

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



**ITEM: 3.12**  
(ID # 20154)

**MEETING DATE:**  
Tuesday, November 01, 2022

**FROM :** FACILITIES MANAGEMENT:

**SUBJECT:** FACILITIES MANAGEMENT - REAL ESTATE (FM-RE): Ratification and Approval of Fourth Amendment to Lease with Southern California Association of Governments – Lease Extension, CEQA Exempt, District 2. [\$0] (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. Ratify and Approve the attached Fourth Amendment to Lease with Southern California Association of Governments, a joint powers authority, and authorize the Chairman 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 for posting within five (5) working days of approval by the Board.

**ACTION:Policy**

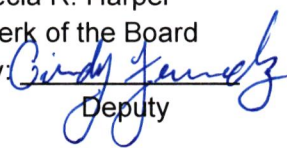
  
Rose Salgado, Director of Facilities Management 10/20/2022

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**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, Hewitt, and Perez  
Nays: None  
Absent: None  
Date: November 1, 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**

<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: N/A</b>			<b>Budget Adjustment: No</b>	
			<b>For Fiscal Year: 2022/2023</b>	

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

**BACKGROUND:**

**Summary**

On August 18, 2009, the County entered into a Lease Agreement (Lease) with the Southern California Association of Governments, a joint powers authority (SCAG), for office space at Riverside Centre, 3403 10th Street, Suite 805, Riverside, California. This facility continues to meet the needs and requirements of SCAG and this Fourth Amendment to Lease (Fourth Amendment) represents a three (3) year lease extension commencing on October 1, 2022 and an increase in rent from \$7,080.33 per month to \$7,292.74 per month.

Lessor:	County of Riverside 3450 14 <sup>th</sup> St. Suite 200 Riverside, California 92501	
Premises:	3403 10th Street, Suite 805 Riverside, California 92501	
Term:	Three years commencing October 1, 2022 and expiring on September 30, 2025	
Size:	2,483 square feet	
Rent:	Current \$ 2.85 per sq. ft. \$7,080.33 per month \$84,963.96 per year	New \$2.93 per sq. ft. \$7,292.74 per month \$87,512.88 per year
Rental Adjustment:	Three percent (3%) annually	
Utilities:	Provided by County, tenant pays for telephone and data	
Custodial:	Provided by County	



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

*Meghan Hahn*

Meghan Hahn, Senior Management Analyst 10/21/2022

*Aaron Gettis*

Aaron Gettis, Deputy County Counsel 10/20/2022



County of Riverside  
Facilities Management-PMO  
3450 14<sup>th</sup> Street, 2nd Floor, Riverside, CA

FOR COUNTY CLERK USE ONLY

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

11/03/22      C.J.  
Date                      Initial

**NOTICE OF EXEMPTION**

October 19, 2022

**Project Name:** Approval of Fourth Amendment with the Southern California Association of Governments (SCAG), Riverside Centre, Riverside

**Project Number:** FM047611044300

**Project Location:** 3403 10th Street, Suite 805, west of Lime Street, Riverside, California 92501; Assessor's Parcel Number (APN) 215-120-005

**Description of Project:** On August 18, 2009, the County entered into a Lease Agreement (Lease) with the Southern California Association of Governments (SCAG) for office space at Riverside Centre, 3403 10th Street, Suite 805, Riverside, California. This facility continues to meet the needs and requirements of SCAG and this Fourth Amendment to Lease represents a three-year lease extension commencing on October 1, 2022 and an increase in rent from \$7,080.33 per month to \$7,292.74 per month. The Fourth Amendment to the Lease Agreement with SCAG 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 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

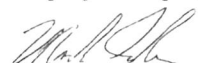
**Exempt Status:** State CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption. Codified under California Code of Regulations Title 14, Article 5, Section 15061.

**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 Fourth Amendment to the Lease Agreement.

NOV 1 2022 3.12

- **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 and rental adjustment. 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 three-year extension of the Lease Agreement and minor administrative contractual modifications to 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: 10-19-2022  
Mike Sullivan, Senior Environmental Planner  
County of Riverside, Facilities Management

**RIVERSIDE COUNTY CLERK & RECORDER**

**AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

**Project Name: Fourth Amendment to SCAG Lease Agreement, Riverside Centre**

**Accounting String: 524830-47220-7200400000 - FM047611044300**

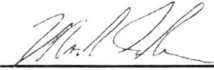
DATE: October 19, 2022

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: **Amber Norman, Real Property Agent III, Facilities Management**

**-TO BE FILLED IN BY COUNTY CLERK-**

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -

County of Riverside  
Facilities Management  
3450 14<sup>th</sup> Street, Riverside, CA 92501

Date: September 22, 2022  
To: Office of the County Clerk  
From: Mike Sullivan, Senior Environmental Planner, Facilities Management  
Subject: **County of Riverside Facilities Management Project # FM047611044300**  
Fourth Amendment to SCAG Lease Agreement Riverside Centre

