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



ITEM: 3.16 (ID # 23117) MEETING DATE: Tuesday, October 17, 2023

FROM: FACILITIES MANAGEMENT AND FIRE:

**SUBJECT:** FACILITIES MANAGEMENT-REAL ESTATE (FM-RE): Adoption of Resolution No. 2023-261, Notice of Intention to Purchase Real Property in the Unincorporated Area of Winchester, County of Riverside, State of California, Portions of Assessor's Parcel Numbers 472-110-029 and 472-110-040 by Grant Deed from Jay L. Greenstein and Sheryl D. Greenstein, as Trustees of the Jay and Sheryl Greenstein Family Trust, along with Albert F. Conard and Carolyn L. Conard, Trustees of the Albert and Carolyn Conard Family Trust; California Environmental Quality Act (CEQA) Exempt per State CEQA Guidelines Section 15061(b)(3); District 3. [\$0] (Clerk to file Notice of Intention)

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

1. Adopt Resolution No. 2023-261, Notice of Intention to Purchase Real Property in the Unincorporated Area of Winchester, County of Riverside, State of California, Portions of Assessor's Parcel Numbers 472-110-029 and 472-110-040:

Continued on Page 2

**ACTION:Policy** 

#### MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, 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:

October 17, 2023

XC:

FM-RE, Fire, , Recorder, COBCF

Deputy

Kimberly A. Rector

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

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

- 2. Find that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061 (b)(3) "Common Sense" Exemption;
- 3. Authorize Facilities Management-Real Estate (FM-RE) to negotiate the purchase of the subject property from Jay L. Greenstein and Sheryl D. Greenstein, as Trustees of the Greenstein Family Trust, along with Albert and Caroline Conard, Trustees of the Albert and Carolyn Conard Family Trust, in the amount not to exceed Three-Hundred Fifty Thousand Dollars (\$350,000) to each seller, and Seven-Hundred Thousand Dollars (\$700,000) total for the land acquisition;
- 4. Authorize the Director of Facilities Management, or designee, to execute any other documents and administer all actions necessary to complete this transaction; and
- 5. Authorize and direct the Clerk of the Board to give notice pursuant to Section 6063 of the Government Code and to file the Notice of Exemption with the County Clerk within (5) five days of Board Approval.

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 Adjustment: No				
				For Fiscal Y	ear: 23/24

C.E.O. RECOMMENDATION: Approve

### **BACKGROUND:**

### Summary

Pursuant to Government Code Section 25350, the County of Riverside, a political subdivision of the State of California (County), must publish a notice of intention to purchase interests in real property, or any interest therein, that contains the description of the property proposed to be purchased, the price, the seller, and a statement of the time that the Riverside County Board of Supervisors will meet to consummate the purchase.

Through this action, the County intends to authorize Facilities Management – Real Estate Division (FM-RE) to pursue the purchase of the fee simple interests in certain real property located in the unincorporated area of Winchester, County of Riverside, State of California. The subject property consists of 10.63 acres, further identified as portions of Assessor's parcel number's (APN) 472-110-029 and 472-110-040, and more particularly depicted on the attached

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

aerial map (Property). APN 472-110-029 is currently owned by Jay L. Greenstein and Sheryl D. Greenstein, as Trustees of the Greenstein Family Trust dated April 23, 2021, and APN 472-110-040 is owned by Albert F. Conard and Carolyn L. Conard as Trustees of The Albert and Carolyn Conard Family Trust dated April 12, 2021 (Sellers).

The County is acquiring an excess portion of each parcel to create a new 2.02-acre parcel for the purposes of creating a site to construct a future fire station. The acquisition price in the amount of Three-Hundred Fifty Thousand Dollars (\$350,000) to each Seller, and Seven-Hundred Thousand Dollars (\$700,000) total for the land acquisition represents a fair market value based on a recent appraisal.

FM-RE expects to return to the Board of Supervisors with its Authorization to Purchase and consideration of a Purchase and Sales Agreement in November and once it has completed its required public noticing and due diligence. Resolution No. 2023-261 has been reviewed and approved by County Counsel as to legal form.

