

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



ITEM: 3.13
(ID # 18261)

MEETING DATE:

Tuesday, June 07, 2022

FROM : FACILITIES MANAGEMENT:

SUBJECT: FACILITIES MANAGEMENT - REAL ESTATE (FM-RE): Ratification and Approval of the Fifth Amendment to Lease with Mission Trail Investment, LLC - Riverside University Health System-Behavioral Health, Lake Elsinore, Five-year Lease Extension, CEQA Exempt, District 1. [\$1,999,572 - State 47%, Federal 53%] (Clerk of the Board 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(b)(3), Existing Facilities Exemption, and Section 15061(b)(3), "Common Sense" Exemption;
2. Ratify and Approve the Fifth Amendment to Lease with Mission Trail Investment, LLC, a Delaware limited liability company, 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 attached Notice of Exemption with the County Clerk within five (5) working days of approval by the Board.

ACTION:Policy


Rose Salgado, Director of Facilities Management 3/28/2022


Aaron Gettis, Deputy County Counsel 5/23/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Disqualify: Jeffries
Date: June 7, 2022
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	\$172,983	\$350,965	\$1,999,572	\$
NET COUNTY COST	\$	\$	\$	\$
SOURCE OF FUNDS: Federal 53%, State 47%			Budget Adjustment: NO	
			For Fiscal Year: 2021/22 – 2026/27	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Riverside University Health System-Behavioral Health (RUHS-BH) has occupied a leased facility at 31946 Mission Trail in Lake Elsinore since 2008 (Lease). This Fifth Amendment to Lease (Amendment) represents a lease extension of the Mission Trail office through May 31, 2027.

Pursuant to the California Environmental Quality Act (CEQA), the 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 is the letting of property involving previously occupied space.

This Fifth Amendment to Lease is summarized below:

Lessor: Mission Trail Investment, LLC, a Delaware limited liability company
c/o America West Properties Inc.
22541 Aspan Street #H
Lake Forest, CA 92630

Premises Location: 31946 Mission Trail, Suite B
Lake Elsinore, CA 92530

Size: 8,828 Square Feet

Rent:	<u>Current:</u>	<u>New:</u>
	\$3.00 per sq. ft.	\$3.00 per sq. ft.
	\$26,484.00 per month	\$26,484.00 per month
	\$317,808.00 per year	\$317,808.00 per month

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

Rent Increases: Three percent annually commencing January 1, 2023:

January 1, 2023: \$27,278.52 per month
January 1, 2024: \$28,073.04 per month
January 1, 2025: \$28,955.84 per month
January 1, 2026: \$29,838.64 per month
January 1, 2027 – May 31, 2027: \$30,733.80 per month

Rent Abatement: Lessor shall provide one month abated rent, credited 50% (\$13,242.00) during the months of June & July 2022.

Term: January 1, 2022, to May 31, 2027

Option to Terminate: After three (3) years with nine (9) months prior written notice, plus a fee of \$25,000.00 and abated rent in the amount of \$26,484.00 to be paid.

Custodial: Lessor to provide

Maintenance: Lessor to provide

Utilities: County pays for telephone and electrical services.
Landlords pays for all other services.

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

Impact on Residents and Businesses

This Fifth Amendment will allow RUHS-BH the ability to continue to provide services in Lake Elsinore while consolidation efforts are completed.

Additional Fiscal Information

See attached Exhibits A, B & C. RUHS-BH will budget these costs in FY 2021/22 through FY 2026/27 and will reimburse FM-RE for all associated lease costs.

Contract History and Price Reasonableness

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

The lease contract and associated rent are aligned with the current real estate market.

ATTACHMENTS:

- Exhibits A, B & C
- Fifth Amendment to Lease
- Notice of Exemption
- Aerial Map

HR:sc/02022022/LE026/30.420



Meghan Hahn, Senior Management Analyst 5/26/2022

Exhibit A

FY 2021/22

Behavioral Health

31946 Mission Trail, Suite B, Lake Elsinore 92530

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office:	8,828 SQFT	
Approximate Cost per SQFT (Jan-Jun)	\$ 3.00	
Lease Cost per Month (Jan-Jun)	\$ 26,484.00	
Total Lease Cost (Jan-Jun)		<u>\$ 158,904.00</u>
Total Estimated Lease Cost for FY 2021/22		<u>\$ 158,904.00</u>

Estimated Additional Costs:

