

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



ITEM: 3.33
(ID # 19865)

MEETING DATE:

Tuesday, October 04, 2022

FROM : TLMA - AVIATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/AVIATION: Approval of the First Amendment to Lease Agreement between the County of Riverside, as Lessor, and Ramko Injection, Inc., a California corporation, as Lessee at Hemet-Ryan Airport, CEQA Exempt, District 3. [\$1,000 Total Cost - Aviation Fund 100%](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. **Approve** the attached First Amendment to Lease between County of Riverside as Lessor (County) and Ramko Injections, Inc., as Lessee;
3. **Authorize** the Chairman of the Board of Supervisors to execute the attached First Amendment and authorize the Assistant County Executive Officer/TLMA, or designee, to take all necessary steps to implement the First Amendment, including, but not limited to, signing subsequent necessary and relevant documents, and approving any non-substantive amendments and modifications to the First Amendment, subject to approval by County Counsel; and
4. **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

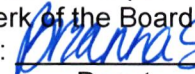

Charissa Leach, TLMA Director

8/24/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, 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: October 4, 2022
xc: TLMA-Aviation, 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	\$ 1,000	\$ 0	\$ 1,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: 100% TLMA- Aviation Revenue Fund			Budget Adjustment:	No
			For Fiscal Year:	2022/23 -2030/31

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The County of Riverside owns a 4.41-acre parcel containing a 39,510 square foot industrial building, located at 3950 Industrial Avenue, Hemet, California ("Industrial Building"). On December 9, 2020, under Minute Order 3.35, the County Board of Supervisors approved a 10 year Lease ("Lease") between Transportation and Land Management Agency/Aviation ("TLMA-Aviation"), as Lessor and Ramko Injection, Inc. ("Ramko"), as Lessee, for the use of an approximate 12,000 square foot portion of the Industrial Building and about 39,500 square feet of outdoor space which includes, outdoor storage yard, driveways, and vehicular parking spaces ("Leased Premises").

Since entering into the Lease, Ramko's operations have outgrown the Leased Premises, and therefore, Ramko has requested to expand their leasehold space. TLMA-Aviation and Ramko have negotiated the attached First Amendment to Lease ("First Amendment") to expand the workshop and office space by 10,636 square feet and to provide an additional 32,300 square feet of yard space. The new Leased Premises will total 22,636 square feet of workshop and office space, and 71,800 square feet of outdoor storage yard, driveways, and vehicular parking spaces. Additionally, the First Amendment will increase the rent from \$6,837.89 per month to \$12,155.89 per month. All other terms and conditions of the Lease will remain the same.

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 First Amendment has been reviewed and approved by County Counsel.

California Department of Housing and Community Development staff reviewed the First Amendment and found that the First Amendment is not subject to the Surplus Land Act.

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STATE OF CALIFORNIA**

Impact on Citizens and Businesses

Ramko's operation provides temporary and permanent employment through direct hires, and outsourced projects for residents in the Hemet area. Businesses and Residents benefit from the positive economic impact borne through Ramko's operation.

SUPPLEMENTAL:

Additional Fiscal Information

No net County cost will be incurred, and no budget adjustment is necessary, however, the Transportation and Land Management Agency, Aviation Division has incurred costs associated with this transaction. County Counsel costs to date in the approximate amount of \$1,000 will be reimbursed from the TLMA Aviation Revenue Fund.

County Counsel Review	\$ 1,000
Total	\$ 1,000

ATTACHMENTS:

- First Amendment to Lease
- Notice of Exemption
- Aerial Map



Jason Farin, Principal Management Analyst 9/26/2022



County of Riverside
TLMA Aviation
4080 Lemon Street, 14th Floor, Riverside, CA 92501

FOR COUNTY CLERK USE ONLY

Original Negative Declaration/Notice of
Determination was routed to County
Clerks for posting on.

10/5/22
Date

B8
Initial

NOTICE OF EXEMPTION

August 18, 2022

Project Name: Approval of the First Amendment to Lease Agreement between the County of Riverside, as Lessor, and Ramko Injection, Inc., a California corporation, as Lessee at Hemet-Ryan Airport

Project Location: 3950 Industrial Avenue, Hemet, CA 92545 Assessor Parcel Number 456-050-053 (a portion)

Description of Project: The County of Riverside owns a 4.41-acre parcel containing a 39,510 square foot industrial building, located at 3950 Industrial Avenue, Hemet, California ("Industrial Building"). On December 9, 2020, under Minute Order 3.35, the County Board of Supervisors approved a 10 year Lease ("Lease") between Transportation and Land Management Agency/Aviation ("TLMA-Aviation"), as Lessor and Ramko Injection, Inc. ("Ramko"), as Lessee, for the use of an approximate 12,000 square foot portion of the Industrial Building and about 39,500 square feet of outdoor space which includes, outdoor storage yard, driveways, and vehicular parking spaces ("Leased Premises").

