

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



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
October 31, 2005

SUBJECT: Public Hearing - Amendment No. 3 to the Mira Loma Area Road and Bridge Benefit District and Related Environmental Documents and Findings.

RECOMMENDED MOTION: That the Board:

Conduct the Public Hearing and after closing the public hearing, adopt Resolution No.2005-482 Approving Amendment No. 3 to the Mira Loma Road and Bridge Benefit District, Related Environmental Documents, and Findings.

BACKGROUND: On October 18, 2005, the Board of Supervisors set a public hearing for Amendment No. 3 to the Mira Loma Area Road and Bridge Benefit District (the "Mira Loma District") that would reallocate funding of lanes on Archibald in the boundaries of Zone D of the Mira Loma District, increase cost estimates for several facilities, remove completed facilities and facilities funded by other programs, and adjust the fee schedule for Zones A, B, D, and E. The Board also noticed a public hearing for the Environmental Assessment 40233 and adoption of a negative declaration based on said Assessment.

Departmental Concurrence

FORM APPROVED
COUNTY COUNSEL
NOV 1 2005

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[Handwritten signature: George Johnson]
George Johnson
Director of Transportation

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0.00	In Current Year Budget:
	Current F.Y. Net County Cost:	\$ 0.00	Budget Adjustment:
	Annual Net County Cost:	\$ 0.00	For Fiscal Year:

SOURCE OF FUNDS: The Planned Facilities will be funded by Mira Loma District Fees	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature
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Dept't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

The public hearing was properly noticed for November 8, 2005 in the Press Enterprise at least ten(10) days prior to the public hearing date. A copy of the Resolution No. 2005-360 along with the "Report for the Amendment No. 3 to the Mira Loma Area Road and Bridge Benefit District" was placed on the official bulletin board customarily used by the Board of Supervisors for the posting of notices, and in five(5) other places in the community of Mira Loma and Riverside.

Adoption of Resolution 2005-482 confirms:

1. that the "Final Report for the Amendment No. 3 to the Mira Loma Area Road and Bridge Benefit District" will be approved as the "Final Plan;"
2. the amended estimated costs for constructing major thoroughfares and the basis on which said costs are to be equitably apportioned within said District;
3. the adoption of the Negative Declaration for Environmental Assessment No. 40233;
4. the land use assumptions used to determine the fee schedule for the District to be updated to reflect the Riverside County Integrated Project; and
5. the effective date for the new fees to be January 7, 2006.

Attachment Table 1 summarizes the land use projections and fee schedules for affected Zones in the Mira Loma District proposed for adoption.

ATTACHMENT TABLE 1

ZONE A			
Description	Qty		Proposed Fee
Residential (Less Developed DUs)	0	/du	\$1,667
Multi-Family Residential (Less Developed DUs)	0	/du	\$417
Commercial (Less Developed Acres)	15	/ac	\$5,000
Industrial/Manufacturing (Less Developed Acres)	467	/ac	\$5,000

ZONE B			
Description	Qty		Proposed Fee
Residential (Less Developed DUs)	1,485	/du	\$884
Multi-Family Residential (Less Developed DUs)	0	/du	\$612
Commercial (Less Developed Acres)	0	/ac	\$2,652
Industrial/Manufacturing (Less Developed Acres)	832	/ac	\$2,652

ZONE D			
Description	Qty		Proposed Fee
Residential (Less Developed DUs)	7,889	/du	\$2,681
Multi-Family Residential (Less Developed DUs)	0	/du	\$1,857
Commercial (Less Developed Acres)	20	/ac	\$9,117
Industrial/Manufacturing (Less Developed Acres)	360	/ac	\$9,117

ZONE E			
Description	Qty		Proposed Fee
Residential (Less Developed DUs)	1,485	/du	\$1,644
Multi-Family Residential (Less Developed DUs)	274	/du	\$1,139
Net Combined TUMF/District Fee Change(1)	119	/ac	\$5,591
Industrial/Manufacturing (Less Developed Acres)	54	/ac	\$5,591

2 **RESOLUTION NO. 2005-482**

3 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE**

4 **APPROVING THE 3RD AMENDMENT TO THE**

5 **MIRA LOMA ROAD AND BRIDGE BENEFIT DISTRICT,**

6 **AMENDING THE FEE SCHEDULE FOR SAID DISTRICT, AND APPROVING**

7 **THE RELATED ENVIRONMENTAL DOCUMENTS AND FINDINGS**

8 **(AMENDMENT NO. 3)**

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10
11 WHEREAS, the Board of Supervisors (the "Board") of the County of Riverside (the "County")
12 pursuant to Section 66484 of the California Government Code and Chapter 16.28 of the Riverside County
13 Code ("Chapter 16.28") established the Mira Loma Road and Bridge Benefit District (the "Mira Loma
14 District" or "District") by Resolution No. 94-387 on December 6, 1994, and established a fee to defray the
15 actual or estimated costs for the construction of certain identified bridges and major thoroughfares as a
16 condition of approval of a final map or as a condition of issuing a building permit within the boundaries
17 of said Mira Loma District; and

18
19 WHEREAS, the "Rules and Regulations for the Administration of Road and Bridge Benefit
20 Districts," as adopted by Resolution No. 85-92 on April 2, 1985, and subsequently amended, provides that
21 the boundaries of a road and bridge benefit district may be adjusted from time to time in response to
22 changed conditions, that new improvements may be designated as improvements to be constructed by a
23 road and bridge benefit district to address changed conditions and that the County's Director of
24 Transportation, as administrator, shall review a road and bridge benefit district annually to determine if
25 any revisions to the geographical boundaries or modifications of the designated improvements should be
26 considered by the Board; and,
27
28 /

