

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



ITEM: 3.77
(ID # 25538)

MEETING DATE:
Tuesday, July 30, 2024

FROM : TLMA - AVIATION

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY – AVIATION (TLMA):
Approve the 30-Day Notice to Terminate Tenancy as to form, pertaining to the Lease (Hemet-Ryan Airport) between the County of Riverside, as Lessor, and Cabo Trailers, Corp., as Lessee – Hemet-Ryan Airport, CEQA Exempt per State CEQA Guidelines Section 15301 and 15061(b)(3), District 5. [\$1,050 Total Cost - TLMA Aviation 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, Existing Facilities exemption and Section 15061(b)(3) “Common Sense” exemption;
2. **Approve** the attached 30-Day Notice to Terminate Tenancy pertaining to the Lease between the County of Riverside, as Lessor, and Cabo Trailers, Corp., as Lessee, and authorize the Riverside County Airport Manager to execute the same on behalf of the County; and
3. **Direct** the Clerk of the Board to file the attached Notice of Exemption with the County Clerk and the State Clearinghouse within five working days of approval by the Board.

ACTION:Policy

Charissa Leach, TLMA Director

7/18/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Gutierrez, seconded by Supervisor Perez 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: July 30, 2024
xc: Aviation, Recorder/State Clearinghouse

Kimberly A. Rector
Clerk of the Board
By:
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 1,050	\$ 0	\$ 1,050	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: TLMA Aviation Revenue Fund			Budget Adjustment:	No
			For Fiscal Year:	2024/25

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The County of Riverside, as Lessor, and Cabo Trailers, Corp. (“Cabo Trailers”), a California corporation, as Lessee, entered into a Lease dated June 5, 2023, at the Hemet-Ryan Airport (“Lease”). The Lease pertains to Lessee’s use of approximately 5,960 square feet of industrial space located at 3960 Industrial Avenue, Hemet, CA 92545 (“Property”). The term of the Lease expires on March 31, 2028.

Since entering into the Lease, Cabo Trailers has fallen into financial hardship, and has been unable to make their monthly rent payment of \$3,278.00. The County of Riverside, Aviation Division (“Aviation Division”) has made efforts to work with Cabo Trailers to reduce their back due rent, but Cabo Trailers has not been able to generate enough business to curtail the rent owed in arrears. To date, Cabo Trailers owes \$11,666.00 in back due rent.

On May 9, 2024, the Aviation Division sent Cabo Trailers a Certified Letter indicating a 7-Day Notice to Pay or Quit, and followed up on May 21, 2024, with another Certified Letter for a 3-Day Notice to Pay or Quit. Cabo Trailers acknowledged and signed the certified receipt. Since receiving the Notices, Cabo Trailers made a payment of \$3,500.00 and a second payment for \$2,000.00, totaling \$5,500.00. The total payments are not sufficient to get them in good standing with their rent obligations.

At this point, the Aviation Division has exhausted all options to get Cabo Trailers in good standing with their rent obligations and has determined it to be in the County’s best interest to make the Property available for lease, by electing to terminate the tenancy. Subsequently, the Aviation Division is seeking Board approval on the attached 30-Day Notice to Terminate Tenancy (“30-Day Notice”) per Section 17(a) of the Lease.

The 30-Day Notice has been reviewed and approved by County Counsel.

Environmental Findings

The 30-Day Notice is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities) and 15061(b)(3) (“Common Sense” Exemption). The 30-Day Notice is merely the termination of an existing lease involving existing

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

facilities with no expansion of existing use and it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. because it does not involve a change or increase in the intensity of the use of the Property.

Impact on Residents and Businesses

Approval of the 30-Day Notice to Terminate will allow the Aviation Division to market the Property to businesses in the Hemet and San Jacinto area. Businesses and residents can potentially benefit from a viable business occupying the Property.

Additional Fiscal Information

No net County cost will be incurred, and no budget adjustment is necessary, however, the Transportation and Land Management Agency, Aviation Division has incurred costs associated with this transaction. County Counsel and CEQA NOE filing fees to date in the approximate amount of \$1,050 will be reimbursed from the TLMA Aviation Revenue Fund.