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, Suite 214, 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





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: 22-396691
STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY RIVERSIDE COUNTY FACILITIES MANAGEMENT	LEAD AGENCY EMAIL MSULLIVAN@RIVCO.ORG	DATE 11/03/2022
COUNTY/STATE AGENCY OF FILING RIVERSIDE	DOCUMENT NUMBER E-202201093	

PROJECT TITLE  
 APPROVAL OF FOURTH AMENDMENT WITH THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) RIVERSIDE CENTRE, RIVERSIDE

PROJECT APPLICANT NAME RIVERSIDE COUNTY FACILITIES MANAGEMENT	PROJECT APPLICANT EMAIL MSULLIVAN@RIVCO.ORG	PHONE NUMBER (951) 955-8009
PROJECT APPLICANT ADDRESS 3450 14TH ST,	CITY RIVERSIDE	STATE CA
		ZIP CODE 92501

PROJECT APPLICANT (Check appropriate box)

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

CHECK APPLICABLE FEES:


- Environmental Impact Report (EIR) \$3,539.25 \$ \_\_\_\_\_
  - Mitigated/Negative Declaration (MND)(ND) \$2,548.00 \$ \_\_\_\_\_
  - 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)
- 
- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ \_\_\_\_\_
  - County documentary handling fee \$ \_\_\_\_\_ \$50.00
  - Other \$ \_\_\_\_\_

PAYMENT METHOD:

- Cash     Credit     Check     Other
- TOTAL RECEIVED \$ \_\_\_\_\_ \$50.00

SIGNATURE <b>X</b>	AGENCY OF FILING PRINTED NAME AND TITLE Deputy
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County of Riverside  
Facilities Management-PMO  
3450 14<sup>th</sup> Street, 2nd Floor, Riverside, CA

FOR COUNTY CLERK USE ONLY		
<b>FILED / POSTED</b>		
County of Riverside		
Peter Aldana		
Assessor-County Clerk-Recorder		
E-202201093		
11/03/2022 02:29 PM Fee: \$ 50.00		
Page 1 of 2		
Removed:	By:	Deputy
		

## NOTICE OF EXEMPTION

October 19, 2022

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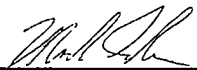
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**Signed:**  **Date:** 10-19-2022  
 Mike Sullivan, Senior Environmental Planner  
 County of Riverside, Facilities Management

1 **FOURTH AMENDMENT TO LEASE**

2 **3403 10<sup>TH</sup> Street, Suite 805**

3 **Riverside, California**

4  
5 **THIS FOURTH AMENDMENT TO LEASE** ("Fourth Amendment"), dated as of  
6 November 1, 2022, is entered into by and between the **COUNTY OF**  
7 **RIVERSIDE**, a political subdivision of the State of California, ("Lessor") and  
8 **SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**, a joint powers  
9 authority, ("Lessee"), sometimes collectively referred to as the "Parties."

10 **RECITALS**

11 a. Lessor and Lessee entered into that certain Lease dated August 18, 2009  
12 ("Lease"), pursuant to which Lessor has agreed to lease to Lessee and Lessee has  
13 agreed to lease from Lessor approximately 2,483 square feet of office space in that  
14 certain building located at 3403 10<sup>th</sup> Street, Suite 805, Riverside, as more particularly  
15 described in the Lease.

16 b. The Lease has been amended by:

17 i. That certain First Amendment to Lease ("First Amendment") dated  
18 February 25, 2014, by and between the County of Riverside and Southern California  
19 Association of Governments in which the term was extended, rent was increased and  
20 language in Section 31 regarding permits, licenses and taxes was amended; and

21 ii. That certain Second Amendment to Lease dated April 5, 2016, by  
22 and between the County of Riverside and Southern California Association of  
23 Governments in which the term was extended and the rent was increased; and

24 iii. That certain Third Amendment to Lease dated September 24,  
25 2019, by and between the County of Riverside and Southern California Association of  
26 Governments in which the term was extended and the rent was revised.

27 c. The Parties now desire to amend the Lease to extend the term, revise the  
28 rent provision, and amend the notice information.

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

3           1.       **Term.** Section 4.1 of the Lease is amended by the following: The  
4 term of the Lease shall be extended an additional three (3) years commencing on  
5 October 1, 2022 and terminating on September 30, 2025.

6           2.       **Rent.** Section 6(a) of the Lease is amended by the following:  
7 Effective October 1, 2022, monthly rent shall be \$7,292.74 per month.

