

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



ITEM: 3.7  
(ID # 19929)

MEETING DATE:

Tuesday, November 08, 2022

**FROM :** FACILITIES MANAGEMENT:

**SUBJECT:** FACILITIES MANAGEMENT - REAL ESTATE (FM-RE): Approval of the First Amendment to Lease by and between the County of Riverside, a Political Subdivision of the State of California, and March Joint Powers Authority, a Joint Powers Authority Located in the Unincorporated Area of Riverside, District 1. [\$0] CEQA Exempt (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 Exemption, and Section 15061(b)(3), "Common Sense" Exemption;
2. Approve the First Amendment to Lease by and between the County of Riverside, a political subdivision of the State of California and March Joint Powers Authority, a joint powers authority, located in the unincorporated area of Riverside 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 10/20/2022

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Washington, 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, Hewitt, and Perez  
Nays: None  
Absent: None  
Date: November 8, 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**

<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: 2022/23</b>	

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

**BACKGROUND:**

**Summary**

On July 20, 2021, the County of Riverside (County) entered into a lease with March Joint Powers Authority (MJPA) to lease a portion of APN 294-130-014 (Lease), which is located at the entrance to the Ben Clark Training Center (BCTC). Within this parcel there is a highly visible water-tower which will be used for signage by the Riverside County Sheriff's Department (RSO). This First Amendment to Lease (First Amendment) will add the small contiguous parcel identified as APN 294-110-007, also owned by MJPA, to the leasehold property, as requested by RSO, for BCTC entrance and signage identification.

The terms of the First Amendment are as follows:

**Location:** Northeast entrance to the Ben Clark Public Safety Training Center  
16791 Davis Avenue, Riverside County Unincorporated Area  
Addition of APN 294-110-007

**Acreage:** Addition of approximately 0.49 acres to the existing leasehold area.

**Use:** Access to adjacent parcel (APN 294-110-007)

The Surplus Land Act is inapplicable in this transaction because the County is not disposing of any land. County is the lessee in this First Amendment.

**CEQA**

Pursuant to the California Environmental Quality Act (CEQA), the First Amendment to the Lease 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, the First Amendment to Lease, is the use of the property involving existing facilities and no expansion of existing use will occur.

**Impact on Residents and Businesses**

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

The intended actions will provide entrance and identification signage at BCTC.

**Contract History and Price Reasonableness**

The Lease was Board approved July 20, 2021 (M.O. 3.11).

**ATTACHMENTS:**

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

MH:sc/09132022/XXXX/30.XXX

  
\_\_\_\_\_  
Meghan Hahn, Senior Management Analyst 11/2/2022

  
\_\_\_\_\_  
Aaron Gettis, Deputy County Counsel 11/1/2022

## FIRST AMENDMENT TO LEASE

16791 Davis Avenue, Riverside County Unincorporated Area

This **FIRST AMENDMENT TO LEASE** ("First Amendment") dated as of October 26, 2022, is entered by and between the **MARCH JOINT POWERS AUTHORITY**, a joint powers authority ("Lessor"), and the **COUNTY OF RIVERSIDE**, a political subdivision of the State of California ("Lessee"), sometimes collectively referred to individually as "Party" or collectively as "Parties."

### RECITALS

**A.** Lessor and Lessee have entered into that certain Lease Agreement, dated July 20, 2021, (the "Lease") pursuant to which Lessor has agreed to lease to Lessee and Lessee has agreed to lease from Lessor a portion of that certain property located on the northeast entrance to the Ben Clark Public Safety Training Center, also known as Assessor's Parcel Number 294-130-014 ("Property").

**B.** Lessor and Lessee desire to further amend the Lease to add Assessor's Parcel Number 294-110-007 to the leasehold property.

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

### AGREEMENT

**1. Amendment to Recital A of the Lease.** Recital A of the Lease shall be deleted and replaced with the following:

"A. Lessor is the owner of certain real property located at Assessor's Parcel Number 294-130-014 and 294-110-007, in the County of Riverside, State of California (the "Property"), more particularly described in Exhibit "A-1," attached hereto and incorporated herein by reference."

**2. Amendment to Section 1 of the Lease.** Section 1 of the Lease shall be deleted and replaced with the following:

"1. Property. Lessor leases to Lessee, and Lessee leases from Lessor, the Property consisting of Assessor's Parcel Numbers 294-130-014 and 294-110-007, as depicted in Exhibit "A-1" of this Lease."

**3. Amendment to Exhibit "A" of the Lease.** Exhibit "A" of the Lease shall be deleted and replaced with Exhibit "A-1," attached hereto to this First Amendment and incorporated herein by this reference.

**4. Full Force.** Except as amended by this First Amendment, all provisions of the Lease, including without limitation the indemnity and insurance provisions, shall

remain in full force and effect and shall govern the actions of the Parties under this First Amendment.