County Counsel Review	\$ 1,000.00
CEQA NOE	\$ 50.00
Total	\$ 1,050.00

Attachments

- 30-Day Notice to Terminate Tenancy
- Notice of Exemption
- Aerial Map


Jason Farin, Principal Management Analyst 7/23/2024


Aaron Gettis, Chief of Deputy County Counsel 7/17/2024



County of Riverside
TLMA Aviation
4080 Lemon Street, 14th Floor, Riverside, CA 92501

FILED / POSTED

County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

E-202400834
07/31/2024 12:37 PM Fee: \$ 50.00
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Removed: _____ By: _____ Deputy


NOTICE OF EXEMPTION

July 5, 2024

Project Name: Approval of the 30-Day Notice to Terminate Tenancy as to form, pertaining to the Lease between the County of Riverside, as Lessor, and Cabo Trailers, Corp., as Lessee – Hemet-Ryan Airport, CEQA Exempt, District 5

Project Location: 3960 Industrial Avenue, Hemet, California 92545

Description of Project: The County of Riverside, as Lessor, and Cabo Trailers, Corp. (“Cabo Trailers”), a California corporation, as Lessee, entered into a Lease dated June 5, 2023 at the Hemet-Ryan Airport (“Lease”). The Lease pertains to Lessee’s use of approximately 5,960 square feet of industrial space located at 3990 Industrial Avenue, Hemet, CA 92545 (“Property”). The term of the Lease expires on March 31, 2028.

Since entering into the Lease, Cabo Trailers has fallen into financial hardship, and has been unable to make their monthly rent payment of \$3,278.00. The County of Riverside, Aviation Division (“Aviation Division”) has made efforts to work with Cabo Trailers to reduce their back due rent, but Cabo Trailers has not been able to generate enough business to curtail the rent owed in arrears. To date, Cabo Trailers owes \$11,666.00 in back due rent.

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At this point, the Aviation Division has exhausted all options to get Cabo Trailers in good standing with their rent obligations and has determined it to be in the County’s best interest to make the Property available for lease, by electing to terminate the tenancy. Subsequently, the Aviation Division is seeking Board approval on the attached 30-Day Notice to Terminate Tenancy (“30-Day Notice”) per Section 17(a) of the Lease.

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P. O. Box 1605 • Riverside, California 92502-1605

07/30/2024 3.77

The 30-Day Notice has been identified as a proposed project under the California Environmental Quality Act (CEQA) because a discretionary action is required for approval. Approval of the 30-Day Notice is limited to the termination of the Lease and will not result in any direct effects on the environment. Subsequently, this 30-Day Notice will not result in any significant environmental impacts or include any mitigation measures.

Name of Public Agency Approving Project: County of Riverside

Name of Person or Agency Carrying Out Project: Riverside County Transportation and Land Management Agency – Aviation Division

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.

Reason 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 is limited to an expansion to the Leased Premises by Ramko and does not include a new development. Furthermore, this project would not result in any physical direct or reasonably foreseeable indirect impacts to the environment.

- **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, will be consistent with the existing land use and would not result in a physical change to the property. These improvements fall within the criteria identified in Section 15301 (c) and (d) which allow for the repair and maintenance of existing transportation facilities and rehabilitation of structures and facilities to meet standards of health and safety. Therefore, the project is exempt as it meets the scope and intent of the Categorical 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. Approval of the 60-Day Notice will not create any new significant direct or indirect environmental impacts. 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.

Signed: Kimberly Loomis **Date:** 7.5.24
Kimberly Loomis, Development Specialist, II
County of Riverside
TLMA-Aviation Division



Riverside County Aviation

30 DAY NOTICE OF LEASE TERMINATION

July 5, 2024

Via Email: issacm184@gmail.com

VIA CERTIFIED MAIL AND EMAIL

Cabo Trailers, Corp
Attn: Isaac Morales Aldaco
3960 Industrial Ave.
Hemet, CA 92545

Re: 30 Day Prior Written Notice of Termination of Lease (“Notice of Termination”)

Mr. Aldaco:

PLEASE TAKE NOTICE that effective 30 days after the date of this notice, **August 4, 2024** (“Termination Date”) your right to use, occupy and possess that certain real property located at 3960 Industrial Ave., Hemet, CA 92545 - Hemet-Ryan Airport (“Leased Premises”) shall be terminated pursuant to Sections 17(a) of that certain Hemet-Ryan Airport Lease Agreement dated June 5, 2023 and executed by the County of Riverside (“County”) and Cabo Trailers, Corp. (“Lessee”) (collectively the “Lease”).

Pursuant to Section 17(a) of the Lease, the County is hereby exercising its right to terminate the Lease effective 30 days after the date of this written notice to Lessee. As such, effective on the Termination Date set forth above, the Lease shall be terminated, and Lessee shall have no further rights, title, or interests thereunder. Termination shall not relieve the Lessee from liability incurred prior to such termination and prior to Lessee’s removal of its property from the Leased Premises.

Lessee must peaceably vacate the premises and remove all of its personal property on or before the Termination Date. If you fail to quit and deliver possession, legal proceedings will be instituted against you to obtain possession and such proceedings could result in a judgment against you, which may include attorneys’ fees and court costs as allowed by law.