With certainty, there is no possibility that the project may have a significant effect on the environment. The acquisition of the property is identified as the proposed project under CEQA. The project is limited to purchase of property and does not allow for any construction activity, change in use, or any other condition that may lead to a direct or reasonably foreseeable indirect physical impacts to the environment. When considering future indirect effects from the construction and operation of a new fire station, at this point in the process, the design of the future project is not substantive enough to provide a meaningful analysis of environmental effects.

Future development of the site by the County as lead agency ensures the appropriate mechanism to provide the opportunity for environmental considerations to influence design and the characterization of effects associated with the development of the future fire station as more foreseeable details become known through the conceptual design process. This action would also not foreclose any future analysis, alternatives, or mitigation measures if a future fire station is ultimately proposed for location. Therefore, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), 'Common-Sense' Exemption.

### Impact on Residents and Businesses

The acquisition of the Property will provide the County with a centralized location for a future Fire Station that will provide improved safety and response times in this rapidly growing community. The residents and businesses of the County will be served well with the presence of a future Fire Station through this acquisition.

### **Additional Fiscal Information**

There are no costs associated with this Form 11 other than staff time.

#### ATTACHMENTS:

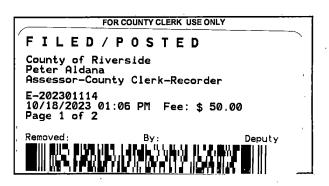
Aerial Image

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

• Resolution No. 2023-261

• Notice of Exemption (NOE)

on Gettis, Deputy County Counsel 10/10/20



### NOTICE OF EXEMPTION

September 22, 2023

**Project Name:** Authorization to Acquire Property in the Unincorporated Area of Winchester, County of Riverside, California, on Assessor's Parcel Numbers (APNs) 447-280-001 and 447-280-002

Project Number: FM0412700056.

Project Location: Northwest corner of Washington Street and Keller Road, approximately 2,000 feet east of Winchester Road, unincorporated area of Winchester. Riverside County, California, on APNs 472-110-029 and 472-110-040

**Description of Project:** Pursuant to Government Code Section 25350, the County of Riverside, a political subdivision of the State of California (County), must publish a Notice of Intention to purchase interests in real property, or any interest therein, that contains the description of the property proposed to be purchased, the price, the seller, and a statement of the time that the Riverside County Board of Supervisors will meet to consummate the purchase.

Through this action, the County intends to authorize Facilities Management – Real Estate Division to pursue the purchase of the fee simple interests in certain real property located in the unincorporated area of Winchester, County of Riverside, State of California. The subject property consists of 10.63 acres, further identified as portions of APNs 472-110-029 and 472-110-040, (Property). APN 472-110-029 is currently owned by Jay L. Greenstein and Sheryl D. Greenstein, as Trustees of the Greenstein Family Trust dated April 23, 2021, and APN 472-110-040 is owned by Albert F. Conard and Carolyn L. Conard as Trustees of The Albert and Carolyn Conard Family Trust dated April 12, 2021 (Seller(s)).

The County is acquiring an excess portion of each parcel to create a new 2.02 acre-parcel for the purposes of creating a site to construct a new fire station. The acquisition price in the amount of Three-Hundred Fifty Thousand Dollars (\$350,000) to each Seller, and Seven-Hundred Thousand Dollars (\$700,000) total for the land acquisition represents a fair market value based on a recent appraisal dated September 18, 2023. The acquisition of the Property is identified as the proposed project under the California Environmental Quality Act (CEQA). The project is limited to purchase of property and does not allow for any construction activity, change in use, or any other condition that may lead to a direct or reasonably foreseeable indirect physical impacts to the environment.

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 15061(b) (3), General Rule or "Common Sense" Exemption. Codified under California Code of Regulations Title 14, Articles 5 and 19 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 acquisition of the Property.

• 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 acquisition of the Property for County Fire is an administrative function and would not result in direct effects. Indirect effects of the transfer would provide the County ownership of the property with a future plan to build a Fire Station. The project is limited to purchase of property and does not allow for any construction activity, change in use, or any other condition that may lead to a direct or reasonably foreseeable indirect physical impacts to the environment.