8           3.       **Notices.** Section 30 of the Lease is amended by the following:  
9 County of Riverside and Southern California Association of Governments current  
10 addresses are as follows,

11                   County of Riverside  
12                   Facilities Management  
13                   3450 14<sup>th</sup> St. Suite 200  
14                   Riverside, CA 92501  
15                   ATTN: Deputy Director of Real Estate  
16                   [FM-Leasing@rivco.org](mailto:FM-Leasing@rivco.org)  
17                   951-955-4820

18  
19                   Southern California Association of Governments  
20                   Attn: Cindy Giraldo  
21                   900 Wilshire Blvd. Suite 1700  
22                   Los Angeles, CA 90017

23           4.       **Fourth Amendment to Prevail.** The provisions of this Fourth  
24 Amendment shall prevail over any inconsistency or conflicting provisions of the Lease.  
25 Any capitalized terms shall have the meaning defined in the Lease, unless defined  
26 herein or context requires otherwise.

27           5.       **Miscellaneous.** Except as amended or modified herein, all terms  
28 of the Lease shall remain in full force and effect. If any provisions of this Fourth

1 Amendment shall be determined to be illegal or unenforceable, such determination  
2 shall not affect any other provisions. Time is of the essence in this Fourth Amendment  
3 and the Lease and each and all of their respective provisions. Subject to the provisions  
4 of the Lease as to assignment, the agreements, conditions and provisions herein  
5 contained shall apply to and bind the heirs, executors, administrators, successors and  
6 assigns of the Parties. The language in all parts of the Lease shall be construed  
7 according to its normal and usual meaning and not strictly for or against either County  
8 or Lessee. Neither this Fourth Amendment, nor the Lease, nor any notice nor  
9 memorandum regarding the terms hereof, shall be recorded by Lessee.

10           6.     **Effective Date.** This Fourth Amendment to Lease shall not be  
11 binding or consummated until its approval by the Riverside County Board of  
12 Supervisors and fully executed by the Parties.

13           IN WITNESS WHEREOF, the Parties have executed this Fourth Amendment to  
14 Lease as of the date first written above.

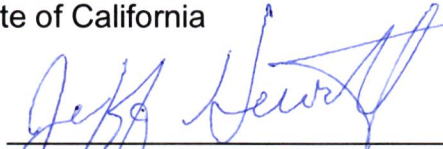
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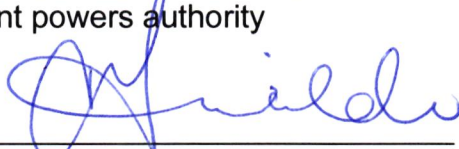


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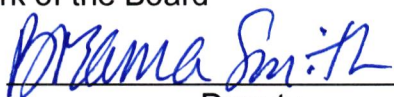
LESSOR:  
COUNTY OF RIVERSIDE,  
A political subdivision of the  
State of California

LESSEE:  
SOUTHERN CALIFORNIA  
ASSOCIATION OF GOVERNMENTS,  
a joint powers authority

By:   
Jeff Hewitt, Chairman  
Board of Supervisors

By:   
Cindy Giraldo, CFO

ATTEST:  
Kecia R. Harper  
Clerk of the Board

By:   
Deputy

APPROVED AS TO FORM:  
Minh Tran  
County Counsel

By:   
Ryan Yabko  
Deputy County Counsel

AN:sc/09222022/RV443/30.810

NOV 1 2022 3.12

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



September 8, 2022

Amber Norman, Real Property Agent III  
County of Riverside, Facilities Management  
3450 14<sup>th</sup> Street, Suite 200  
Riverside, CA 92507

Dear Amber Norman:

**RE: HCD's Review of the Draft Fourth Amendment to Lease between the County of Riverside and Southern California Association of Governments, a Joint Powers Authority, for Property Located at 3403 10<sup>th</sup> Street, Suite 805**

Thank you for contacting the California Department of Housing and Community Development (HCD) regarding property located 3403 10<sup>th</sup> Street, Suite 805 (Leased Premises). You requested that HCD provide guidance as to whether the draft Fourth Amendment to Lease (Draft Lease) between the County of Riverside (County) and the Southern California Association of Governments, a joint powers authority (Lessee), is subject to the Surplus Land Act (SLA).

According to Section 102(h)(1) of the SLA Guidelines, a disposition of surplus land via lease that has a term of less than five years, or that will not require demolition or development, is not subject to the standard process of the SLA.

### **Analysis**

According to the Draft Lease, the County and Lessee desire to execute the Draft Lease, which shall commence on October 1, 2022, and terminate on September 30, 2025. HCD finds that the term of the Draft Lease is less than five years.

### **Conclusion**

HCD finds that, because the lease is less than five years, the disposition of the Leased Premises via the Draft Lease is not subject to the SLA. HCD requests that the County contact HCD if the parties amend the Lease in the future.

Amber Norman, Real Property Agent III  
Page 2

If you have any questions or need additional technical assistance, please contact Public Lands at [Publiclands@hcd.ca.gov](mailto:Publiclands@hcd.ca.gov).

