

**SUBMITTAL TO THE FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT  
BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 11.4  
(ID # 21583)

**MEETING DATE:**  
Tuesday, April 18, 2023

**FROM :** FLOOD CONTROL DISTRICT:

**SUBJECT:** FLOOD CONTROL DISTRICT: Adoption of Resolution No. F2023-11, Notice of Intent to Convey an Easement Interest in Real Property Within a Portion of Assessor's Parcel Number 112-310-002, Referenced as RCFC Parcel No. 2070-101, to Southern California Edison Company by Easement Deed, Oak Street Channel, Project No. 2-0-00071, Nothing Further is Required Under CEQA, District 2. [\$0]

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

1. Adopt Resolution No. F2023-11, Notice of Intent to Convey an Easement Interest in Real Property Within a Portion of Assessor's Parcel Number 112-310-002, Referenced as RCFC Parcel Number 2070-101, to Southern California Edison Company by Easement Deed, Oak Street Channel, Project No. 2-0-00071; and
2. Direct Clerk of the Board to give notice pursuant to Section 6061 of the Government Code by posting a copy of Resolution No. F2023-11 in at least three (3) public places within the County of Riverside for no less than twenty-one (21) days.

**ACTION:Policy**

Jason Uhley, GENERAL MGR-CHF FLD CNTRL ENG 4/5/2023

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez  
Nays: None  
Absent: None  
Date: April 18, 2023  
xc: Flood, COBBS

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

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<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:</b>	No
			<b>For Fiscal Year:</b>	22/23

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

**BACKGROUND:**

**Summary**

The Riverside County Flood Control and Water Conservation District, a body corporate and politic, ("District") owns fee title interest in real property located in the County of Riverside, identified as Assessor's Parcel Number 112-310-002, referenced as RCFC Parcel Number 2070-101 ("District ROW"). The subject property is located at the intersection of Mangular Avenue and Chase Drive, also known as Oak Street Channel.

The District intends to convey to the Southern California Edison Company, a California publicly regulated private utility corporation, (SCE) a permanent easement for an electrical transformer conduit, which is necessary for electric transmission to the proposed leased area between the District and New Cingular Wireless, PCS, LLC, a Delaware limited liability company, ("Project").

The District has reviewed and approved the easement area SCE provided authorizing the Project and is now prepared to convey an easement to SCE for the operation of the Project.

Pursuant to the California Water Code Appendix §48-9, the District's Board of Supervisors has the power to convey an interest in real property which it owns when necessary or convenient to the full exercise of its powers. District staff has evaluated and determined that the conveyance of the easement interest to SCE will not interfere with the use of the property by the District as is necessary or convenient to the full exercise of the District's powers.

Pursuant to the California Water Code Appendix §48-13, the District's Board of Supervisors may determine any real property held by the District is no longer necessary to be retained for the uses and purposes thereof and may thereafter sell or otherwise dispose of said property or lease the same.

Pursuant to Section 15096 of the California Environmental Quality Act (CEQA) Statutes and Guidelines, the District, in its limited capacity as a Responsible Agency, has considered the Environmental Impact Report (EIR) prepared and certified by the Lead Agency (CPUC) and independently finds that the EIR adequately covers the above actions. Furthermore, the District finds that no significant adverse impacts will occur as a result of the above actions, and that no further analysis is required under CEQA for the above actions. The District has determined that this agreement merely conveys an easement interest only and does not require any physical

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improvements or operational actions on the part of the District. As such, none of the previously evaluated significant physical impacts from the prior EIR would apply to this action on behalf of the District. Moreover, the agreement would be deemed exempt from CEQA pursuant to the State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption), which provides, "The activity is covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA".

Resolution No. F2023-11 has been approved as to form by County Counsel.

**Impact on Residents and Businesses**

None.

**Additional Fiscal Information**

All costs shall be borne by SCE.

**ATTACHMENTS:**

1. Resolution No. F2023-11
2. Vicinity Map

P8/250049

YK:ju:amh



Jason Farin, Principal Management Analyst 4/10/2023



Aaron Gettis, Deputy County Counsel 4/6/2023



**BOARD OF SUPERVISORS**

**RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT**

RESOLUTION NO. F2023-11

NOTICE OF INTENT TO CONVEY AN EASEMENT INTEREST IN REAL PROPERTY  
WITHIN A PORTION OF ASSESSOR'S PARCEL NUMBER 112-310-002,  
REFERENCED AS RCFC PARCEL NUMBER 2070-101,  
TO SOUTHERN CALIFORNIA EDISON COMPANY BY EASEMENT DEED,  
OAK STREET CHANNEL, PROJECT NO. 2-0-00070

**WHEREAS**, the Riverside County Flood Control and Water Conservation District, a body corporate and politic ("District"), owns certain real property in fee, identified as Assessor's Parcel Numbers ("APN") 112-310-002, referenced as RCFC Parcel Number 2070-101, located in the County of Riverside, State of California; and