5. **Effective Date.** This First Amendment shall not be binding or consummated until its approval by the respective legislative bodies of and fully executed by the Parties.

6. **Capitalized Terms.** Unless defined herein or the context requires otherwise, all capitalized terms herein shall have the meaning defined in the Lease, as heretofore amended. In addition, the language in all parts of this First Amendment shall be construed according to its normal and usual meaning and not strictly for or against either Lessor or County.

7. **Counterparts.** This First Amendment may be signed in counterparts, each of which shall constitute an original.


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

**LESSOR:**

**MARCH JOINT POWERS AUTHORITY,**  
a joint powers authority

By:   
Grace I. Martin, DPPD  
Executive Director

**ATTEST:**

By:   
Cindy Camargo  
Clerk

**APPROVED AS TO FORM:**

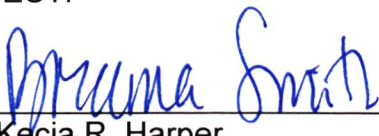
By:   
Best Best & Krieger LLP  
General Counsel

**LESSEE:**

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

By:   
Jeffrey Hewitt, Chairman  
Board of Supervisors

**ATTEST:**

By:   
Kecia R. Harper  
Clerk of the Board

**APPROVED AS TO FORM:**

County Counsel

By:   
Ryan Yabko, Deputy  
County Counsel

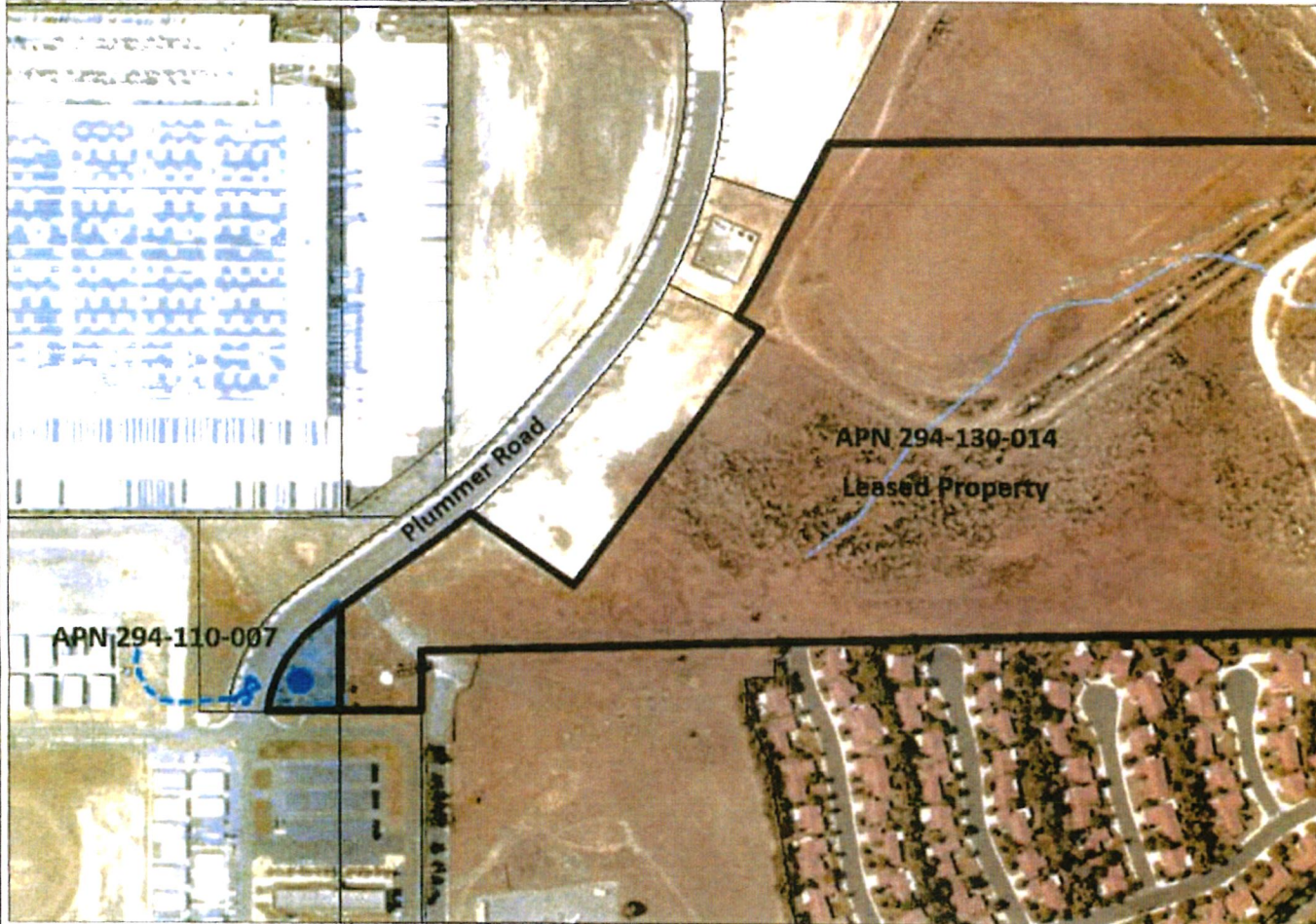
**EXHIBIT A-1**

**DEPICTION OF PROPERTY**

**[ATTACHED]**

EXHIBIT "A-1"

