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



ITEM: 3.15 (ID # 20946) MEETING DATE: Tuesday, September 12, 2023

FROM : FACILITIES MANAGEMENT AND RIVERSIDE COUNTY LIBRARY SYSTEM :

SUBJECT: FACILITIES MANAGEMENT-REAL ESTATE (FM-RE) AND RIVERSIDE COUNTY LIBRARY SYSTEM: Ratification and Approval of Fourth Amendment to the Joint Use Agreement with Corona-Norco Unified School District for the Operation of Eleanor Roosevelt High School, Eastvale, Three-Year Lease Extension, California Environmental Quality Act Exempt pursuant to State CEQA Guidelines Sections 15301 and 15061(b)(3); District 2. [Total Cost: \$67,034 - County Library Fund 100%] (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, Class 1 Existing Facilities Exemption, and Section 15061(b)(3), "Common Sense" Exemption;
- 2. Ratify and Approve the attached Fourth Amendment to Lease and authorize the Chairman of the Board to execute the same on behalf of the County;
- 3. Authorize the Director of Facilities Management, or designee, to execute any other documents and administer all actions necessary to complete this transaction; and
- 4. 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

Rose Salgado, Director

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, Perez, Washington, and Gutierrez
Nays:	None
Absent:	None
Date:	September 12, 2023
xc:	FM-RE, RCLS, Recorder

Kimberly A. Rector

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

FINANCIAL DATA	tal Cost:	Ongoir	ng Cost			
COST	\$21,904	\$22,342		\$67,034		\$
NET COUNTY COST \$ \$				\$		\$
SOURCE OF FUNDS: County Library Fund 100%				Budget Adj	ustment:	No
				For Fiscal Y	'ear: 23/2	24-25/26

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

<u>Summary</u>

The Corona-Norco Unified School District, a California public school district ("District"), owns an existing library facility ("Library") at Eleanor Roosevelt High School, located at 7447 Scholar Way, Eastvale, California. The purpose of this submittal is to request the approval of the attached Fourth Amendment to the Joint-Use Agreement ("Fourth Amendment") between the District and the County of Riverside ("County") which operates this Library. The Fourth Amendment will allow for the continued provision of the Library services that will serve the needs of the students during school hours and the general public during non-school hours. This Library continues to meet the needs and requirements of the County and the proposed Fourth Amendment will extend the term for an additional three (3) years commencing July 1, 2023 and expiring June 30, 2026.

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

The attached Fourth Amendment is summarized below:

District:	Corona-Norco Unified Schoo 2820 Clark Avenue Norco, California 92860	l District
Location:	7447 Scholar Way Eastvale, California 92880	
Size:	6,270 Square Feet	
Rent:	Current \$1,740.71 per month \$19,683.72 per year	New \$1,740.71 per month \$19,683.72 per year

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

Term:	Three (3) years; commencing July 1, 2023 and expiring June 30, 2026
Rent Adjustment:	Two (2%) percent annual increase starting July 1, 2024
Maintenance:	Provided by District
Custodial Services:	Provided by District
Utilities:	Provided by District

The attached Fourth Amendment has been approved as to form by County Counsel.

Impact on Residents and Businesses

The library's presence at the Eleanor Roosevelt High School continues to provide an important public benefit to the community by providing library services to our residents and students.

Additional Fiscal Information

See attached Exhibits A, B, and C. All associated costs for this Fourth Amendment will be budgeted in FY23/24 - FY25/26 by the Riverside County Library System (RCLS). RCLS will reimburse the Department of Facilities Management-Real Estate (FM-RE) for all associated costs on an annual basis.

Contract History and Price Reasonableness

This is a three-year extension of the original Joint-Use Agreement, and the use rate is deemed reasonable and fair.

The Joint-Use Agreement has been amended three times previously to extend the term and modify the monthly costs associated with the agreement.

<u>Amendment</u>	Date and M.O.
Joint Use Agreement	January 9, 2007 (M.O. 3.6)
First Amendment	July 1, 2014
Second Amendment	July 25, 2017 (M.O. 3-17)
Third Amendment	June 9, 2020 (M.O. 3.11)

Attachments:

- Fourth Amendment to Joint Use Agreement
- Exhibit A, B & C
- Notice of Exemption

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

Aerial Map

JG:kt/01042023/CR032/30.870

Veronica Santillan, Veronica Santillan, Principal Management Analyst 9/4/2023

Gettis ron 8/29/2023 Aaron Gettis

County of Riverside Facilities Management 3450 14th Street, Riverside, CA FOR COUNTY CLERK USE ONLY F I L E D / P O S T E D County of Riverside Peter Aldana Assessor-County Clerk-Recorder E-202300965 09/12/2023 03:40 PM Fee: \$ 50.00 Page 1 of 2 Removed: By: Deputy

