

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



ITEM: 3.19  
(ID # 19335)

**MEETING DATE:**  
Tuesday, August 30, 2022

**FROM :** FACILITIES MANAGEMENT:

**SUBJECT:** FACILITIES MANAGEMENT- REAL ESTATE (FM-RE): Approval of First Amendment to the Master License and Operating Agreement between the County of Riverside and StandGuard Aquatics, Inc., a Georgia Corporation, for the License and Operations of The Cove Waterpark in Jurupa Valley, California and DropZone Waterpark in Perris, California; Districts 2 and 5 respectively. [\$0] CEQA Exempt (Clerk to file Notice of Exemption)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Find that the discretionary action (execution of the agreement) is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15301, Existing Facilities, Section 15323 – Class 23 Normal Operations of Facilities For Public Gatherings, and Section 15601(b)(3) Common Sense exemption;
2. Approve the First Amendment to the Master License and Operating Agreement between the County of Riverside and StandGuard Aquatics, Inc., a Georgia Corporation, for the operation and management of The Cove Waterpark located at 4310 Camino Real in Jurupa Valley, California identified as Assessor's Parcel Numbers 183-030-026 and 183-030-043; and DropZone Waterpark located at 2165 Trumble Road in Perris, California identified as Assessor's Parcel Number 327-190-029 (First Amendment);

Continued on page 2

**ACTION:Policy**


  
Rose Salgado, Director of Facilities Management 8/17/2022

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Spiegel, seconded by Supervisor Perez 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: August 30, 2022  
xc: FM, Recorder

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:

3. Authorize the Chairman of the Board of Supervisors (Board) to execute the First Amendment; and
4. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five (5) working days of approval by the Board.

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> N/A			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	2022/2023-2026/2027

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

On April 18, 2017, the Board of Supervisors approved Minute Order 3.9, the Master License and Operating Agreement between the County of Riverside, a political subdivision of the State of California, and StandGuard Aquatics, Inc., a Georgia Corporation (Operator), for the operations of The Cove Waterpark in Jurupa Valley, California and DropZone Waterpark in Perris, California.

Through this First Amendment of the Master License and Operating Agreement (First Amendment), the parties will extend the contract for operation and management of the Waterparks through April 18, 2027. The Operator will continue to manage aquatic programs and activities for the overall benefit of the residents of the County. Operator will provide and pay for all operations, marketing, management, security, insurance and reoccurring and normal maintenance (excepting any capital renewal and maintenance repairs over \$10,000 per occurrence) of the aquatic facilities including the waterpark areas, competition pool and parking and landscaped areas.

The Operator will continue to generate revenue through ticket sales, concessions, and use agreements for use of the pools and waterparks. The Operator will in turn pay the County ten percent (10%) of gross revenues as a percentage rent and in accordance with the First Amendment. This generated revenue will fund on-going facility renewal and necessary capital improvements at these waterparks.

Pursuant to the California Environmental Quality Act (CEQA), the First Amendment was reviewed and determined to be categorically exempt from CEQA under State CEQA

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STATE OF CALIFORNIA**

Guidelines Section 15301 Class 1-Existing Facilities, Section 15323 – Class 23 Normal Operations of Facilities For Public Gatherings, and Section 15601 (b)(3) Common Sense exemption. The proposed project is the licensing and operations involving existing facilities and would not result in any significant direct or indirect impacts.

The First Amendment has been reviewed and approved as to legal form by County Counsel.

**Impact on Residents and Businesses**

These amenities will continue to serve the residents of the County and provide a positive economic impact for businesses that surround these waterparks. Operational efficiencies will benefit citizens, businesses, and the community as a whole.

**ATTACHMENTS:**

- Site Maps
- First Amendment to the Master License and Operating Agreement
- Notice of Exemption

DC:sc/07122022/308FM/309FM/30.731

  
\_\_\_\_\_  
Meghan Hahn, Senior Management Analyst      8/18/2022

  
\_\_\_\_\_  
Aaron Gettis, Deputy County Counsel      8/18/2022



1           **3. NOTICES.** Section 26 of the Original Agreement shall be amended as  
2 follows:

3           If to County:           County of Riverside  
4                                   Facilities Management  
5                                   3450 14<sup>th</sup> Street, Suite 200  
6                                   Riverside, CA 92501  
7                                   Attn: Vincent Yzaguirre

8           **4. MAINTENANCE.** Section 15 of the Original Agreement is hereby  
9 amended to add subsection 15(f):

