

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



ITEM: 13.4  
(ID # 21232)

**MEETING DATE:**  
Tuesday, May 02, 2023

**FROM :** Regional Parks and Open Space District:

**SUBJECT:** REGIONAL PARK AND OPEN-SPACE DISTRICT: Adoption of Resolution No. 2023-006, Declaration of Exempt Surplus Land and Notice of Intent to Dispose of Real Property Identified with Assessor's Parcel Nos. 458-093-001, 458-093-002, and 458-093-003 in the Unincorporated Area of Hemet, County of Riverside; District 3. [\$0] (Clerk of the Board to Provide Notice)

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

1. Adopt Resolution No. 2023-006, Declaration of Exempt Surplus Land and Notice of Intent to Dispose of Real Property Identified with Assessor's Parcel Nos. 458-093-001, 458-093-002, and 458-093-003 in the Unincorporated Area of Hemet, County of Riverside; and
2. Direct the Clerk of the Board to provide notice in accordance with Section 6061 of the Government Code.

**ACTION:Policy**

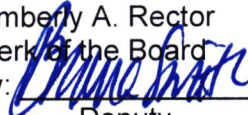
  
Kyla R. Brown, General Manager 4/27/2023

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**MINUTES OF THE BOARD OF DIRECTORS**

On motion of Supervisor Washington, seconded by Supervisor Gutierrez 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: May 2, 2023  
xc: Parks, COBcf

Kimberly A. Rector  
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: None</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	23/24

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

**BACKGROUND:**

**Summary**

When the Riverside County Regional Park and Open-Space District, a special district created pursuant to the California Public Resources Code Division 5, Chapter 3, Article 3 ("RivCoParks"), formed in 1990, it acquired approximately 1 acre of open-space land adjacent to the Double Butte landfill in the unincorporated community of Green Acres ("Property"), identified by Assessor's Parcel Numbers 458-093-001, 458-093-002, and 458-093-003 ("Properties"). The Properties have remained untouched since its acquisition and is bound by an easement owned by the Riverside County Flood Control and Water Conservation District, a body corporate and politic ("Flood District"). A flood control channel currently exists on the Properties and is maintained by the Flood District.

As part of RivCoParks' current divestment strategy, the Properties were identified as surplus property and discussions were held with the Flood District due to their ownership of a flood control channel. The Flood District confirmed their interest in acquiring the Properties. Accordingly, RivCoParks intends to dispose of the Properties to Flood District.

Pursuant to California Public Resources Code Section 5540, a district may take by grant, appropriation, purchase, gift, devise, condemnation, or lease, and may hold, use, enjoy, and lease or dispose of real and personal property of every kind, and rights in real and personal property, within or without the district, necessary to the full exercise of its powers. Consent need not first be obtained for a conveyance of any real property if the Legislature, by concurrent resolution, authorizes a conveyance after a resolution of intention has been adopted by at least a two-thirds vote of the board of directors of the district, specifically describing the property to be conveyed.

Pursuant to California Government Code Section 54221(f)(1)(D) and the Surplus Land Act (SLA) Guidelines Section 103(b)(3)(D), surplus land that a local agency is transferring to another local, state, or federal agency for the agency's use is exempt from the requirements of the Surplus Land Act. Finding that the fee simple interest in the Properties is no longer necessary for use by RivCoParks, it intends to transfer its fee simple interest in the Properties, as described in Exhibit "A" attached to Resolution No. 2023-006, by Grant Deed to the Flood District. Housing and Community Development confirmed the transfer of the Properties would qualify as exempt from the SLA.

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

Through this action, RivCoParks declares this Property as exempt surplus land as the Property will be conveyed to another local, state, or federal agency for the agency's use and is no longer needed to be owned in fee for RivCoParks or other public purpose, per Government Code Section 54221(f)(1)(D).


Resolution No. 2023-006 has been approved as to form by County Counsel.