NOTICE OF EXEMPTION

January 18, 2023

Project Name: Fourth Amendment to the Joint Use Agreement with Corona-Norco Unified School District for the Operation of the Eleanor Roosevelt High School Library, Eastvale

Project Number: FM042166003200

Project Location: 7447 Scholar Way, north of Citrus Street, Eastvale, California; APN 152-040-012, 152-040-011, 152-040-010

Description of Project: The Corona-Norco Unified School District (District) owns an existing 6,270 square-foot library facility (Library) at Eleanor Roosevelt High School, 7447 Scholar Way, Eastvale, California. The purpose of this submittal is to approve the Fourth Amendment to the Joint-Use Agreement (Agreement) between the District and the County of Riverside (County) which operates the Library. The Fourth Amendment will extend the term of the Agreement by an additional three years, commencing July 1, 2023. The Fourth Amendment to Lease 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 library 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.

- 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 a joint use agreement for an existing Library for an additional three years. The Fourth Amendment to Lease will not require physical modifications to the existing building which would increase or expand the use of the site, and 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 CEOA 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 Fourth Amendment 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: 1-18-2023

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

and the Corona-Norco Unified School District for Joint Use of Facilities Located **AT Roosevelt High School** This FOURTH AMENDMENT TO JOINT USE AGREEMENT ("Fourth Amendment"), dated as of Scotember 12, 2023, is entered by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("County"), as Lessee, and the CORONA-NORCO UNIFIED SCHOOL DISTRICT, a California public school district ("District"), as Lessor, hereinafter collectively referred to as the Parties or individually as a Party. RECITALS County and District entered into that certain Agreement dated a. January 9, 2007, ("Original Agreement") pursuant to which County leased a portion of that certain building located at 7447 Scholar Way, Eastvale, California (the "School"), as more particularly described in the Original Agreement. b. The Original Agreement has been amended as follow: 1. The First Amendment to Joint Use Agreement ("First Amendment") dated June 16, 2014, by and between County and District, whereby County and District agreed to extend the term and modify the use fee. 2. The Second Amendment to Joint Use Agreement ("Second Amendment") dated July 25, 2017, by and between County and District, whereby County and District agreed to extend the term and modify the use fee. 3. The Third Amendment to Joint Use Agreement ("Third Amendment") dated June 9, 2020 by and between County and District, whereby County and District agreed to extend the terms and modify the use fee. The Original Agreement, together with the Amendments, are C. collectively referred to hereinafter as the "Agreement". 28

Fourth Amendment to the Joint Use Agreement between the County of Riverside

Page 1 of 4

1d.The Parties now desire to enter in this Fourth Amendment to2extend the term of the Agreement and modify the use fee for the District Library3Facility.

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

1. TERM OF AGREEMENT.

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a. Section 4.2 of the Agreement shall be amended as follows:

8 The term of the Agreement shall be extended three (3) years commencing on
9 July 1, 2023 and terminating on June 30, 2026. The County shall have the option to
10 terminate the Lease with a thirty (30) day advance written notice to Lessor.

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2.

USE FEE, OPERATION EXPENSE, MAINTENANCE, AND REPAIR.

a. Section 4.8.1 is amended by the following:

Commencing July 1, 2023, the County agrees to pay one thousand seven hundred forty dollars and seventy-one cents (\$1,740.71) per month for the use of the District Library Facility, including custodial service and utilities. The use fee shall be increased by two percent (2%) annually, starting July 1, 2024.

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3. **FOURTH AMENDMENT TO PREVAIL**. The provisions of this Fourth Amendment shall prevail over any inconsistent or conflicting provisions of the Agreement. Any capitalized terms shall have the meaning defined in the Agreement, unless defined herein or the context requires otherwise.

21 4. **MISCELLANEOUS.** Except as amended or modified herein, all terms of 22 the Agreement shall remain in full force and effect. Time is of the essence in this 23 Fourth Amendment and the Agreement and each and all their respective provisions. 24 Subject to the provisions of the Agreement as to assignment, the agreements, 25 conditions and provisions herein contained shall apply to and bind the heirs, executors, 26 administrators, successors and assigns of the parties hereto. If any provisions of this 27 Fourth Amendment shall be determined to be illegal or unenforceable, such 28 determination shall not affect any other provision of the Agreement. The language in

1	all parts of the Agreement shall be construed according to its normal and usual
2	meaning and not strictly for or against either District or County. Neither this Fourth
3	Amendment nor the Agreement shall be recorded by the County.
4	5. EFFECTIVE DATE. This Fourth Amendment shall not be binding or
5	consummated until its approval by the Riverside County Board of Supervisors and fully
6	executed by the Parties.
7	(Signatures on the following Page)
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	Page 3 of 4