Utility Cost per SQFT	\$ 0.12	
Estimated Utility Costs per Month	<u>\$ 1,059.36</u>	
Total Estimated Utility Cost (Jan-June)		<u>\$ 6,356.16</u>
Total Estimated Utility Cost for FY 2021/22		<u>\$ 6,356.16</u>
FM Lease Management Fee as of 7/1/2021	4.86%	<u>\$ 7,722.73</u>
TOTAL ESTIMATED COST FOR FY 2021/22		<u><u>\$ 172,982.89</u></u>
TOTAL COUNTY COST	0%	\$ -

Exhibit B

FY 2022/23

Behavioral Health

31946 Mission Trail, Suite B, Lake Elsinore 92530

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office:	8,828 SQFT	
Approximate Cost per SQFT (Jul-Dec)	\$ 3.00	
Approximate Cost per SQFT (Jan-Jun)	\$ 3.09	
Lease Cost per Month (Jul-Dec)	\$ 26,484.00	
Lease Cost per Month (Jan-Jun)	\$ 27,278.52	
Total Lease Cost (Jul-Dec)		\$ 158,904.00
Total Lease Cost (Jan-Jun)		\$ 163,671.12
Total Estimated Lease Cost for FY 2022/23		\$ 322,575.12

Estimated Additional Costs:

Utility Cost per SQFT	\$ 0.12	
Estimated Utility Costs per Month	\$ 1,059.36	
Total Estimated Utility Cost (Jul-Jun)		\$ 12,712.32
FM Lease Management Fee as of 7/1/2021	4.86%	\$ 15,677.15
TOTAL ESTIMATED COST FOR FY 2022/23		\$ 350,964.59
TOTAL COUNTY COST	0%	\$ -

Exhibit C

FY 2023/24 to 2026/27
Behavioral Health
31946 Mission Trail, Suite B, Lake Elsinore 92530

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office: 8,828 SQFT

	FY 2023/24	FY 2024/25	FY2025/26	FY2026/27
Approximate Cost per SQFT (Jul-Dec)	\$ 3.09	\$ 3.18	\$ 3.28	\$ 3.38
Approximate Cost per SQFT (Jan-Jun)	\$ 3.18	\$ 3.28	\$ 3.38	
Lease Cost per Month (Jul-Dec)	\$ 27,278.52	\$ 28,073.04	\$ 28,955.84	\$ 29,838.64
Lease Cost per Month (Jan-Jun)	\$ 28,073.04	\$ 28,955.84	\$ 29,838.64	
Total Lease Cost (July - Nov)	\$ 163,671.12	\$ 168,438.24	\$ 173,735.04	\$ 179,031.84
Total Lease Cost (Dec - June)	\$ 168,438.24	\$ 173,735.04	\$ 179,031.84	
Total Estimated Lease Cost for FY 2023/24 to 2026/27	\$ 332,109.36	\$ 342,173.28	\$ 352,766.88	\$ 179,031.84

Estimated Additional Costs:

Utility Cost per SQFT	\$ 0.12	\$ 0.12	\$ 0.12	\$ 0.12
Estimated Utility Costs per Month	\$ 1,059.36	\$ 1,059.36	\$ 1,059.36	\$ 1,059.36
Total Estimated Utility Cost	\$ 12,712.32	\$ 12,712.32	\$ 12,712.32	\$ 6,356.16
FM Lease Management Fee as of 7/1/2021 4.86%	\$ 16,140.51	\$ 16,629.62	\$ 17,144.47	\$ 8,700.95
TOTAL ESTIMATED COST FOR FY 2023/24 to 2026/27	\$ 360,962.19	\$ 371,515.22	\$ 382,623.67	\$ 194,088.95

F11 Total Cost	\$ 1,833,137.51
F11 Total County Cost 0%	\$ -

1 **FIFTH AMENDMENT TO LEASE**

2 31946 Mission Trail, Suite B, Lake Elsinore, California

3
4 This **FIFTH AMENDMENT TO LEASE** ("Fifth Amendment") dated as of
5 JUN 07 2022, is entered by and between **MISSION TRAIL INVESTMENT, LLC**, a
6 Delaware limited liability company ("Lessor"), and the **COUNTY OF RIVERSIDE**, a
7 political subdivision of the State of California ("County"), sometimes collectively
8 referred to as the "Parties".

9 **1. Recitals.**

10 a. Lessor and County have entered into that certain Lease, dated
11 April 1, 2008, ("Original Lease") pursuant to which Lessor has agreed to lease to
12 County and County has agreed to lease from Lessor that certain building located at
13 31946 Mission Trail, Suite B, in the City of Lake Elsinore, State of California, as more
14 particularly shown in the Original Lease (the "Original Premises").