MARCH JOINT POWERS AUTHORITY (MJPA)



- Legend**
- Parcels
  - Blue Line Streams
  - City Areas



0 376 752 Feet


**\*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.

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**Notes**  
BCTC Entrance and Water Tower Parcel.  
Adding APN 294-110-007  
District 1

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

FOR COUNTY CLERK USE ONLY		
<b>F I L E D / P O S T E D</b>		
County of Riverside Peter Aldana Assessor-County Clerk-Recorder		
E-202201141 11/14/2022 02:18 PM Fee: \$ 50.00 Page 1 of 3		
Removed:	By:	Deputy
		

## NOTICE OF EXEMPTION

August 30, 2022

**Project Name:** Approval of First Amendment to Lease with March Joint Powers Authority (MJPA), Ben Clark Training Center (BCTC) Entrance, Riverside

**Project Number:** FM042462015700

**Project Location:** Northeast corner Bundy Avenue and 11<sup>th</sup> Street, Riverside, California 92508, Assessor's Parcel Numbers (APNs) 294-130-014. 294-110-007

**Description of Project:** On July 20, 2021, the County of Riverside (County) entered a lease with MJPA to lease a portion of APN 294-130-014 which is the entrance to (BCTC). Within this parcel, there is a highly visible water-tower use for signage by the Sheriff Department. On behalf of the Sheriff's Department, County is requesting to add the adjacent parcel (APN 294-110-007) owned by MJPA, consisting of 0.59 acres.

The First Amendment with MJPA to add 0.59 acres of additional APN 294-110-007 to the Lease is defined as the proposed project under the California Environmental Quality Act (CEQA). The project is the letting of property involving existing facilities and is limited to the inclusion of additional acreage near the entrance to BCTC for purposes of improving the entrance to the facility; 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 First Amendment.

NOV. 8 2022 3.7



- **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 addition of an additional 0.59 acres of property to improve the entrance to the BCTC Entrance. 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 First Amendment is limited to the additional of a small area of land adjacent to the entrance of BCTC to make the entrance more functional and 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.

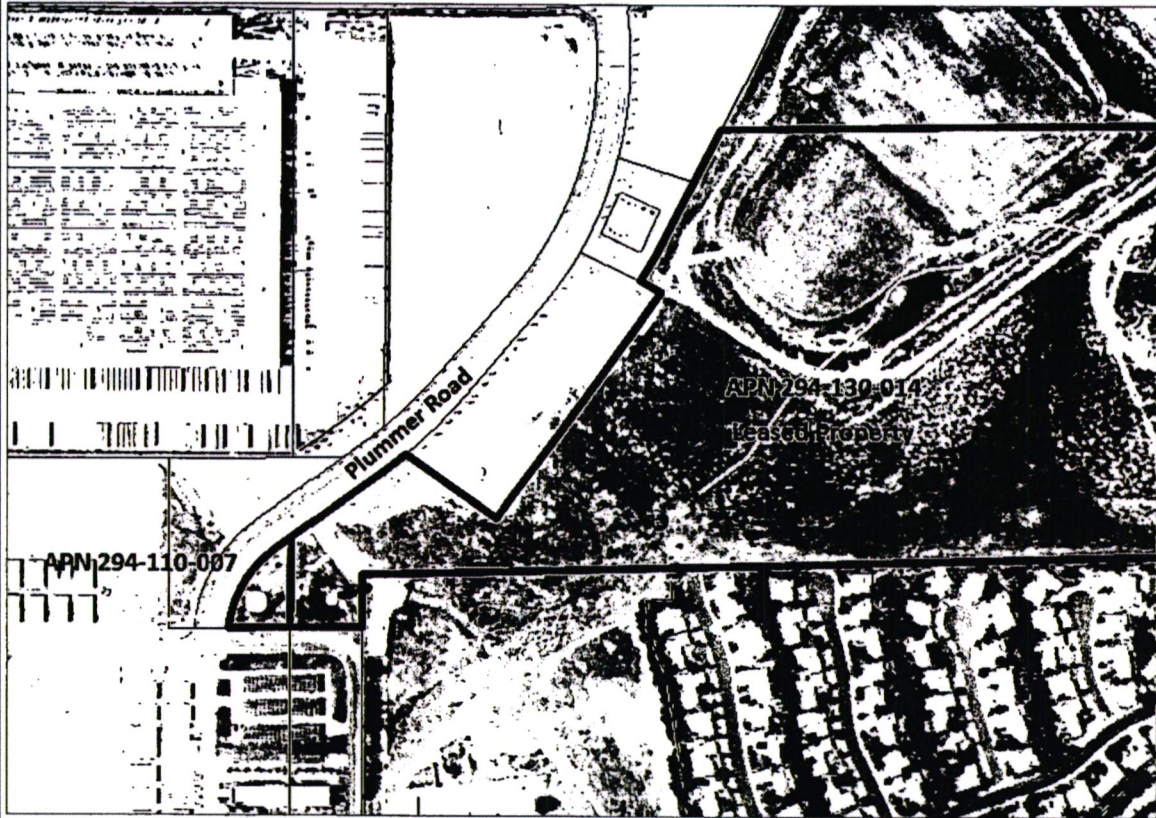
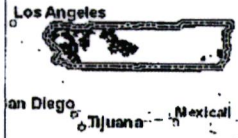
Signed: \_\_\_\_\_