Sincerely,

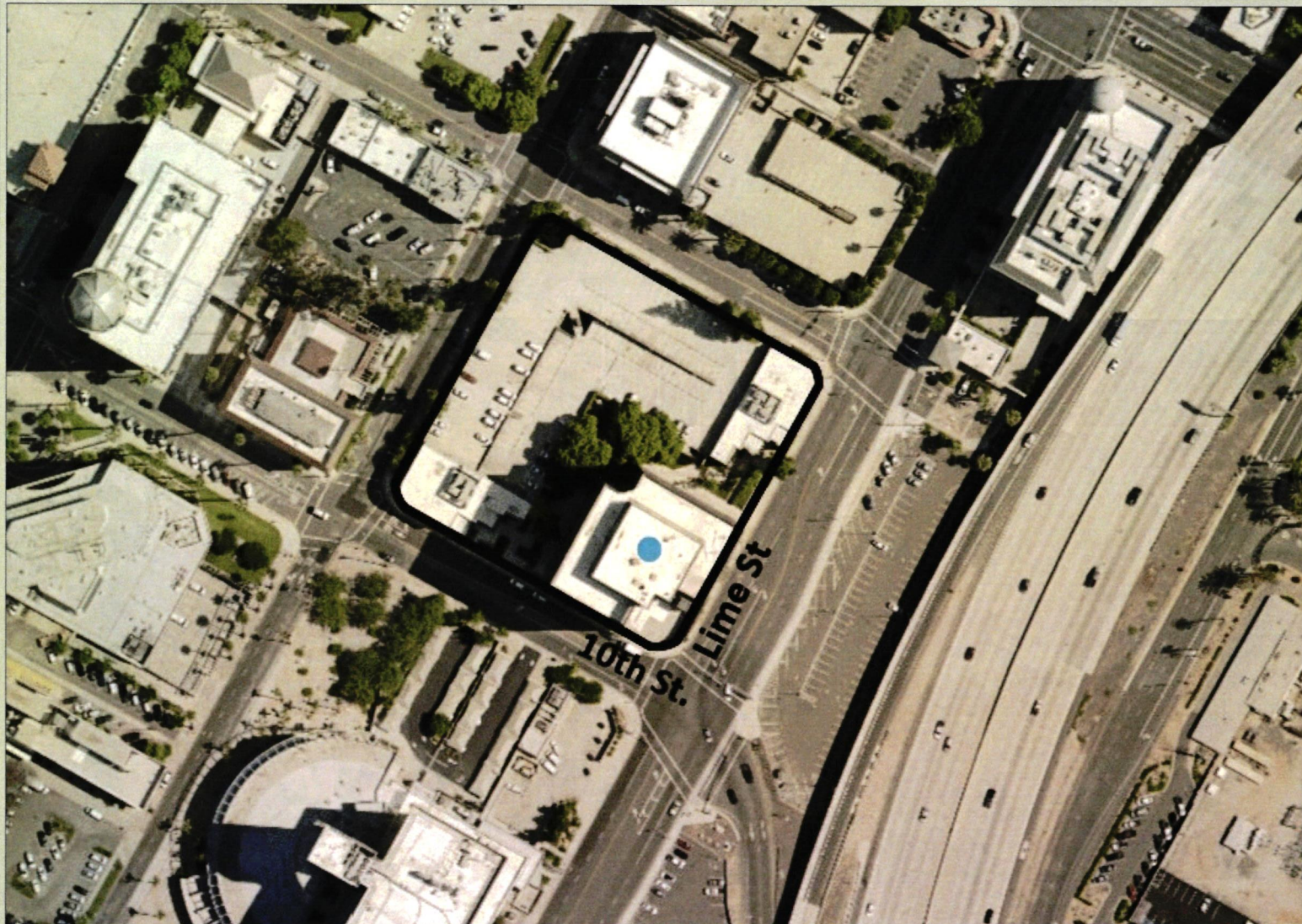
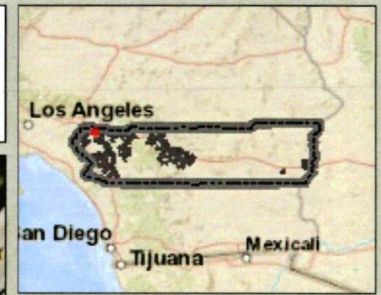
A handwritten signature in black ink that reads "Laura Nunn". The signature is written in a cursive style with a large initial "L" and "N".

Laura Nunn  
Senior Manager, Housing Accountability Unit  
Housing Policy Development



# Fourth Amendment - SCAG

3403 10th St. Riverside, CA 92501 - Suite 805



Legend

Notes  
APN - 215-120-005



**\*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... 9/21/2022 2:30:06 PM

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