15 b. The Original Lease has been amended by:

16 That certain First Amendment to Lease dated September 30, 2008, by and
17 between Miramar West, LLC, and the County ("First Amendment"), whereby the Parties
18 amended the Original Lease to complete tenant improvements.

19 That certain Second Amendment to Lease dated August 20, 2013, by and
20 between Miramar West, LLC, and the County ("Second Amendment"), whereby the
21 Parties amended the Lease to extend the lease term, modify the rent and complete
22 tenant improvements.

23 That certain Third Amendment to Lease dated June 8, 2021, by and between
24 Mission Trail Investment, LLC, and the County ("Third Amendment"), whereby the
25 Parties amended the Lease to extend the term.

26 That certain Fourth Amendment to Lease dated September 14, 2021, by and
27 between Mission Trail investment, LLC and the County ("Fourth Amendment") whereby
28 the Parties amended the Lease to extend the term.

JUN 07 2022 8.13

1 c. The Original Lease, as heretofore, currently, or hereafter
2 amended, shall hereafter be referred to as the "Lease".

3 d. County and Lessor desire to further amend the Lease by extending
4 the term of the Lease (as defined herein).

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

7 **2. Term.** Section 3 of the Lease is hereby amended by the following: The
8 term of the Lease shall be extended sixty – five (65) months ("Extension Term")
9 commencing January 1, 2022, and expiring May 31, 2027.

10 **3. Rent.** Section 5 of the Lease is hereby amended by the following rent
11 schedule during the extension term

12		
13	January 1, 2022 – December 31, 2022	\$26,484.00
14	January 1, 2023 – December 31, 2023	\$27,278.52
15	January 1, 2024 – December 31, 2024	\$28,073.04
16	January 1, 2025 – December 31, 2025	\$28,955.84
17	January 1, 2026 – December 31, 2026	\$29,838.64
18	January 1, 2027 – May 31, 2027	\$30,733.80
19		

20 Lessor agrees to reduce the rent ("Abated rent") by fifty percent (50%) for the
21 months of June 2022 and July 2022.

22 **4. Option to Terminate:** Section 13 of the Lease is hereby amended to
23 add the following subsection (e): County shall have the option to terminate the Lease
24 after three (3) years into the Extension Term by providing nine (9) months prior written
25 notice, a termination fee of \$25,000.00, and full repayment of \$26,484.00 representing
26 all reduced or "abated rent" received during the "Extension Term".

27 **5. Capitalized Terms: Fifth Amendment to Prevail.** Unless defined
28

1 herein or the context requires otherwise, all capitalized terms herein shall have the
2 meaning defined in the Lease, as heretofore amended. The provisions of this Fifth
3 Amendment shall prevail over any inconsistency or conflicting provisions of the Lease,
4 as heretofore amended, and shall supplement the remaining provision thereof.

5 **6. Miscellaneous.** Except as amended or modified herein, all the terms of
6 the Lease shall remain in full force and effect and shall apply with the same force and
7 effect. If any provisions of this Fifth Amendment or the Lease shall be determined to be
8 illegal or unenforceable, such determination shall not affect any other provision of the
9 Lease and all such other provisions shall remain in full force and effect. The language
10 in all parts of the Lease shall be construed according to its normal and usual meaning
11 and not strictly for or against either Lessor or County. Neither this Fifth Amendment,
12 nor the Original Lease, nor any notice nor memorandum regarding the terms hereof,
13 shall be recorded by County.

14 **7. Effective Date.** This Fifth Amendment to Lease shall not be binding or
15 consummated until its approval by the Riverside County Board of Supervisors and fully
16 executed by the Parties.

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24 (Signatures on the following page)
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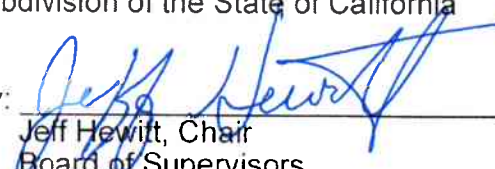
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In Witness Whereof, the Parties have executed this Fifth Amendment as of the date written below.