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1 IN WITNESS WHEREOF, the Parties have executed this Fourth Amendment as of the 2 date first written above. 3 4 Lessee: Lessor: 5 COUNTY OF RIVERSIDE, a political CORONA-NORCO UNIFIED SCHOOL 6 subdivision of the State of California DISTRICT, a California public school district 7 8 By: < By: Kevin Jeffries, Chair Ed.D. Samuel B ieni 9 Board of Supervisors Superintendent 10 11 ATTEST: **Kimberly Rector** 12 Clerk of the Board 13 By: 14 15 16 APPROVED AS TO FORM: 17 Minh C. Tran County Counsel 18 By: 19 Ryan Yabko 20 Deputy County Counsel 21 22 23 24 25 26 JG:kt/01042023/CR032/30.870 27 28 Page 4 of 4 Updated 08/2010 SEP 12 2023 3.15

FINANCIAL DATA	Curren	t Fiscal Year:	Next Fi	iscal Year:	Total Cost:	1.1.1.1.1.1.1.1
COST	\$	30,933	\$	31,120	\$	93,961
NET COUNTY COST	\$	-	\$	-	\$	-

Current Fiscal Year:	7/1/2023 through 6/30/2026
Name: Premises:	RCLS - Corona Unified School District7447 Scholar Way, Eastvale
Term: Effective Date Termination Date	3 years 7/1/2023 6/30/2026
Fiscal Year Split:	(Jul-Jun) <u>12</u> 12 months
Size:	6,270 SQFT
Rent:	Current New \$ 0.28 SQFT \$ 0.28 SQFT \$ 1,741 per month \$ 1,741 per month \$ 20,889 per year \$ 20,889 per year
Rental Adjustment:	2.00%
Estimated Additional Costs: Utility Cost per SQFT Lease Management Fee	\$ 0.12 4.86% New agreement
Total County Cost %	0.00%

Exhibit A

FY 2023/24 RCLS - Corona Unified School District 7447 Scholar Way, Eastvale

ESTIMATED AMOUNTS

Total Square Footage to be Leased:	Total	Squar	e Footage	to be	Leased:
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Current Office:	6,270 SQFT	
Approximate Cost per SQFT (Jul-Jun)	\$ 0.28	
Lease Cost per Month (Jul-Jun)	\$ 1,740.71	
Total Lease Cost (Jul-Jun) Total Estimated Lease Cost for FY 2023/24	\$ 20,888.52 \$ 20,888.52	
Estimated Additional Costs:		
Utility Cost per SQFT Estimated Utility Costs per Month Total Estimated Utility Cost (Jul-Jun)	\$ 0.12 <u>\$ 752.40</u>	
Total Estimated Utility Cost	\$ 9,028.80 \$ 9,028.80	
FM Lease Management Fee as of 07/01/2023	4.86% \$ 1,015.18	
TOTAL ESTIMATED COST FOR FY 2023/24	\$ 30,932.50	
TOTAL COUNTY COST	0% \$ -	

Exhibit B

FY 2024/25 RCLS - Corona Unified School District 7447 Scholar Way, Eastvale

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office:	6,270 SQFT	
Approximate Cost per SQFT (Jul-Jun)	\$ 0.28	
Lease Cost per Month (Jul-Jun)	\$ 1,755.60	
Total Lease Cost (Jul-Jun) Total Estimated Lease Cost for FY 2024/25		\$ 21,067.20 \$ 21,067.20
Estimated Additional Costs:		
Utility Cost per SQFT Estimated Utility Costs per Month Total Estimated Utility Cost	\$ 0.12 <u>\$ 752.40</u>	\$ 9,028.80 \$ 9,028.80
FM Lease Management Fee as of 07/01/2023	4.86%	\$ 1,023.87
TOTAL ESTIMATED COST FOR FY 2024/25		\$ 31,119.87
TOTAL COUNTY COST	0%	\$-