**Impact on Citizens and Businesses**

The transfer of this Properties will assist the Flood District in their efforts to provide improved flood control and services to the citizens and businesses in the Hemet area.

**Attachments:**

- Resolution 2023-006
- Letter from HCD

  
\_\_\_\_\_  
Jason Farin, Principal Management Analyst      4/26/2023

  
\_\_\_\_\_  
Aaron Gettis, Deputy County Counsel      4/19/2023

**RESOLUTION NO. 2023-006**

**DECLARATION OF EXEMPT SURPLUS REAL PROPERTY AND NOTICE OF  
INTENT TO DISPOSE OF RIVCOPARKS-OWNED REAL PROPERTY WITH  
ASSESSOR'S PARCEL NOS. 458-093-001, 002, AND 003 IN UNINCORPORATED  
RIVERSIDE COUNTY TO THE RIVERSIDE COUNTY FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT BY QUITCLAIM DEED**

WHEREAS, the Riverside County Regional Park and Open-Space District, a special district created pursuant to the California Public Resources Code Division 5, Chapter 3, Article 3 ("RivCoParks"), is the owner of certain real property with Assessor's Parcel Numbers 458-093-001, 002, and 003 in unincorporated Riverside County, as described and depicted in Exhibit "A", attached hereto and made a part hereof ("Property"); and

WHEREAS, RivCoParks hereby finds that this Property is no longer needed, nor will be needed in the future, for RivCoParks' purposes; and

WHEREAS, RivCoParks desires to convey the Property to the Riverside County Flood Control and Water Conservation District, a body corporate and politic ("District"); and

WHEREAS, pursuant to California Public Resources Code Section 5540, a district may take by grant, appropriation, purchase, gift, devise, condemnation, or lease, and may hold, use, enjoy, and lease or dispose of real and personal property of every kind, and rights in real and personal property, within or without the district, necessary to the full exercise of its powers and consent need not first be obtained for a conveyance of any real property if the Legislature, by concurrent resolution, authorizes a conveyance after a resolution of intention has been adopted by at least a two-thirds vote of the board of directors of the district, specifically describing the property to be conveyed; and

WHEREAS, pursuant to California Government Code Section 54221(f)(1)(D), surplus land that a local agency is transferring to another local, state, or federal agency for the agency's use is exempt from the requirements of the Surplus Land Act; and

FORM APPROVED BY COUNTY COUNSEL  
BY  RYAN D. YABKO  
4/18/23  
DATE

1           **WHEREAS**, the RivCoParks and the District concur that it would be in both parties' best  
2 interests to transfer the Property to the District.

3           **NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED**  
4 by the Board of Directors of the Riverside County Regional Park and Open-  
5 Space District ("Board"), assembled in regular session assembled on May 2, 2023 at 9:30  
6 a.m. or soon thereafter, in the meeting room of the Board of Directors located on the 1<sup>st</sup>  
7 Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California,  
8 that the fee simple interests in Assessor Parcel Numbers 458-093-001, 002, and 003 are  
9 intended to be conveyed to Riverside County Flood Control and Water Conservation  
10 District in unincorporated Riverside County, as shown in Exhibit "A", are no longer  
11 necessary to be retained by RivCoParks for public purposes and are hereby declared  
12 exempt surplus land pursuant to California Government Code Section 54221(f)(1)(D).


13           **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that the  
14 Clerk of the Board of Directors is directed to give notice hereof as provided in Section  
15 6061 of the Government Code.