**WHEREAS**, the District intends convey to the Southern California Edison Company, a California publicly regulated private utility corporation ("SCE"), a permanent easement for an electrical conduit transformer which is necessary for electric transmission to the proposed leased area between the District and New Cingular Wireless, PCS, LLC, a Delaware limited liability company ("Project"); and

**WHEREAS**, SCE has requested an easement interest from the District over portions of the referenced right of way ("Easements"), hereinafter described in Exhibits "A" and "B", for the purpose of electrical systems consisting of crossarms, wires and other fixtures and appliances with necessary appurtenances for conveying electric energy; and

**WHEREAS**, the District has reviewed and approved the easement area SCE provided for the Project and is now prepared to convey an easement to SCE for the operation of the Project; and

**WHEREAS**, the District has reviewed the improvement plans and determined that this Project will not interfere with the District's continued operation and maintenance of the District's existing facility; and

**WHEREAS**, pursuant to the California Water Code Appendix, Ch. 48-9, the District's Board of Supervisors has the power to convey an interest in real property it owns when such conveyance does not interfere with the use of the property for the purposes of the District; and

FORM APPROVED COUNTY COUNSEL  
BY [Signature] / DATE 4/6/23  
RYAN D YABKO

APR 18 2023 11.4

1           **WHEREAS**, pursuant to California Water Code Appendix, Ch. 48-13, the District's Board may  
2 determine any real property held by the District is no longer necessary to be retained for the uses and purposes  
3 thereof, and may thereafter sell or otherwise dispose or lease the same.

4           **NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the District's  
5 Board of Supervisors ("Board"), in regular session assembled on or after April 18, 2023 at 9:30 a.m. or soon  
6 thereafter, in the meeting room of the District's Board located on the 1st Floor of the County Administrative  
7 Center, 4080 Lemon Street, Riverside, California, that this Board has evaluated and determined that the  
8 conveyance of the easement to SCE will not interfere with the use of the Property for the District's intended  
9 purposes.

10           **BE IT FURTHER RESOLVED, DETEREMINED AND ORDERED** that the District's Board  
11 intends to convey the Easement on or after May 23, 2023 by Easement Deed as described in Exhibit "A" and  
12 shown in Exhibit "B".

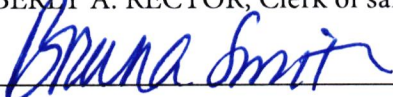
13           **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the Clerk of the Board is  
14 directed to give notice hereof as provided in Section 6061 of the California Government Code.

15 ROLL CALL:

16  
17 Ayes:           Jeffries, Spiegel, Washington, Perez and Gutierrez  
18 Nays:           None  
19 Absent:         None

20 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on  
21 the date therein set forth.

22 KIMBERLY A. RECTOR, Clerk of said Board

23 By:   
24 Deputy

25 04.18.2023 11.4  
26  
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28

EXHIBIT "A"

VARIOUS STRIPS OF LAND LYING WITHIN PARCEL 2070-101, AS SHOWN ON A RECORD OF SURVEY FILED IN BOOK 64, PAGES 75 THROUGH 79 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

STRIP #1 (4.00 FEET WIDE).

THE SOUTHERLY LINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE WESTERLY TERMINUS OF THAT CERTAIN COURSE IN THE SOUTHERLY BOUNDARY OF SAID PARCEL 2070-101, SHOWN ON SAID RECORD OF SURVEY AS HAVING A BEARING AND LENGTH OF "NORTH 81°56'26" WEST 20.00 FEET"; THENCE ALONG SAID CERTAIN COURSE AND ITS EASTERLY PROLONGATION, SOUTH 81°56'26" EAST 24.00 FEET TO A POINT OF ENDING.

STRIP #2 (10.00 FEET WIDE)

THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE IN THE WESTERLY BOUNDARY OF SAID PARCEL 2070-101, SHOWN ON SAID RECORD OF SURVEY AS HAVING A BEARING AND LENGTH OF "NORTH 08°03'34" EAST 41.00 FEET"; THENCE ALONG SAID CERTAIN COURSE, SOUTH 08°03'34" WEST 4.00 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE SOUTH 81°56'26" EAST 10.73 FEET TO A POINT OF ENDING, SAID POINT TO BE HEREINAFTER REFERRED TO AS POINT "A".

EXCEPTING THEREFROM THAT PORTION INCLUDED WITHIN STRIP #1 DESCRIBED HEREINABOVE.

STRIP #3 (6.00 FEET WIDE)

THE CENTERLINE OF SAID STRIP IS DESCRIBED AS FOLLOWS:

**BEGINNING** AT SAID POINT "A"; THENCE SOUTH 80°45'00" EAST 64.25 FEET; THENCE NORTH 35°12'00" EAST 40.00 FEET TO A POINT OF ENDING.

THE SIDELINES OF SAID STRIP ARE TO BE PROLONGED OR SHORTENED TO TERMINATE WESTERLY IN THE EASTERLY LINE OF STRIP #2 DESCRIBED HEREINABOVE, AND TO JOIN AT THE ANGLE POINT.

