

**RESOLUTION NO. 04-2016**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CABAZON WATER DISTRICT APPROVING ACQUISITION OF 0.5-ACRE PROPERTY LOCATED AT 50100 MAIN STREET IN CABAZON, CA AND APPROVING DEMOLITION OF EXISTING SMALL STRUCTURES AND ERECTION OF A PERIMETER FENCE THEREON.**

**WHEREAS**, the Cabazon Water District (the "District") is a County Water District formed pursuant to California Water Code section 30000 et seq. situated in Riverside County; and

**WHEREAS**, the District proposes to purchase two small parcels totaling approximately 0.5-acre located at 50100 Main Street in the Unincorporated Community of Cabazon, located within the County of Riverside and consisting of Assessor Parcel Numbers 526-022-008 and 562-022-009; and

**WHEREAS**, the purchase price for the property is \$65,000.00; and

**WHEREAS**, the property is primarily vacant, with the exception of one small existing structure located along the property's south-central boundary, and a small shed-like structure located in the east-central portion of the property; and

**WHEREAS**, the District would demolish/remove the two existing small structures upon acquiring the property, and erect a perimeter fence around the property; and

**WHEREAS**, no other plans for the property are currently being considered.

**NOW, THEREFORE**, the Board of Directors of the Cabazon Water District does hereby resolve, determine and order as follows:

**Section 1. Incorporation of Recitals.** The Board hereby finds that the above recitals are true and correct and are incorporated into these findings as though fully set forth herein.

**Section 2. Compliance with the California Environmental Quality Act.** Based upon the whole of the administrative record before the Board, the Board hereby finds that acquisition of the property, removal of the existing small structures, and the erection of a perimeter fence constitute an action that is exempt from environmental review under the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) pursuant to State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) sections 15378(a), 15061(b)(3), 15301, 15303, and 15311. Adoption of this Resolution does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment, and is therefore not a project for purposes of CEQA. In the event adoption of this Resolution does constitute a project, it is categorically exempt under the Class 1 (Existing Facilities), Class

3 (Construction or Conversion of Small Structures), and Class 11 (Accessory Structures) categorical exemptions. Further, none of the exceptions to the exemptions found State CEQA Guidelines section 15300.2 apply. Finally, because there is no potential for adoption of this Resolution to result in environmental impacts, the Resolution is also exempt from further CEQA review pursuant to State CEQA Guidelines section 15061(b)(3).


**Section 3. Approval of the Acquisition.** The Board of Directors hereby approves acquisition of the approximately 0.5-acre property located at 50100 Main Street for the purchase price of \$65,000 and directs staff to execute the purchase, subject to the terms of a negotiated purchase and sale agreement. Staff is further directed to carry out the demolition of the existing small structures and erection of the perimeter fence in accordance with all local permit requirements, regulations and conditions, as well as all relevant state and federal statutes and regulations.

**Section 4. Notice of Exemption.** Staff is hereby directed to prepare, execute and file with the Riverside County Clerk a Notice of Exemption within five (5) working days of the adoption of this Resolution.

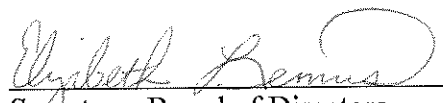
**Section 5. Custodian of Records.** The administrative record for the actions discussed herein shall be maintained at the District's offices located at 14618 Broadway Street, Cabazon, CA 92230. The custodian of records is the Secretary to the Board of Directors.

**Section 6.** This Resolution shall be effective immediately upon its adoption by the Board.

**PASSED AND ADOPTED** at a Meeting of the Board of Directors of the Cabazon Water District held this 16 th day of August, 2016.

  
Robert Lynk, Chair, Board of Directors  
Cabazon Water District

ATTEST:

  
Secretary, Board of Directors  
Cabazon Water District

**NOTICE OF EXEMPTION**

<b>TO:</b> County Clerk County of Riverside 2720 Gateway Drive Riverside, CA 92507	<b>FROM:</b> Cabazon Water District P.O. Box 297 14618 Broadway Street Cabazon, CA 92230
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1. Project Title:	Resolution Number 04-2016, Resolution of the Board of Directors of the Cabazon Water District Approving Acquisition of 0.5-Acre Property Located at 50100 Main Street in Cabazon, CA and Approving Demolition of Existing Small Structures and Erection of a Perimeter Fence Thereon.
2. Project Applicant:	N/A
3. Project Location:	50100 Main Street, within the unincorporated Community of Cabazon, within Riverside County. The property is located on the northwest corner of Main Street and Pecan Street, and consists of APNs 526-022-008 and -009.
4. (a) Project Location – City: Unincorporated Community of Cabazon	(b) Project Location – County: Riverside County
5. Description of nature, purpose, and beneficiaries of Project:	<p>The Cabazon Water District (“District”) proposes to purchase two parcels comprising approximately 0.5-acre located at 50100 Main Street within the Community of Cabazon. The parcels currently contain a single structure along the south-central property boundary, and a second smaller shed-like structure located in the east-central portion of the property.</p> <p>The District wishes to acquire the property, demolish the existing small structures consistent with all relevant regulations and statutes, and erect a perimeter fence on the property. While the District may wish to use the property for District facilities or services in the future, no specific use or project is currently contemplated for the property.</p>
6. Name of Public Agency approving project:	Cabazon Water District
7. Name of Person or Agency undertaking the project, including any person undertaking an activity that receives financial assistance from the Public Agency as part of the activity or the person receiving a lease, permit, license, certificate, or other entitlement of use from the Public Agency as part of the activity:	Cabazon Water District
8. Exempt status: (check one)	
(a) <input type="checkbox"/> Ministerial project.	
(b) <input checked="" type="checkbox"/> Not a project.	State CEQA Guidelines § 15378(a)
(c) <input type="checkbox"/> Emergency Project.	
(d) <input checked="" type="checkbox"/> Categorical Exemption.	State CEQA Guidelines §§ 15301, 15303, 15311
(e) <input type="checkbox"/> Declared Emergency.	
(f) <input type="checkbox"/> Statutory Exemption. State Code section number:	

(g) <input checked="" type="checkbox"/> Other. Explanation:	State CEQA Guidelines § 15061(b)(3)
9. Reason why project was exempt:	<p>The District has found that its approval of Resolution 04-2016 is not a project subject to CEQA (Pub. Resources Code § 21000 et seq.) Pursuant to State CEQA Guidelines (Cal. Code Reg., tit. 14, § 15000 et seq.), section 15378, CEQA applies only to “projects”, which are actions with the potential for resulting in either a direct or reasonably foreseeable indirect physical change in the environment. (See also, State CEQA Guidelines, § 15061(b)(3).)</p> <p>Here, the District is purchasing property that is primarily vacant, and which includes only one currently vacant structure, in addition to a small vacant shed. While these structures will be removed from the site, all demolition activities will be carried out in compliance with any demolition permit conditions, all local regulations, and all state and federal laws. No change of use, intensity, maintenance, or operation of the property is currently being considered. As a result, there will be no direct or reasonably foreseeable indirect physical change in the environment. However, should the District propose to change the use of the parcel in the future, CEQA review may be required at that time. (See, e.g., State CEQA Guidelines section 15378.)</p> <p>In the event that Resolution 04-2016 could be considered a project pursuant to CEQA, the District also finds that it is categorically exempt from further CEQA review pursuant to State CEQA Guidelines, sections 15301, 15303, and 15311.</p> <p>Section 15301 exempts the operation, maintenance, or alteration of existing structures, so long as there is no expansion of use beyond that existing at the time the agency approves the project. Here, the District is proposing to acquire property, remove two existing structures, and erect a perimeter fence. No expansion of use will occur. Section 15303 exempts the construction or conversion of small structures. “Small structures” are defined as those similar to a single family residence, a multi-family residential structure, or a commercial structure not exceeding 2,500 square feet of floor area. Here, the existing structures are smaller than those typically exempted under this exemption, and the erection of a fence is expressly identified in section 15303(e) as an exempt accessory structure. Finally, section 15311 exempts from further CEQA review the construction or placement of minor accessory structures, such as fences. Thus, Resolution 04-2016 is individually and independently exempt from further CEQA review under sections 15301, 15303, and 15311. None of the exceptions to these exemptions, identified in State CEQA Guidelines section 15300.2, apply.</p>
10. Lead Agency Contact Person:	Calvin Louie, General Manager
Telephone:	(951) 849-4442
11. Was a public hearing held by the Lead Agency to consider the exemption? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, the date of the public hearing was: August 16, 2016	

Date Received for Filing: \_\_\_\_\_

\_\_\_\_\_  
Signature (Lead Agency Representative)

(Clerk Stamp Here)

\_\_\_\_\_  
General Manager  
Title

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.