1 WHEREAS, the Transportation Department has determined: that the boundaries of the Mira Loma
2 District do not require any changes at this time; that funding for the Archibald Avenue expansion be
3 reallocated to fund the number one(1), two(2), five(5), and six(6) lanes instead of the current one(1)
4 through four(4) lanes; that the cost estimates for several facilities should be increased and/or decreased to
5 reflect additional design and engineering information; that several facilities within the District have been
6 completed and/or funded by other programs and need to be removed from the District; that the land use
7 assumptions used to determine the fee schedule for the District should be updated to reflect the Riverside
8 County Integrated Project; and that the fees need to be adjusted to be consistent with the aforementioned
9 changes,
10

11 WHEREAS, the Transportation Department has prepared a report entitled "Report for Amendment
12 No. 3 to the Mira Loma Area Road and Bridge Benefit District" that is dated September 2005 (the
13 "Report") that proposes: to fund the expansion of Archibald Avenue(major thoroughfare); to remove
14 several facilities funded by other programs and/or have been completed; make appropriate adjustments to
15 the estimated construction costs for identified facilities to be funded by each zone of the Mira Loma
16 District; and to make consistent adjustments to the requested fee scheduled for each zone of the Mira
17 Loma District; and,
18

19 WHEREAS, the Transportation Department has prepared an initial study for the Mira Loma
20 District also identified in the Report for Mira Loma District as described in Environmental Assessment
21 No. 40233 and recommends the adoption of a Negative Declaration based upon the finding that there is no
22 substantial evidence that the Mira Loma District Road and Bridge Benefit District will have a significant
23 effect on the environment, and the adoption of a "*De Minimus* Finding" relative to wildlife resources
24 based upon the conclusion that the Mira Loma District will not have an adverse effect on wildlife
25 resources, as defined in Section 711.2 of the Fish and Game Code of the State of California; and,
26

27 WHEREAS, on October 18, 2005, Resolution 2005-360 was adopted declaring the Board's
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1 Intention to hold a public hearing for Amendment 3 of the Mira Loma District that provides funding for
2 the Archibald Avenue expansion be reallocated to fund the number one(1), two(2), five(5), and six(6)
3 lanes instead of the current one(1) through four(4) lanes; that the cost estimates for several facilities
4 should be increased and/or decreased to reflect additional design and engineering information; that several
5 facilities within the District have been completed and/or funded by other programs and need to be
6 removed from the District; that the land use assumptions used to determine the fee schedule for the
7 District should be updated to reflect the Riverside County Integrated Project; and that the fees need to be
8 adjusted to be consistent with the aforementioned changes,
9

10 WHEREAS, pursuant to Section 16.28.040 of the Riverside County Code, a public hearing was
11 duly noticed on October 18, 2005 to be set for November 8, 2005, to consider any written or oral protests
12 that interested parties had with regard to the amendment of the Mira Loma District, that provides funding
13 for the Archibald Avenue expansion be reallocated to fund the number one(1), two(2), five(5), and six(6)
14 lanes instead of the current one(1) through four(4) lanes; that the cost estimates for several facilities
15 should be increased and/or decreased to reflect additional design and engineering information; that several
16 facilities within the District have been completed and/or funded by other programs and need to be
17 removed from the District; that the land use assumptions used to determine the fee schedule for the
18 District should be updated to reflect the Riverside County Integrated Project; that the fees need to be
19 adjusted to be consistent with the aforementioned changes, and the adoption of a Negative Declaration
20 with regard to Environmental Assessment 40233;
21

22
23 NOW, THEREFORE, BE IT RESOLVED, DETERMINED, FOUND AND ORDERED by the
24 Board of Supervisors of the County of Riverside, State of California, in regular session assembled on
25 November 8, 2005, as follows:

26 **Section 1.** The above recitals are true and correct.

27 **Section 2.** The public hearing was opened and closed on November 8, 2005. All protests and
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1 objections of every kind and nature be, and the same hereby are, overruled and denied, and it is
2 determined that said protests and objections are made by the owners of less than one-half (1/2) of the
3 property within the boundaries of the Mira Loma District to be assessed for the identified facilities.

4 **Section 3.** The Report filed with the Clerk of the Board of Supervisors is adopted as the "Final
5 Plan" for the area of benefit is identified as Zones "A," "B," "C," "D," and "E" of the Mira Loma Road
6 and Bridge Benefit District. This amendment will result in the elimination of Zone C. Therefore, fees for
7 Zone C will no longer need to be collected.

8 **Section 4.** The amended estimated costs for constructing said major thoroughfares and the basis
9 on which said costs are to be equitably apportioned within said District as set forth in the final plan are
10 adopted and approved.

11 **Section 5.** The Clerk of the Board is authorized and directed to cause a certified copy of this
12 resolution to be filed with the Office of the County Clerk and Recorder of the County of Riverside.

13 **Section 6.** The amended Final Plan for the Mira Loma Road and Bridge Benefit District is to be
14 used as a guide for all future developments in the District and any developments in said District are to be
15 required to conform to the amended Final Plan.

16 **Section 7.** The Board of Supervisors adopts the Negative Declaration for Environmental
17 Assessment No. 40233 based upon the finding that there is no substantial evidence that the Project will
18 have a significant effect on the environment, and adopts a "De Minimus Finding" relative to wildlife
19 resources based upon the conclusion that the Project will not have an adverse effect on wildlife resources,
20 as defined in Section 711.2 of the Fish and Game Code of the State of California.

21 **Section 8.** The land use assumptions used to determine the fee schedule for the District will be
22 updated to reflect the Riverside County Integrated Project;

23 **Section 9.** The effective date of this resolution shall be January 7, 2006.

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FORM APPROVED
COUNTY COUNSEL

NOV 1 2005
BY 