In addressing indirect effects of the acquisition, CEQA Guidelines 15004(b) identifies the necessity of balance in determining the timing of CEQA compliance, citing the need to enable environmental considerations to have influence on programming and design, while at the same time having enough detailed information for meaningful environmental assessment. The potential indirect effects from the acquisition would occur through series of discretionary actions that define a broader project, e.g., the construction and operation of a new fire station. The acquisition is not deemed to be an approval pursuant to CEQA for any specific development and does not commit the County, to a definite course of action regarding a project that may lead to an adverse effect on the environment or limit any choice of alternatives or mitigation measures prior to CEQA compliance. When considering future indirect effects from the construction and operation of a new fire station, at this point in the process, the design of the project is not substantive enough to provide a meaningful analysis of environmental effects. Future development of the site by the County as lead agency ensures the appropriate mechanism to provide the opportunity for environmental considerations to influence design and the characterization of effects associated with the development of the fire station as more foreseeable details become known through the conceptual design process. Therefore, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), General Rule or Common-Sense Exemption. 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 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:	Markethe				Date: 9-22-2023			
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Mike Sullivan, Senior Environmental Planner County of Riverside

FORM APPROVED COUNTY COUNSE

## Board of Supervisors

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County of Riverside

Resolution No. 2023-261

Notice of Intention to Purchase Real Property in the Unincorporated Area of Winchester, County of Riverside, State of California, Portions of Assessor's Parcel Numbers 472-110-029 and 472-110-040

WHEREAS, Jay L. Greenstein And Sheryl D. Greenstein, As Trustees Of The Greenstein Family Trust Dated April 23, 2021, along with Albert F. Conard And Carolyn L. Conard As Trustees Of The Albert And Carolyn Conard Family Trust Dated April 12, 2021, ("Seller(s)"), are the owners of certain real property located on in the Unincorporated Area of Winchester, County of Riverside, State of California, containing approximately 10.63 acres of land and improvements, located at 32960 Keller Road and 33975 Washington Street, Winchester, California, 92596, identified as Assessor's Parcel Numbers 472-110-029 and 472-110-040 ("Property");

WHEREAS, the County desires to purchase portions of the Property from each Seller, and Sellers desires to sell portions of their Property to County and move forward with the transaction;

WHEREAS, the Property includes the County acquiring a portion of each parcel to create a new parcel that will consist of 2.02 acres, which will be at the northwest corner of the intersection of Washington Street and Keller Road; and

WHEREAS, the new parcel will be the future site of the Pourroy Fire Station.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside in regular session assembled on October 17, 2023, and NOTICE IS HEREBY GIVEN, pursuant to Section 25350 of the Government Code, that this Board, at its public meeting on or after November 7, 2023 at 9:30 a.m. or soon thereafter, in the meeting room of the Board of Supervisors located on the 1st floor of the County Administrative Center, 4080 Lemon Street,

10.17.2023 3.16

Riverside, California, intends to authorize the purchase of the Property located in the Unincorporated Area of Winchester, County of Riverside, State of California, identified as portions of Assessor's Parcel Numbers 472-110-029 and 472-110-040, and consisting of approximately 10.63 acres of land, more particularly described in Exhibit "A" Legal Description, attached hereto, in the amount not to exceed Three-Hundred Fifty Thousand Dollars (\$350,000) to each Seller, and Seven-Hundred Thousand Dollars (\$700,000) total for the land acquisition, pursuant to terms and conditions in an Agreement of Purchase and Sale to be negotiated between the County and Sellers.

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of the Board of Supervisors is directed to give notice hereof as provided in Section 6063 of the Government Code.