Date: 8-30-2022

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

**EXHIBIT "A"**  
**MARCH JOINT POWERS AUTHORITY (MJPA)**



- Legend**
- Parcels
  - Blueline Streams
  - City Areas



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**Notes**  
 BCTC Entrance and Water-Tower Parcel,  
 Adding APN 294-110-007  
 District 1



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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:  
 22-408956  
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY COUNTY OF RIVERSIDE TLMA AVIATION	LEAD AGENCY EMAIL	DATE 11/14/2022
COUNTY/STATE AGENCY OF FILING RIVERSIDE	DOCUMENT NUMBER E-202201143	

PROJECT TITLE  
 APPROVAL AND CONSET TO BILL OF SALE OF AVIATION HANGAR BETWEEN TRUSTEES OF JOHNSON FAMILY TRUST DATED JULY 17, 1990

PROJECT APPLICANT NAME COUNTY OF RIVERSIDE TLMA AVIATION	PROJECT APPLICANT EMAIL	PHONE NUMBER (951) 955-9722
PROJECT APPLICANT ADDRESS 4080 LEMON STREET 14TH FLOOR,	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 X <i>W. Sandral</i>	AGENCY OF FILING PRINTED NAME AND TITLE Deputy
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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: <b>22-408827</b>
STATE CLEARINGHOUSE NUMBER <i>(if applicable)</i>

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY COUNTY OF RIVERSIDE FACILITIES MANAGEMENT	LEAD AGENCY EMAIL	DATE 11/14/2022
COUNTY/STATE AGENCY OF FILING RIVERSIDE	DOCUMENT NUMBER E-202201141	

PROJECT TITLE  
 APPROVAL OF FIRST AMENDMENT TO LEASE WITH MARCH JOINT POWERS AUTHORITY BEN CLARK TRAINING CENTER ENTRANCE, RIVERSIDE

PROJECT APPLICANT NAME COUNTY OF RIVERSIDE FACILITIES	PROJECT APPLICANT EMAIL	PHONE NUMBER (951) 955-8009
PROJECT APPLICANT ADDRESS 3450 14TH STREET SECOND FLOOR,	CITY RIVERSIDE	STATE CA
		ZIP CODE 9507

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 \$ \_\_\_\_\_
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- County documentary handling fee \$ \_\_\_\_\_ **\$50.00**
- Other \$ \_\_\_\_\_

PAYMENT METHOD:

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

SIGNATURE <b>X</b> <i>W. Sandral</i>	AGENCY OF FILING PRINTED NAME AND TITLE Deputy
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**Peter Aldana**  
**Riverside County**  
**Assessor-County Clerk-Recorder**  
2724 Gateway Drive  
Riverside, CA 92507  
(951) 486-7000  
www.rivcoacr.org

**Receipt: 22-408827**

<b>Product</b>	<b>Name</b>	<b>Extended</b>
FISH	CLERK FISH AND GAME FILINGS	\$50.00
	# Pages	3
	Document #	E-202201141
	Filing Type	7
	State Fee Prev Charged	false
	No Charge Clerk Fee	false
F&G Notice of Exemption Fee		\$50.00
<b>Total</b>		<b>\$50.00</b>
Tender (On Account)		\$50.00
Account#	ECDEV	
Account Name	ECDEV - ECONOMIC DEVELOPMENT-FACILITIES MGMT	
Balance	\$21,795.50	

11/14/22 2:18 PM  
Gateway Clerk