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



ITEM: 3.26 (ID # 20954) MEETING DATE: Tuesday, January 24, 2023

FROM : FACILITIES MANAGEMENT:

SUBJECT: FACILITIES MANAGEMENT - REAL ESTATE (FM-RE): Approval of Notice to Terminate Lease with Grae La Sierra, LLC, 11070 Magnolia Avenue, Riverside, CEQA Exempt per State CEQA Guidelines sections 15301 and 15061(b)(3), District 1. [\$0] (Clerk to File Notice of Exemption)

RECOMMENDED MOTION: That the Board of Supervisors:

- Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, Class 1 – Existing Facilities Exemption, and Section 15061(b)(3), "Common Sense" Exemption;
- 2. Approve the Notice to Terminate Lease with Grae La Sierra, LLC, a California limited liability company, 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 Notice of Exemption with the County Clerk within five (5) working days of approval by the Board.

ACTION:Policy



MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes:Jeffries, Spiegel, Washington, Perez, and GutierrezNays:NoneAbsent:NoneDate:January 24, 2023xc:FM, Recorder

Kimberly Rector

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS	Budget Adj	ustment: No		
	For Fiscal	fear: 22/23		

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary:

The County of Riverside has been under two leases with Grae La Sierra, LLC, at 11060 Magnolia Avenue since May 1999, and at 11070 Magnolia Avenue since April 2007. The Department of Public Social Services (DPSS) has occupied these offices for use by their Self-Sufficiency and Children's Services Divisions.

Under a previously approved Minute Order Number 3.13 from December 14, 2021, tenant improvements were initiated to consolidate staff into 11060 Magnolia Avenue, which are now nearly complete. Included in the lease at 11070 Magnolia Avenue is a right to terminate the lease with one hundred eighty (180) days' notice. As construction is nearly completed, the required Notice of Termination is now being presented for consideration and approval by the Board and in this action item.

Pursuant to the California Environmental Quality Act (CEQA), the project, the termination of the Lease, was viewed 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. This is a mere termination of an agreement resulting in no further action or changes and does not cause significant changes in the land or environment.

The Notice to Terminate Lease has been approved as to form by County Counsel.

Impact on Citizens and Businesses

There will be no impact on the Citizens and Businesses and including no impact to the services provided by DPSS in this region of the County.

Attachments:

- Termination Notice
- Notice of Exemption
- Aerial

Haron Gettis, Deputy County Sounsel 1/17/2023

County of Riverside Facilities Management 3450 14th St, 2nd Floor, Riverside, CA

FOR COUNTY CLERK USE ONLY
FILED/POSTED
County of Riverside Peter Aldana Assessor-County Clerk-Recorder
E-202300097 01/25/2023 03:09 PM Fee: \$ 50.00 Page 1 of 2
Removed: By: Deputy

NOTICE OF EXEMPTION

January 5, 2023

Project Name: Approval of Lease Termination with Grae La Sierra, LLC for the Department of Public Social Services (DPSS) at 11070 Magnolia Avenue, Riverside

Project Number: FM042611036300

Project Location: 11060 and 1070 Magnolia Avenue, east of La Sierra Avenue, Riverside, California 92503, Assessor's Parcel Number (APN) 138-470-029

Description of Project: DPSS has been under lease at 11060 Magnolia Avenue in Riverside since May 1999 and at 11070 Magnolia since April 2007 for use by their Self Sufficiency Division's Program (Lease). Tenant improvements were previously approved, initiated, and are near complete to consolidate staff into 11060 Magnolia Avenue. Included in the lease at 11070 Magnolia Avenue is a right to terminate the lease with 180 days' notice. As construction is near complete, the required Notice of Termination is to be submitted to the Lessor.

The termination of the Lease Agreement is defined as the proposed project under the California Environmental Quality Act (CEQA). The project is the termination of an existing Lease, which will end the current use of 11070 Magnolia by the County. DPSS will consolidate into the adjacent space at 11060 Magnolia and 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 termination of the Lease.

- 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 termination of an existing Lease which will vacate the space by County DPSS. The County will consolidate staff into the adjacent existing space at 11060 Magnolia Avenue. Tenant improvements to accommodate the consolidation of space into the existing adjacent space were previously approved and also found exempt under CEQA. 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 lease termination is limited to an administrative action to vacate the existing space at 10070 Magnolia Avenue and consolidate services into the adjacent existing facility at 11060 Magnolia Avenue. 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:

Mille

Date: 1-5-2023

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





January 24, 2023

Mr. Rick Edwards Grae La Sierra, LLC 11693 San Vicente Blvd., Suite 383 Los Angeles, CA 90049

RE: Notice to Terminate Lease Agreement ("Lease") Dated January 30, 2007 for 11070 Magnolia Avenue, Riverside, CA 92505

Dear Mr. Edwards,

Pursuant to Section 6.2 of the above-referenced Lease ("Lease"), as amended by Section 6.2.3 of the Second Amendment to Lease dated October 20, 2020, the County of Riverside ("County") is exercising its right to terminate said Lease. Please be advised that pursuant to Section 6.2.3, this letter serves as the County's 180-day written notice of termination of the Lease. Accordingly, notice is given that the Lease is hereby terminated on June 30, 2023. Following that date, the County will owe you no further obligation.

The County of Riverside and Department of Public Social Services appreciates the years of successful leasehold tenancy and extends best wishes for future success.

This office will contact you to schedule and conduct a surrender walk through before June 30, 2023. Please feel free to contact this office at 951-955-4813 or e-mail Mahyer@rivco.org should you have any questions.

Sincerely

Kevin Jeffries Chairman Riverside County Board of Supervisors

ATTEST:

FORM APPROVED COUNTY COU	NSEL,
BY:	17/23
RYAND YABKO	DATE
V	



Project Management Office Maintenance & Custodial Real Estate & Parking Energy Efficiency Administration

Success means exceeding our customer's expectations.