Riverside County Aviation

This Notice of Termination does not relieve you of payment of any rent owed until the actual date of termination of tenancy. Under California law, you have a right to request an initial inspection of the Leased Premises to determine its condition before you vacate, and you have the right to be present during the inspection. The purpose of the inspection is to allow you an opportunity to remedy identified deficiencies or damage to the premises, if any, caused by you. If you wish to have such an inspection, please contact me via email at ajamison@rivco.org or by phone at (951) 955-9418. If you request an inspection, you will be given 48 hours' advance notice of the inspection, but you may waive in writing the required 48 hours' notice and have the inspection done sooner.

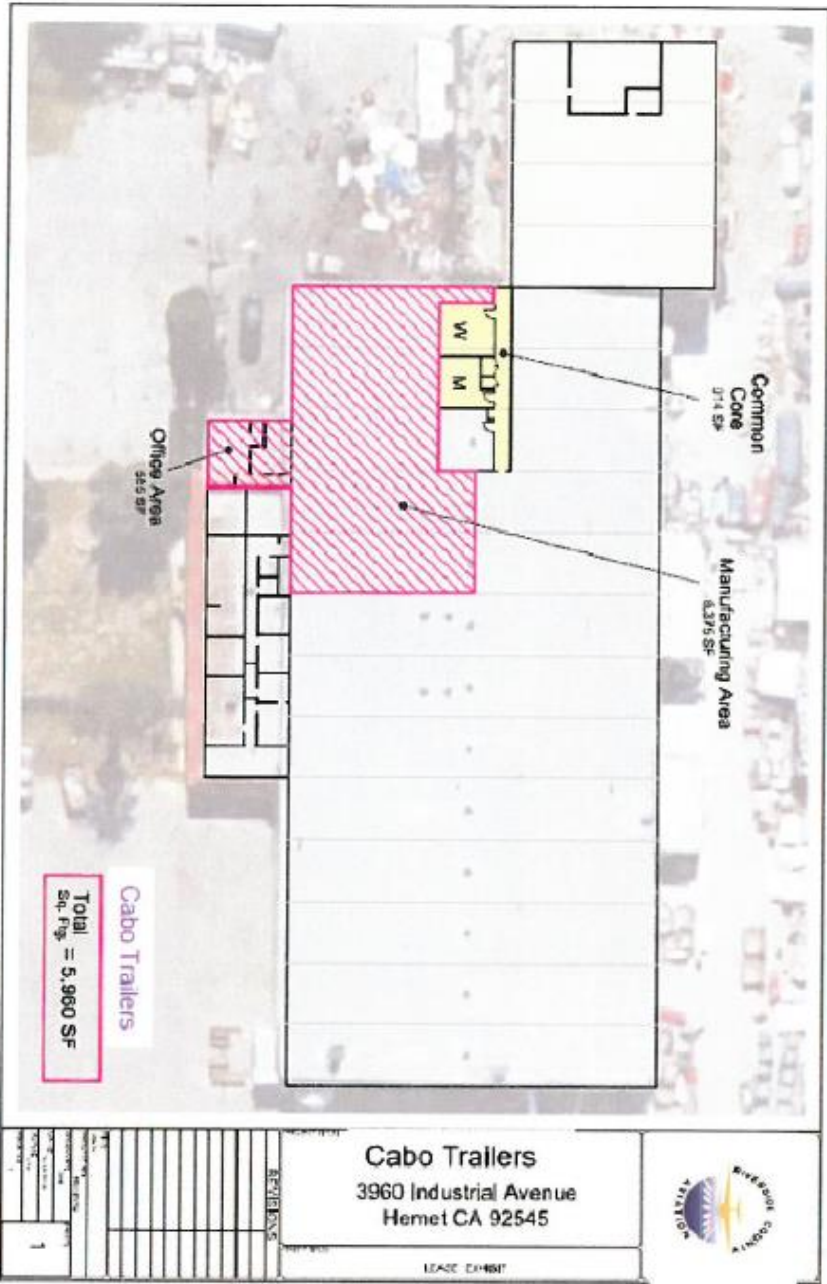
Additionally, State law permits former tenants to reclaim abandoned personal property left at the former address of the Lessee, subject to certain conditions. You may or may not be able to reclaim property without incurring additional costs, depending on the cost of storing the property and the length of time before it is reclaimed. In general, these costs will be lower the sooner you contact the former Lessor after being notified that property belonging to you was left behind after you moved out. Personal property shall be defined as moveable fixtures and equipment that are proprietary to Lessee's business operations. Personal property does not include structural infrastructure, items that are permanently anchored/affixed to the property, or items that have been fully amortized throughout the term of the Lease. In the event of any conflict, Lessee and County shall work together to determine what items can be categorized as personal property.

Sincerely,

Angela Jamison
Riverside County Airports Manager

Aerial Map





Cabo Trailers
3960 Industrial Avenue
Hemet CA 92545



LEASE EXHIBIT