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The First Amendment has been identified as a proposed project under the California Environmental Quality Act (CEQA) because a discretionary action is required for approval. Approval of the First Amendment is limited to expansion of Ramko's Leased Premises at the Industrial Building and will not result in any direct effects on the environment. Subsequently, this First Amendment will not result in any significant environmental impacts or include any mitigation measures.

4080 Lemon Street, 14th Floor • Riverside, California 92501 • (951) 955-9722

P. O. Box 1605 • Riverside, California 92502-1605

Name of Public Agency Approving Project: County of Riverside

Name of Person or Agency Carrying Out Project: Riverside County Transportation and Land Management Agency – Aviation Division

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.

Reason 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 is limited to an expansion to the Leased Premises by Ramko and does not include a new development. Furthermore, this project would not result in any physical direct or reasonably foreseeable indirect impacts to the environment.

- **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, will be consistent with the existing land use and would not result in a physical change to the property. These improvements fall within the criteria identified in Section 15301 (c) and (d) which allow for the repair and maintenance of existing transportation facilities and rehabilitation of structures and facilities to meet standards of health and safety. Therefore, the project is exempt as it meets the scope and intent of the Categorical 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. Approval of the First Amendment would result in the same continued operation of the Leased Premises, and will not create any new significant direct or indirect environmental impacts. 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.

Signed: Jose Ruiz Date: 08/18/2022
Jose Ruiz, Senior Real Property
Agent, County of Riverside
TLMA-Aviation Division

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P. O. Box 1605 • Riverside, California 92502-1605

RIVERSIDE COUNTY CLERK & RECORDER**AUTHORIZATION TO BILL
BY JOURNAL VOUCHER**

Project Name: Approval of the First Amendment to Lease Agreement between the County of Riverside, as Lessor, and Ramko Injection, Inc., a California corporation, as Lessee at Hemet-Ryan Airport

Accounting String: 523220-40710-1910700000 - ED1910000

DATE: August 16, 2022

AGENCY: Riverside County

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 AND PRESENTED BY: Jose Ruiz, Senior Real Property Agent, TLMA-Aviation

Signature: Jose Ruiz

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: Cassandra Sandoval

DATE:

RECEIPT # (S)



County of Riverside
TLMA Aviation
4080 Lemon Street, 14th Floor, Riverside, CA 92501

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202200982
10/06/2022 04:24 PM Fee: \$ 50.00
Page 1 of 3

Removed: By: Deputy
A standard 1D barcode used for document tracking and identification.

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OCT 04 2022 3.33

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Signed: Jose Ruiz Date: 08/18/2022
Jose Ruiz, Senior Real Property
Agent, County of Riverside
TLMA-Aviation Division

**FIRST AMENDMENT TO LEASE
HEMET-RYAN AIRPORT**

THIS **FIRST AMENDMENT TO HEMET-RYAN AIRPORT LEASE AGREEMENT** ("**First Amendment**"), dated as of 10/4/22, is entered by and between the County of Riverside, a political subdivision of the State of California ("County"), and **RAMKO INJECTION, INC.**, a California corporation ("Lessee"). The County and Lessee are sometimes collectively referred to herein as the "Parties" and individually as a "Party."

RECITALS

WHEREAS, County owns a parcel of land totaling 4.41 acres at the Hemet-Ryan Airport, Hemet, California improved with a 39,510 square foot metal industrial building and adjacent parking and yard area, located on a portion of that certain real property located at 3950 Industrial Avenue, Hemet, CA 92545 identified by Assessor's Parcel Number 456-050-053 ("Industrial Building"); and

WHEREAS, County and Lessee entered into that certain Hemet-Ryan Airport Lease Agreement dated December 15, 2020 ("Lease"), relating to, among other things, the lease of approximately 12,000 square feet of the Industrial Building, and about 39,500 square feet of outdoor space which includes, outdoor storage yard, driveways, and vehicular parking spaces; and