3 ROLL CALL:

Ayes:

Jeffries, Washington, Spiegel, Perez, and Gutierrez

| Nays:

None

Absent:

None

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

KIMBERLY A. RECTOR, Clerk of said Board

By: \_\_\_\_\_

DC:il/09202023/056FR/30.993

10.17.2023 3.16

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### **EXHIBIT A**

### LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Riverside and described as follows:

THOSE PORTIONS OF PARCEL 4 OF PARCEL MAP NO. 12687, AS RECORDED IN BOOK 74. PAGE 42, OF PARCEL MAPS, AND PARCEL 4 OF PARCEL MAP NO. 12686, AS RECORDED IN BOOK 71, PAGE 91 OF PARCEL MAPS, BOTH RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 4 OF PARCEL MAP 12686;

THENCE, ALONG THE EAST LINE OF SAID PARCEL 4 OF PARCEL MAP 12686. NORTH 00'59'00" WEST A DISTANCE OF 221.80 FEET;

THENCE, PARALLEL WITH THE SOUTH LINE OF SAID PARCEL 4 OF PARCEL MAP 12687, SOUTH 89'31'15" WEST A DISTANCE OF 360.00 FEET;

THENCE, PARALLEL WITH THE EAST LINE OF SAID PARCEL 4 OF PARCEL MAP 12686, SOUTH 00'59'00" EAST A DISTANCE OF 245.00 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL 4 OF PARCEL MAP 12687;

THENCE, ALONG THE SOUTH LINE OF SAID PARCEL 4 OF PARCEL MAP 12687, NORTH 89'31'15" EAST A DISTANCE OF 336.80 FEET TO AN ANGLE POINT THEREIN;

THENCE, CONTINUING ALONG SAID SOUTH LINE, NORTH 44"15"51" EAST A DISTANCE OF 32.67 FEET TO THE SAID POINT OF BEGINNING.

SAID PARCEL CONTAINING 2.02 ACRES MORE OR LESS.



# **Aerial Photograph**

APNs 472-110-029 & 472-110-040 - District 3 Proposed Lot Highlighted in Red is an Estimate - Not to Scale -





### Legend

- Parcels
  - County Centerline Names
- **County Centerlines**
- Blueline Streams
- City Areas





\*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.

**Notes** 

752 Feet

REPORT PRINTED ON... 9/20/2023 8:51:46 AM

# THE PRESS-ENTERPRISE

KEEP YOUR EYES ON THE 'PRISE pe.com

3512 14 Street Riverside, California 92501 (951) 368-9229 neller@scng.com

> County of Riverside - Clerk of the Board PO Box 1147 Riverside, California 92502

Account Number: 5209148
Ad Order Number: 0011629455

Customer's Reference/PO Number:

Publication: The Press-Enterprise

Publication Dates: 10/23/2023, 10/30/2023 and 11/06/2023

Total Amount:\$3960.34Payment Amount:\$0.00Amount Due:\$3960.34

Notice ID: rflvj72t4baY7HsoxMxX

Invoice Text:

## THE PRESS-ENTERPRISE

KEEP YOUR EYES ON THE 'PRISE pe.com

The Press-Enterprise 3512 14 Street Riverside, California 92501 (951) 368-9229

County of Riverside - Clerk of the Board

PO Box 1147

Riverside, California 92502

Publication: The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc: 0011629455

FILE NO. 0011629455

#### PROOF OF PUBLICATION

I am a citizen of the United States. I am over the age of eighteen years and not party to or interested in the aboveentitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of 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:

### 10/23/2023, 10/30/2023, 11/06/2023

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

Date: November 6, 2023. At: Riverside, California

Signature

**Board of Supervisors** 

**County of Riverside** 

Resolution No. 2023-261 Notice of Intention to Purchase Real Property in the Unincorporated Area of Winchester, County of Riverside, State of California, Portions of Assessor's Parcel Numbers 472-110-029 and 472-110-040

WHEREAS, Jay L. Greenstein And Sheryl D. Greenstein, As Trustees Of The Greenstein Family Trust Dated April 23, 2021, along with Albert F. Conard And Carolyn L. Conard As Trustees Of The Albert And Carolyn Conard Family Trust Dated April 12, 2021, ("Seller(s)"), are the owners of certain real property located on in the Unincorporated Area of Winchester, County of Riverside, State of California, containing approximately 10.63 acres of land and improvements, located at 32960 Keller Road and 33975 Washington Street, Winchester, California, 92596, identified as Assessor's Parcel Numbers 472-110-029 and 472-110-040 ("Property");