10           Operator may affect facility improvements and Capital Maintenance projects at  
11 The Cove and Dropzone waterparks on behalf of the County and with the consent of  
12 the County's Department of Facilities Management. Operator must first provide the  
13 Department of Facilities Management with a work plan (including scope of work) and  
14 documentation of costs for consideration and approval by the County. Operator shall  
15 utilize licensed contractors to perform any and all work and abide by all local, state,  
16 federal laws, and ordinances and regulations when pursuing the approved work.  
17 Operator shall complete and pay for such work and then request reimbursement for the  
18 approved work through the Revenue Account and by providing the Department of  
19 Facilities Management with the final documentation, including before and after photos  
20 and paid invoices from approved licensed contractors, and for supplies and parts that  
21 were purchased to pursue the approved work.

22           **5. MISCELLANEOUS.** Except as amended or modified herein, all terms of  
23 the Original Agreement shall remain in full force and effect. If any provisions of this  
24 First Amendment shall be determined to be illegal or unenforceable, such  
25 determination shall not affect any other provision of the Original Agreement. Unless  
26 defined herein or the context requires otherwise, all capitalized terms herein shall have  
27 the meaning defined in the Original Agreement, as heretofore amended. The  
28 provisions of this First Amendment shall prevail over any inconsistency or conflicting



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**IN WITNESS WHEREOF**, the Parties have executed this First Amendment as of  
the date first written above.

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

OPERATOR:  
StandGuard Aquatics, Inc.  
a Georgia corporation

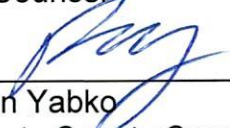
By:   
Jeff Hewitt, Chair  
Board of Supervisors

By:   
Matt Satterly, CEO

ATTEST:  
Kecia R. Harper  
Clerk of the Board

By:   
Deputy

APPROVED AS TO FORM:  
County Counsel

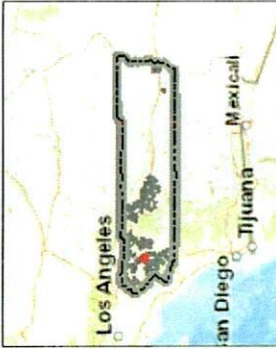
By:   
Ryan Yabko  
Deputy County Counsel

DC:sc/05112022/308-309FM/30.731

AUG 30 2022 3:19

# Dropzone Waterpark

2165 Trumble Rd, Perris



**Legend**

- Parcels
- County Centerline Names
- County Centerlines
- Blueline Streams
- City Areas

**Notes**  
 APNs: 327-190-029

**\*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.

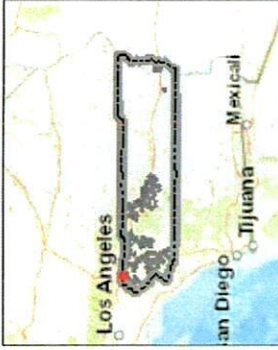
REPORT PRINTED ON... 8/4/2022 9:50:28 AM

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# Cove Waterpark

4310 Camino Real, Jurupa Valley



- Legend**
- Parcels
  - County Centerline Names
  - County Centerlines
  - Blueline Streams
  - City Areas



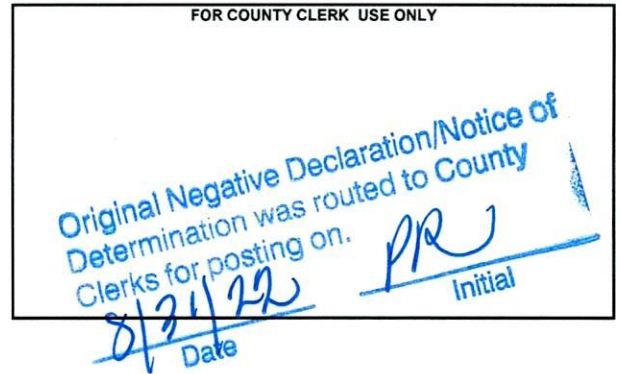
**"IMPORTANT"** Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, 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.