WHEREAS, County has agreed to allocate an additional 10,636 square feet of workshop and office space in the Industrial Building and an additional 32,300 square feet of yard space for a total workshop and office space of 22,636 square feet and 71,800 square feet of outdoor storage yard, driveways, and vehicular parking spaces; and

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

1. Section 1 of the Lease is hereby amended by the following:

Property Description. The property leased herein is located at 3950 Industrial Avenue, Hemet, CA 92545 and consists of approximately 22,636 square feet of the Industrial Building as shown on the Space Plan attached hereto as Exhibit "B" ("Leased Premises"). Lessee shall have exclusive use of the Leased Premises and common usage of the walkways and restrooms. The Leased Premises also includes approximately 71,800 square feet of outdoor space which includes, outdoor storage yard, driveways, and vehicular parking spaces.

2. Section 4, Paragraph 1 of the Lease is hereby amended by the following:

Rent. Lessee shall pay to County as base rent for the use and occupancy of the Leased Premises, including shared costs for water, sewage, landscaping, monthly rent in the amount of Twelve Thousand One Hundred Fifty-Five Dollars and 89/100 (\$12,155.89) ("Base Rent"). Said Base Rent is due and payable in advance on the first day of each month. The Base Rent shall be considered delinquent if not paid by the 10th of the month.

3. **EXHIBITS.** The Parties agree that the Site Plan attached hereto as "Attachment No. 1" and made a part hereof, depicts the Leased Premises. The parties acknowledge and agree that the attached "Attachment No.1" is intended to replace and supersede the "Exhibit B" attached to the Lease in its entirety. Effective as of the full execution of this First Amendment, all references in the Lease to the Leased Premises and "Exhibit B" shall mean and refer to the Leased Premises as described and depicted in "Attachment No. 1" attached hereto.

4. **CAPITALIZED TERMS.** First Amendment to Prevail. Unless defined herein or the context requires otherwise, all capitalized terms herein shall have the meaning defined in the Lease, as heretofore amended. The provisions of this First Amendment shall prevail over any inconsistency or conflicting provisions of the Lease, as heretofore amended, and shall supplement the remaining provisions thereof.

5. **MISCELLANEOUS.** Except as amended or modified herein, all the terms of the Lease shall remain in full force and effect and shall apply with the same force and effect. Time is of the essence in this First Amendment and the Lease and each and all of their respective provisions. Subject to the provisions of the Lease as to assignment, the agreements, conditions and provisions herein contained shall apply to and bind the heirs, executors, administrators, successors and assigns of the Parties hereto. If any provisions of this First Amendment or the Lease shall be determined to be illegal or unenforceable, such determination shall not affect any other provision of the Lease and all such other provisions shall remain in full force and effect. The language in all parts of the Lease shall be construed according to its normal and usual meaning and not strictly for or against either the County or Lessee. Neither this First Amendment, nor the Lease, nor any notice nor memorandum regarding the terms hereof, shall be recorded by Lessor.

6. **COUNTERPARTS.** This First Amendment may be executed in several counterparts each of which shall be an original, but all of such counterparts shall constitute one such First Amendment. An executed counterpart of this First Amendment transmitted by email or other electronic transmission shall be deemed an original counterpart and shall be as effective as an original counterpart of this First Amendment and shall be legally binding upon the parties hereto to the same extent as delivery of an original counterpart.

7. EFFECTIVE DATE. This First Amendment to Lease shall not be binding or consummated until its approval by the Riverside County Board of Supervisors and fully executed by the Parties.

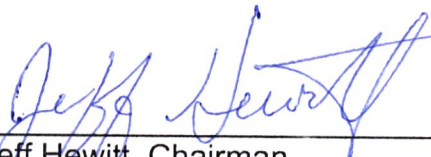
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IN WITNESS WHEREOF, the parties have executed this **First Amendment** as of the date first written below.