WHEREAS, the County desires to purchase portions of the Property from each Seller, and Sellers

desires to sell portions of their Property to County and move forward

with the transaction:

WHEREAS, the Property includes the County acquiring a portion of each parcel to create a new parcel that will consist of 2.02 acres, which will be at the northwest corner of the intersection of Washington Street and Keller Road; and

WHEREAS, the new parcel will be the future site of the Pourroy Fire Station. NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside in regular session assembled on October 17, 2023, and NOTICE IS HEREBY GIVEN, pursuant to Section 25350 of the Government Code, that this Board, at its public meeting on or after November 7, 2023 at 9:30 a.m. or soon thereafter, in the meeting room of the Board of Supervisors located on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, intends to authorize the purchase of the Property located in the Unincorporated Area of Winchester, County of Riverside, State of California, identified as portions of Assessor's Parcel Numbers 472-110-029 and 472-110-040, and consisting of approximately 10.63 acres of land, more particularly described in Exhibit "A" Legal Description, attached hereto, in the amount not to exceed Three-Hundred Fifty Thousand Dollars (\$350,000) to each Seller, and Seven-Hundred Thousand Dollars (\$700,000) total for the land acquisition, pursuant to terms and conditions in an Agreement of Purchase and Sale to be negotiated between the County and Sellers.

BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of the Board of

Supervisors is directed to give notice hereof as provided in Section 6063 of the Government Code. 12 **EXHIBIT "A"** 

#### Legal Description

The land referred to herein is situated in the State of California, County of Riverside and described as

THOSE PORTIONS OF PARCEL 4 OF PARCEL MAP NO. 12687, AS RECORDED IN BOOK 74, PAGE 42, OF PARCEL MAP, AND PARCEL 4 OF PARCEL MAP NO. 12686, AS RECORDED IN BOOK 71, PAGE 91 OF PARCEL MAPS, BOTH RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 4 OF PARCEL MAP 12686;

THENCE, ALONG THE EAST LINE OF SAID PARCEL 4 OF PARCEL MPA 12686, NORTH 00°59'00" WEST A DISTANCE OF 221.80 FEET;

THENCE, PARALLEL WITH THE SOUTH LINE OF SAID PARCEL 4 OF MAP 12687, SOUTH 89°31'15" WEST A DISTANCE OF 360.00 FEET;

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THENCE, CONTINUING ALONG SAID SOUTH LINE, NORTH 44°15'51" EAST A DISTANCE OF 32.67 FEET TO THE SAID POINT OF BEGINNING.

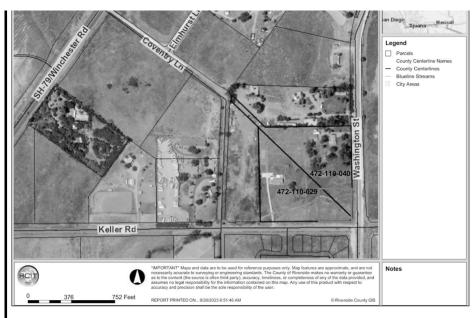
SAID PARCEL CONTAINING 2.02 ACRES MORE OR LESS.



THE ...

Aerial Photograph APNs 472-110-029 & 472-110-040 - District 3 Proposed Lot Highlighted in Red is an Estimate - Not to Scale -





**ROLL CALL:** 

Jeffries, Spiegel, Washington, Perez and Gutierrez None

Ayes: Nays: Absent:

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on October 17, 2023.

Kimberly A. Rector, Clerk of the Board By: Cindy Fernandez, Clerk of the Board Assistant

Alternative formats available upon request to individuals with disabilities.

Kimberly A. Rector, Clerk of the Board By: Cindy Fernandez, Clerk of the Board Assistant Dated: October 17, 2023

The Press-Enterprise Published: 10/23, 10/30, 11/6/23