FOR SKETCH TO ACCOMPANY LEGAL DESCRIPTION, SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

Prepared by me or under my supervision:

Dated: Mar. 6, 2023



Glenn M. Bakke  
Glenn M. Bakke R.C.E. #18619 Exp. 06-30-2023

# EXHIBIT "B"



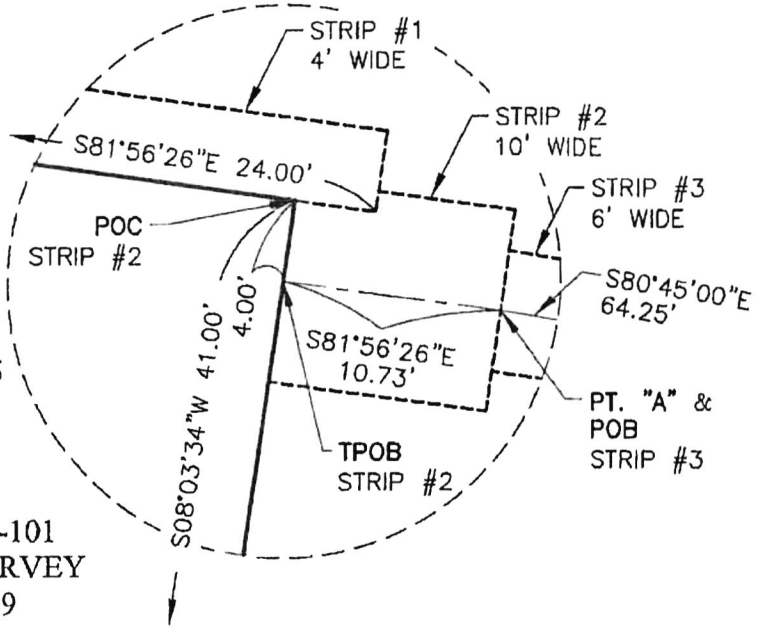
DETAIL "A"  
N.T.S.

MANGULAR AVENUE

30'

POR. LOT 3  
CORONA HEIGHTS  
NUMBER 1  
M.B. 7/29

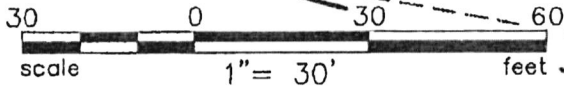
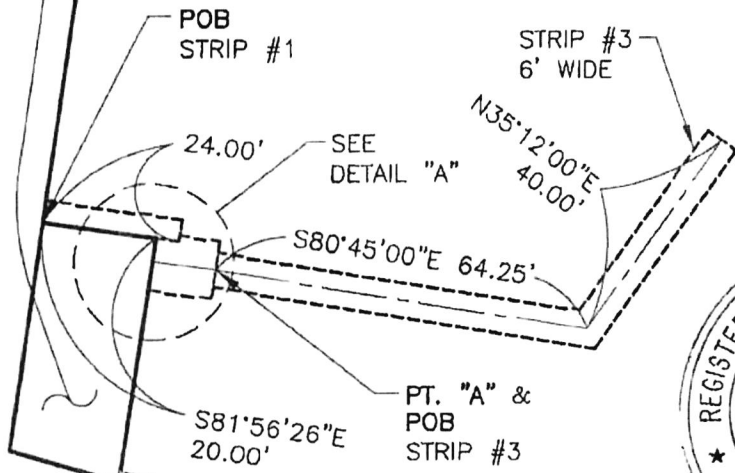
PARCEL 2070-101  
RECORD OF SURVEY  
R.S. 64/75-79



POB  
STRIP #1

STRIP #3  
6' WIDE

POR. LOT 3  
CORONA HEIGHTS  
NUMBER 1  
M.B. 7/29



CHASE DRIVE

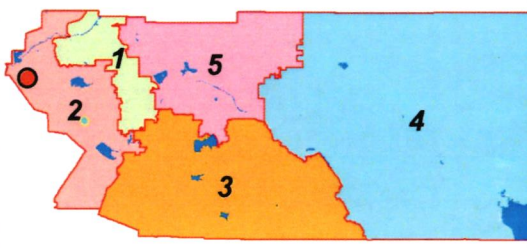
**LEGEND**

- DENOTES SCE EASEMENT AREA
- POC = POINT OF COMMENCEMENT
- TPOB = TRUE POINT OF BEGINNING
- POB = TRUE POINT OF BEGINNING

Dated Mar. 6, 2023

*Glenn M Bakke*  
Glenn M. Bakke R.C.E.# 18619 Exp. 6-30-23





**Legend**

- Cell Tower
- ▭ Assessor Parcel
- ▭ RCFC Parcel
- Supervisorial District

**Description**

Lease Agreement with  
 New Cingular Wireless, PCS LLC  
 Subject Property APN 112-310-002  
 RCFC Parcel 2070-101

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community YK\_CITwr\_Lease



**RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**  
 Cell Tower Lease Agreement  
 Assessor Parcel 112-310-002 RCFC Parcel 2070-101



**Vicinity Map**