.42	\$ 1.43	\$ 1.45	\$ 1.46
Approximate Cost per SQFT (Sep-Jun)	\$ 1.43	\$ 1.45	\$ 1.46	-
Lease Cost per Month (Jul-Aug)	1,929	\$ 1,948.56	\$ 1,968.05	\$ 1,987.73
Lease Cost per Month (Sep-Jun)	1,949	1,968	1,988	-
Total Lease Cost (Jul-Aug)	\$ 3,858.54	\$ 3,897.12	\$ 3,936.10	\$ 3,975.46
Total Lease Cost (Sep-Jun)	\$ 19,485.60	\$ 19,680.50	\$ 19,877.30	-
Total Estimated Lease Cost for FY 2023/24 to 2026/27	\$ 23,344.14	\$ 23,577.62	\$ 23,813.40	\$ 3,975.46

Estimated Additional Costs:

Utility Cost per SQFT	\$ 0.12	\$ 0.12	\$ 0.12	\$ 0.12
Estimated Utility Costs per Month	\$ 163.20	\$ 163.20	\$ 163.20	\$ 163.20
Total Estimated Utility Cost	\$ 1,958.40	\$ 1,958.40	\$ 1,958.40	\$ 326.40
FM Lease Management Fee as of 09/01/2021 4.86%	\$ 1,134.53	\$ 1,145.87	\$ 1,157.33	\$ 193.21
TOTAL ESTIMATED COST FOR FY 2023/24 to 2026/27	\$ 26,437.07	\$ 26,681.89	\$ 26,929.13	\$ 4,495.07

F11 Total Cost	\$ 144,476.73
F11 Total County Cost 100%	\$ 144,476.73