Dated: JUN 07 2022

COUNTY:
County of Riverside, a political subdivision of the State of California

LESSOR:
Mission Trail Investment, LLC, a California limited liability company

By: 
Jeff Hewitt, Chair
Board of Supervisors

By: 
Roger Allensworth, Manager

ATTEST:
Kecia R. Harper
Clerk of the Board

By: 
Deputy

APPROVED AS TO FORM:
County Counsel

By: 
Ryan Yabko
Deputy County Counsel

1 GF:sc/02222022/LE026/30.420

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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.	
<u>6/9/22</u> Date	<u>Zm</u> Initial

NOTICE OF EXEMPTION

February 2, 2022

Project Name: Approval of Fifth Amendment to Lease Agreement, Riverside University Health System Department of Behavioral Health (RUHS-BH), Mission Trail, Lake Elsinore

Project Number: FM042431002600

Project Location: 31946 Mission Trail, Suite B, north of Malaga Road, Lake Elsinore, California 92530, Assessor's Parcel Numbers (APNs) 363-172-022, 363-172-010

Description of Project: The County of Riverside (County) RUHS-BH entered into a Lease Agreement on April 1, 2008 to occupy 8,828 square feet of office space located in Suite B at 31946 Mission Trail, Lake Elsinore, California. RUHS-BH is currently working to complete tenant improvements at its Lakeshore Drive location in order to accommodate the relocation and consolidation of staff in this region of the County. Once the improvements are completed, the Mission Trail office will be vacated in its entirety. The County is seeking to extend the term of the lease five years through December 31, 2026 with a Fifth Amendment to the Lease Agreement. The Fifth Amendment to the Lease Agreement with Mission Trail Investment, LLC, is defined as the proposed project under the California Environmental Quality Act (CEQA). The project is the letting of property involving existing facilities; no expansion of the existing facility will occur. The operation of the facility will continue to provide public behavioral health services. 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 Fifth Amendment to the Lease Agreement.

JUN 07 2022 3.13

- **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 the extension of term for an existing Lease Agreement regarding behavioral health services for RUHS-BH. The project would not substantially increase or expand the use of the site; use 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 five-year extension of 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: 2-2-2022

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

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

**Project Name: Fifth Amendment to Lease Agreement, RUHS-BH Mission Trail, Lake
Elsinore**

Accounting String: 524830-47220-7200400000 - FM042431002600

DATE: February 2, 2022

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: Georgina Flores, 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: February 2, 2022
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 # FM042431002600**
Fifth Amendment to Lease Agreement, RUHS-BH Mission Trail, Lake Elsinore

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

31946 Mission Trail, Suite B, Lake Elsinore



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.

Notes

0 188 376 Feet

REPORT PRINTED ON... 6/28/2021 11:32:24 AM

© Riverside County GIS



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER:
22-224697

STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY RIVERSIDE COUNTY FACILITIES MANAGEMENT	LEAD AGENCY EMAIL	DATE 06/13/2022
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COUNTY/STATE AGENCY OF FILING RIVERSIDE	DOCUMENT NUMBER E-202200539
--	--------------------------------

PROJECT TITLE
 RIVERSIDE COUNTY FACILITIES MANAGEMENT

PROJECT APPLICANT NAME RIVERSIDE COUNTY FACILITIES MANAGEMENT	PROJECT APPLICANT EMAIL	PHONE NUMBER (951) 955-8009
--	-------------------------	--------------------------------

PROJECT APPLICANT ADDRESS 3450 14TH ST.,	CITY RIVERSIDE	STATE CA	ZIP CODE 92501
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,539.25	\$ _____
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,548.00	\$ _____
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$ _____

Exempt from fee

Notice of Exemption (attach)

CDFW No Effect Determination (attach)

Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$ _____
<input checked="" type="checkbox"/> County documentary handling fee		\$ _____ \$50.00
<input type="checkbox"/> Other		\$ _____


PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ _____ **\$50.00**

SIGNATURE X <i>W. Sandoval</i>	AGENCY OF FILING PRINTED NAME AND TITLE Deputy
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County of Riverside
Facilities Management
3133 Mission Inn Avenue, Riverside, CA

FOR COUNTY CLERK USE ONLY		
F I L E D / P O S T E D		
County of Riverside		
Peter Aldana		
Assessor-County Clerk-Recorder		
E-202200539		
06/13/2022 02:04 PM Fee: \$ 50.00		
Page 1 of 2		
Removed:	By:	Deputy
		

NOTICE OF EXEMPTION

February 2, 2022

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Project Number: FM042431002600

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Name of Public Agency Approving Project: Riverside County

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

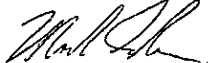
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JUN 07 2022 3:13

- **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 the extension of term for an existing Lease Agreement regarding behavioral health services for RUHS-BH. The project would not substantially increase or expand the use of the site; use 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 five-year extension of 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: 2-2-2022
Mike Sullivan, Senior Environmental Planner
County of Riverside, Facilities Management