

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



**ITEM: 3.15
(ID # 25807)**

MEETING DATE:
Tuesday, September 17, 2024

FROM : FACILITIES MANAGEMENT AND RIVERSIDE COUNTY REGISTRAR OF VOTERS

SUBJECT: FACILITIES MANAGEMENT (FM) AND RIVERSIDE COUNTY REGISTRAR OF VOTERS (ROV): Riverside County Registrar of Voters Gateway Building Election Security Upgrades Project - California Environmental Quality Act Exempt Pursuant to State CEQA Guidelines Section 15301, Class 1 - Existing Facilities Exemption and Section 15061 (b)(3), "Common Sense" Exemption, Approval of In-Principle and Preliminary Project Budget; District 1. [Total Cost \$673,750 - 11% Federal Grant, 36% State Grant, 53% Unassigned Fund Balance] (4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Registrar of Voters (ROV) Gateway Building Election Security Upgrades (ROV Gateway Election Security Upgrades) Project for inclusion in the Capital Improvement Program (CIP);

Continued on Page 2

ACTION: 4/5 Vote Required, Policy, CIP


Rose Salgado, Director of Facilities Management 9/5/2024


Art Tinoco, Registrar of Voters 9/13/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington, Perez and Gutierrez
Nays: None
Absent: Spiegel
Date: September 17, 2024
xc: FM, ROV

Kimberly A. Rector
Clerk of the Board

By: 
Deputy

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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 15301, Class 1 - Existing Facilities Exemption and Section 15061 (b)(3), "Common Sense" Exemption;
3. Approve in-principle the ROV Gateway Election Security Upgrades Project located at 2724 Gateway Drive in Riverside, California;
4. Approve the preliminary project budget in the not to exceed amount of \$673,750 for the Project;
5. Authorize the use of Registrar of Voters General Fund 10000 in the amount of \$320,946 for the ROV Gateway Election Security Upgrades Project;
6. Approve and direct the Auditor Controller to make the budget adjustment shown in Schedule A;
7. Delegate project management authority for the Project to the Director of Facilities Management, or her designee, in accordance with applicable Board policies, including the authority to utilize consultants on the approved pre-qualified list for services in connection with the Project, and within the approved project budget; and
8. Authorize the Purchasing Agent to a) execute pre-qualified consultant service agreements not to exceed \$100,000 per pre-qualified consultant, per fiscal year, in accordance with applicable Board policies for the Project, and b) issue Purchase Orders for the sum of all project contracts and/or work orders which shall not exceed the approved project budget.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 673,750	\$ 0	\$ 673,750	\$ 0
NET COUNTY COST	\$ 673,750	\$ 0	\$ 673,750	\$ 0
SOURCE OF FUNDS: 11% Federal Grant, 36% State Grant, 53% Unassigned Fund Balance			Budget Adjustment: Yes	
			For Fiscal Year: 24/25	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Registrar of Voters (ROV) Gateway Building is located at 2724 Gateway Drive in Riverside, California, 92507. The facility is in need of improvements that will provide enhanced election

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security for the voting public, election staff, as well as for election ballot observers. The scope of work will include but is not limited to: building security fencing, election security cameras, video monitoring and a metal detector screening station.

Facilities Management (FM) recommends the Board of Supervisors (Board) approve in-principle the ROV Gateway Election Security Upgrades Project and the preliminary budget in the not to exceed amount of \$673,750. FM will procure the most cost effective and efficient project delivery method and award in accordance with applicable Board policies.

With certainty, there is no possibility that the ROV Gateway Election Security Upgrades Project may have a significant effect on the environment. The Project, as proposed, is limited to upgrades of interior camera, monitors, building security fencing, and screening station. The use of the facility would continue to provide public services and would not result in a significant increase in capacity or intensity of use. Therefore, the Project is exempt as the project meets the scope and intent of the "Common Sense" Exemption identified in Section 15061 (b)(3) and Class 1 – Existing Facilities Exemption identified in Section 15301. A Notice of Exemption will be filed by FM staff with the County Clerk and the State Clearinghouse within five days of Board approval.

Impact on Residents and Businesses

The ROV Gateway Election Security Upgrades Project will provide election security improvements to this vital facility during elections. The Project will provide general and necessary upgrades and efficiencies at this Facility that will benefit the department, the residents and the voters of this County.

Additional Fiscal Information

The approximate allocation of the preliminary project budget is as follows:

BUDGET LINE ITEMS	TOTAL PROJECT BUDGET
DESIGN PROFESSIONAL OF RECORD	28,000
SPECIALTY CONSULTANTS	0
REGULATORY PERMITTING	10,000
CONSTRUCTION CONTRACT	260,000
OTHER CONSTRUCTION	297,500
COUNTY ADMINISTRATION	17,000
PROJECT CONTINGENCY	61,250
PRELIMINARY PROJECT BUDGET	\$673,750

A total of \$320,946 will be funded by a Federal and State grant, 11% and 36% respectively, and will be expended in FY 24/25. On April 9, 2024, the Board approved ROV to accept state grant funds for the amount of \$249,000. On August 27, 2024, Agenda Item 3.57, the Board approved

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ROV to accept federal grant funds for the amount of \$71,946. A budget adjustment was included in each agenda item. The Registrar is requesting the remaining amount of \$352,804 from general fund unassigned fund balance.

ATTACHMENT:

**SCHEDULE A
BUDGET ADJUSTMENT FY 24/25**

Increase Appropriations:

10000-17001000000-522310	Maint-Building and Improvement	\$352,804
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Anticipated Use of Unassigned Fund Balance:

10000-17001000000-370100	Unassigned Fund Balance	\$352,804
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RS:VB:RM:JH:SC:mg

FM08170013731

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Brett Austin
Brett Austin, Supervising Accountant

9/10/2024

Stacy Orton
Stacy Orton

9/5/2024

Aaron Gettis
Aaron Gettis, Chief of Deputy County Counsel

9/5/2024

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

NOTICE OF EXEMPTION

August 28, 2024

Project Name: Registrar of Voters (ROV) Gateway Election Security Upgrade Project

Project Number: FM08170013731

Project Locations: 2724 Gateway Drive, east of Valley Springs Parkway, Riverside, California, 92507; Assessor's Parcel Number (APN): 291-450-065

Description of Project: The ROV Gateway Building is located at 2724 Gateway Drive in Riverside, California, 92507. The facility is in need of improvements that will provide enhanced election security for the voting public, election staff, as well as for election ballot observers. The scope of work will include, but is not limited to, building security fencing, election security cameras, video monitoring and a metal detector screening station. The improvements to the security at the ROV Gateway facility is defined as the proposed project under the California Environmental Quality Act (CEQA). The operation of the site will continue to provide public services at the existing facility and will not result in a significant expansion of existing use. 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 California Environmental Quality Act (CEQA) Guidelines, Section 15301 Existing Facilities Exemption; and Section 15061(b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061, and 15301.

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 include unusual circumstances which could have the possibility of having 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 improvements to the security at the ROV Gateway Facility.

- **Section 15301 (d)–Existing Facilities:** This Class 1 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 improvements to security at the Gateway Building are needed to maintain an appropriate level of comfort for staff and patrons at the existing facility. The improvements to the existing mechanical system to maintain comfort are interior alteration to existing equipment within the facility would not expand the capacity of the site and would result in the continuation of public services; therefore, the project is exempt as the improvements meet 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. The improvements to provide election security at the ROV Gateway building will not result in any direct or indirect physical environmental impacts.

Based upon the identified exemptions above, 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: 8-28-2024

Mike Sullivan,
County of Riverside, Facilities Management