Exhibit C

FY 2025/26

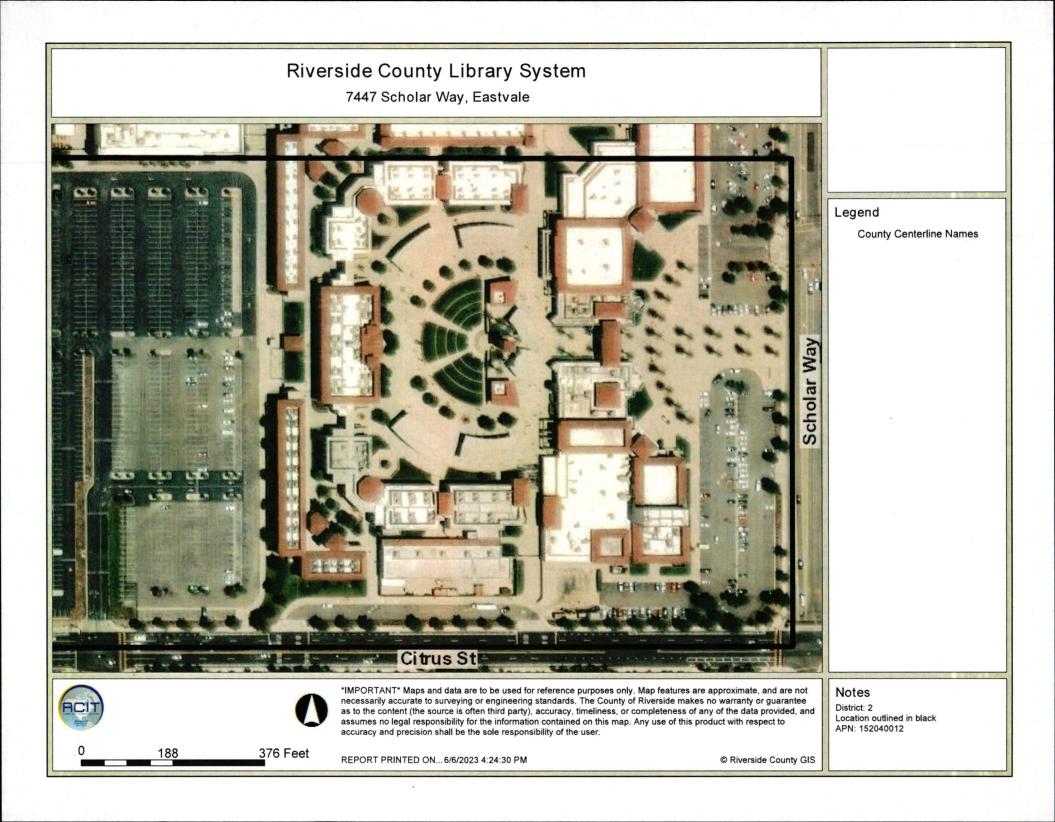
ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Office:

6,270

		F	Y 2024/25
Approximate Cost per SQFT (Jul-Jun)		\$	0.29
Lease Cost per Month (Jul-Jun)		\$	1,818.30
Total Lease Cost (Jul-Jun) Total Estimated Lease Cost for FY 2025/26		\$ \$	21,819.60 21,819.60
Estimated Additional Costs:			
Utility Cost per SQFT Estimated Utility Costs per Month Total Estimated Utility Cost		\$ \$	0.12 752.40 9,028.80
Lease Management Fee as of 7/1/2022	4.86%	\$	1,060.43
TOTAL ESTIMATED COST FOR FY 2025/26		\$	31,908.83
F11 Total Cost F11 Total County Cost	0%	\$ \$	93,961.20 -



County of Riverside Facilities Management 3450 14th Street, Riverside, CA

FOR COUNTY	CLERK	USE	ONLY	

NOTICE OF EXEMPTION

January 18, 2023

Project Name: Fourth Amendment to the Joint Use Agreement with Corona-Norco Unified School District for the Operation of the Eleanor Roosevelt High School Library, Eastvale

Project Number: FM042166003200

Project Location: 7447 Scholar Way, north of Citrus Street, Eastvale, California; APN 152-040-012, 152-040-011, 152-040-010

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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.

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- 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 Fourth Amendment 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: 1-18-2023

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 the Joint Use Agreement with Corona-Norco Unified School District for the Operation of the Eleanor Roosevelt High School Library, Eastvale

Accounting String: 524830-47220-7200400000 - FM042166003200

DATE: January 18, 2023

AGENCY: <u>Riverside County Facilities Management</u>

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: Jennifer Grabow, Real Property Agent III, Facilities Management

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY:

DATE:

RECEIPT # (S)

County of Riverside Facilities Management 3450 14th Street, Riverside, CA 92501

Date: January 18, 2023

To: Office of the County Clerk

From: Mike Sullivan, Senior Environmental Planner, Facilities Management

Subject:County of Riverside Facilities Management Project # FM042166003200Fourth Amendment to the Joint Use Agreement with Corona-Norco Unified
School District for the Operation of the Eleanor Roosevelt High School Library,
Eastvale

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 14th Street, Suite 214, Riverside, CA 92501

If you have any questions, please contact Mike Sullivan at 955-8009 or email at msullivan@rivco.org.

Attachment

cc: file