REPORT PRINTED ON... 8/4/2022 9:46:46 AM

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**Notes**  
APNs: 183-030-026 and 183-030-043

County of Riverside  
Facilities Management  
3450 14<sup>th</sup> St., 2<sup>nd</sup> Floor, Riverside, CA



## NOTICE OF EXEMPTION

July 14, 2022

**Project Name:** Cove and Dropzone Waterparks First Amendment to Master License and Operating Agreement, Jurupa Valley

**Project Number:** FM0417200308

**Project Locations:**

**Cove Waterpark:** 4310 Camino Real, south of Mission Boulevard, Jurupa Valley, California, Assessor's Parcel Numbers (APNs): 183-030-026, 183-030-043

**Dropzone Waterpark:** 2165 Trumble Road, south of Vista Road, Perris, California, APN 327-190-029

**Description of Project:** The County of Riverside (County) owns the property located at 4310 Camino Real, Jurupa Valley, California, 92509, commonly known as The Cove Waterpark and the property located at 2165 Trumble Road, Perris, California 92570, commonly known as Dropzone Waterpark. On April 18, 2017, the Board of Supervisors approved Minute Order 3.9, the Master License and Operating Agreement between the County of Riverside and Standguard Aquatics, Inc., a Georgia Corporation (Operator), for the operations of The Cove Waterpark and Dropzone Waterpark.

Through this First Amendment of the Master License and Operating Agreement (First Amendment), the County now wishes to extend the contract for operation and management of the Waterparks through April 18, 2027. The Operator will continue to include the provision of aquatic programs and activities for the overall benefit of the residents of the County. Operator will provide and pay for all operations, marketing, management, security, insurance and reoccurring and normal maintenance (excepting any capital renewal and maintenance repairs over \$10,000 per occurrence) of the aquatic facilities including the waterpark areas, competition pool and parking and landscaped areas.

The Operator will continue to generate revenue through ticket sales, concessions and use agreement for use of the pools and waterparks. The Operator will in turn pay the County ten percent of gross revenues as a percentage rent and in accordance with the Agreement. The County will in turn take five percent of those revenues paid to the County by the Operator and deposit those funds in a capital improvement and major repairs account to be used by the County for the waterpark's capital improvements and major repairs.

The approval of the First Amendment with Standguard Aquatics, Inc. is identified as the proposed project under the California Environmental Quality Act (CEQA). The Operating Agreement would maintain an ongoing use of an existing facility and would not result in physical changes or an expansion of capacity. 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


AUG 30 2022 3.19

**Exempt Status:** State CEQA Guidelines, Section 15301, Class 1, Existing Facilities Exemption; Section 15323 Class 23 Normal Operations of Facilities For Public Gatherings, Section 15061(b) (3), General Rule or “Common Sense” Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061, 15300 to 15301, and 15323.

**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 First Amendment to the Master License and Operating Agreement.

- **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 a five-year extension of the Master License and Operating Agreement to operate and maintain the existing Cove and Dropzone Waterparks. The continued operation and maintenance would not result in any expansion of public services and facilities. 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 15323 – Class 23 Normal Operations of Facilities For Public Gatherings Exemption:** This categorical exemption includes the normal operation of existing facilities for public gatherings for which the facilities were designed, where there is a past history of a similar purpose. The project, as proposed, is limited to an extension of an Operating Agreement to operate and maintain the existing Cove and Dropzone Waterparks in a similar manner and purpose for the last five years. 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 First Amendment will not result in any direct or indirect physical environmental impacts. The Agreement will not result in changes to the existing use and will not create any new environmental impacts to the surrounding area. No alterations and no impacts to the 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:** 7-14-2022  
Mike Sullivan, Senior Environmental Planner  
County of Riverside, Facilities Management

**RIVERSIDE COUNTY CLERK & RECORDER**

**AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

**Project Name: Cove and Dropzone Waterparks First Amendment to Master License and Operating Agreement**

**Accounting String: 528500-10000-7201300000-FM0417200308**

DATE: July 18, 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: **Veronica Casper, Facilities Management**

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -

County of Riverside  
Facilities Management  
3450 14<sup>th</sup> St., 2<sup>nd</sup>. Floor, Riverside, CA 92501

Date: July 14, 2022  
To: Cassandra Sandoval, Office of the County Clerk  
From: Mike Sullivan, Senior Environmental Planner, Facilities Management  
Subject: **County of Riverside Facilities Management Project # FM0417200308**  
Cove Waterpark First Amendment to Master License and Operating 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,**  
**3450 14<sup>th</sup> Street, 2<sup>nd</sup> Floor, Riverside, CA 92501**

**If you have any questions, please contact Mike Sullivan at 955-8009 or email at [msullivan@rivco.org](mailto:msullivan@rivco.org).**

Attachment

cc: file