16 ROLL CALL:

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

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

23 KIMBERLY A. RECTOR, Clerk of said Board

24 By:   
25 Deputy

26  
27 05.02.2023 13.4  
28

# EXHIBIT A

## Highway 74 Transfer to Flood Control District



**Legend**

- Parcel APNs
- Parcels
- Blueline Streams
- City Areas

**Notes**  
 APNs 458-093-001, 458-093-002, and 458-093-003



**\*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.

0 96 192 Feet

REPORT PRINTED ON... 6/7/2022 10:03:51 AM

© Riverside County GIS

**From:** [McLeod, Jeanne](#)  
**To:** [McLeod, Jeanne](#)  
**Subject:** FW: Notice of Intent to Declare Surplus Property and Transfer  
**Date:** Wednesday, April 12, 2023 10:19:14 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image004.png](#)  
[image005.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[Resolution 2022-003 Declaration of Surplus -Notice of Intent to transfer Highway 74 to Water District \(RY 6.16.22\).pdf](#)  
[Exhibit A - HWY 74 Transfer Agreement to Flood.pdf](#)  
[image003.png](#)

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*Jeanne McLeod*

ADMINISTRATIVE SERVICES MANAGER I

(951) 955-3819

[www.RivCoParks.org](http://www.RivCoParks.org) | [#RivCoParks](#) | [Facebook](#) | [Twitter](#) | [Upcoming Events](#)

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**From:** Wahid, Imaez@HCD <Imaez.Wahid@hcd.ca.gov>  
**Sent:** Wednesday, June 29, 2022 5:17 PM  
**To:** Chamberlain, Shannon <SNChamberlain@RIVCO.ORG>; PublicLands@HCD <publiclands@hcd.ca.gov>  
**Cc:** McLeod, Jeanne <JMMcLeod@RIVCO.ORG>  
**Subject:** RE: Notice of Intent to Declare Surplus Property and Transfer

**CAUTION:** This email originated externally from the **Riverside County** email system. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Shannon,

Thank you for contacting the CA Department of Housing and Community Development (HCD) regarding the Riverside County Regional Park and Open-Space District's (District) determination of Assessor's Parcel Numbers 458-093-001, 002, and 003 (Property) as exempt surplus land. HCD reviewed the attached draft Resolution No. 2022-003 (Resolution). HCD concludes that the transfer of the Property by the District to the Riverside County Flood Control and Water Conservation District qualifies as "exempt surplus land" under Government Code section 54221(f)(1)(D).

As required by Section 400 of the Surplus Land Act Guidelines, please submit the Board-approved Resolution to HCD at least 30 days prior to disposition. HCD staff will review the adopted Resolution and issue a finding letter in response to the District's determination of exempt surplus land.

Please let me know if you have any questions.

Sincerely,



**Imaez Wahid**

Housing Specialist I, Housing Policy Development

Housing and Community Development

2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833

Phone: 916.776.7496





**From:** Chamberlain, Shannon <[SNChamberlain@RIVCO.ORG](mailto:SNChamberlain@RIVCO.ORG)>  
**Sent:** Thursday, June 16, 2022 1:29 PM  
**To:** PublicLands@HCD <[publiclands@hcd.ca.gov](mailto:publiclands@hcd.ca.gov)>  
**Cc:** Wahid, Imaez@HCD <[Imaez.Wahid@hcd.ca.gov](mailto:Imaez.Wahid@hcd.ca.gov)>; McLeod, Jeanne <[JMMcLeod@RIVCO.ORG](mailto:JMMcLeod@RIVCO.ORG)>  
**Subject:** Notice of Intent to Declare Surplus Property and Transfer

To the Department of Housing and Community Development:

The Riverside County Regional Park and Open-Space District ("RivCoParks") is the fee simple owner of certain real property identified with Assessor's Parcel Numbers 458-093-001, 458-093-002, and 458-093-003 in the unincorporated community of Green Acres, County of Riverside. The Property consists of approximately 1 acre of vacant land on Highway 74. RivCoParks desires to convey the Property to Riverside County Flood Control and Water Conservation District for the agency's use as a flood control channel.

Pursuant to California Government Code Section 54221(f)(1)(D), surplus land that a local agency is transferring to another local, state, or federal agency for the agency's use is exempt from the requirements of the Surplus Land Act.