Dated: 10/4/22

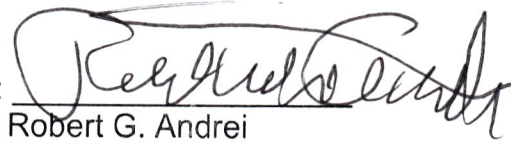
LESSEE:

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


By: 
Jeff Hewitt, Chairman
Board of Supervisors

LESSOR:

Ramko Injection, Inc.,
a California corporation

By: 
Robert G. Andrei
Chairman of the Board

FORM APPROVED COUNTY COUNSEL

BY  9/1/22
RYAN D. YABKO DATE



ATTEST:
Kecia R. Harper
Clerk of the Board

ATTACHMENT NO. 1

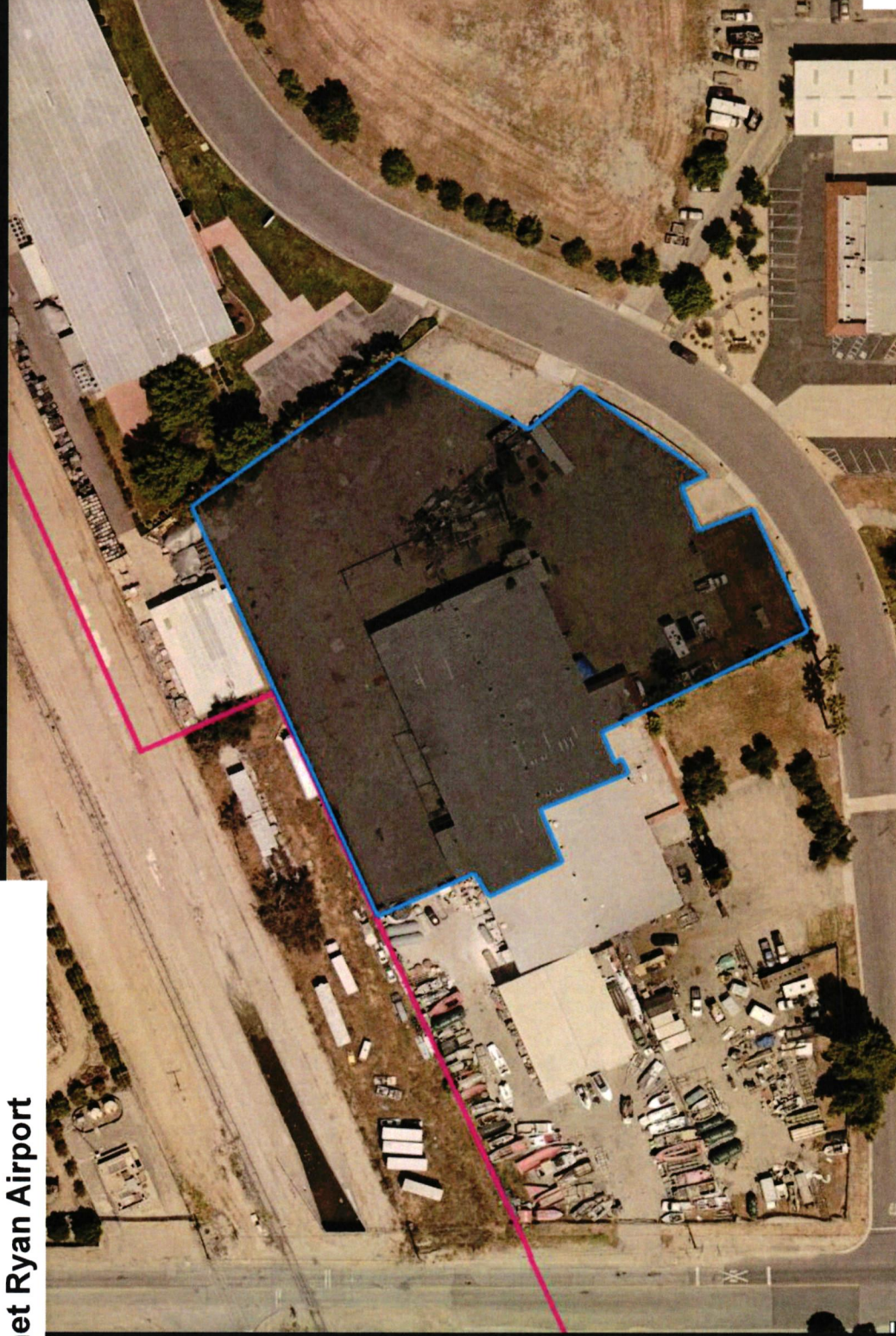
SITE MAP

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Exhibit B
RAMKO INJECTION, INC. LEASED PREMISES
3950 INDUSTRIAL AVE., HEMET, CA



**First Amendment to Lease
Hemet Ryan Airport**



APN: 456-050-053