Therefore RivCoParks believes that the Property is exempt surplus land and desires to convey this property to the Flood Control District. Please find attached a copy of the resolution that the Board of Directors of RivCoParks will consider for approval.

Thank you,

logo 	<p><b>Shannon Chamberlain, MPA</b> <b>Real Property Agent III</b> <i>Facilities Management - Real Estate Division</i></p> <p><b>E:</b> <a href="mailto:schamberlain@rivco.org">schamberlain@rivco.org</a>   <b>W:</b> <a href="http://www.rivcofm.org">www.rivcofm.org</a> [<a href="http://rivcofm.org">rivcofm.org</a>] <b>O:</b> 951.955.8173 <b>C:</b> 951.201.1323 24/7 Emergency Number 951.955.4850</p>

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[County of Riverside California](http://CountyofRiversideCalifornia.com) [[countyofriverside.us](http://countyofriverside.us)]



# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

## PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

### PROOF OF PUBLICATION OF

Ad Desc.: Resolution 2023-006 Publication /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

05/09/2023

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: May 09, 2023  
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
PO BOX 1147  
RIVERSIDE, CA 92502

Ad Number: 0011601684-01

P.O. Number:

Ad Copy:

Board of Directors

Riverside County  
Regional Park & Open-Space

### RESOLUTION NO. 2023-006 DECLARATION OF EXEMPT SURPLUS REAL PROPERTY AND NOTICE OF INTENT TO DISPOSE OF RIVCOPARKS- OWNED REAL PROPERTY WITH ASSESSOR'S PARCEL NOS. 458-093-001, 002, AND 003 IN UNINCORPORATED RIVERSIDE COUNTY TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT BY QUITCLAIM DEED

WHEREAS, the Riverside County Regional Park and Open-Space District, a special district created pursuant to the California Public Resources Code Division 5, Chapter 3, Article 3 ("RivCoParks"), is the owner of certain real property with Assessor's Parcel Numbers 458-093-001, 002, and 003 in unincorporated Riverside County, as described and depicted in Exhibit "A", attached hereto and made a part hereof ("Property"); and

WHEREAS, RivCoParks hereby finds that this Property is no longer needed, nor will be needed in the future, for RivCoParks' purposes; and

WHEREAS, RivCoParks desires to convey the Property to the Riverside County Flood Control and Water Conservation District, a body corporate and politic ("District"); and

WHEREAS, pursuant to California Public Resources Code Section 5540, a district may take by grant, appropriation, purchase, gift, devise, condemnation, or lease, and may hold, use, enjoy, and lease or dispose of real and personal property of every kind, and rights in real and personal property, within or without the district, necessary to the full exercise of its powers and consent need not first be obtained for a conveyance of any real property if the Legislature, by concurrent resolution, authorizes a conveyance after a resolution of intention has been adopted by at least a two-thirds vote of the board of directors of the district, specifically describing the property to be conveyed; and

WHEREAS, pursuant to California Government Code Section 54221 (f) (1) (D), surplus land that a local agency is transferring to another local, state, or federal agency for the agency's use is exempt from the requirements of the Surplus Land Act; and

WHEREAS, the RivCoParks and the District concur that it would be in both parties' best interests to transfer the Property to the District.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Riverside County Regional Park and Open-Space District ("Board"), assembled in regular session assembled on May 2, 2023 at 9:30 a.m. or soon thereafter, in the meeting room of the Board of Directors located on the 1st Floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that the fee simple interests in Assessor Parcel Numbers 458-093-001, 002, and 003 are intended to be conveyed to Riverside County Flood Control and Water Conservation District in unincorporated Riverside County, as shown in Exhibit "A", are no longer necessary to be retained by RivCoParks for public purposes and are hereby declared exempt surplus land pursuant to California Government Code Section 54221 (f) (1) (D).

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

13.4  
5/12/23

