

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

742



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
May 7, 2007

SUBJECT: Resolution No. 2007-191 Notice of Intent to Conduct a Public Hearing Regarding Private Streets within the Lake Riverside Estates Community Association

RECOMMENDED MOTION: That the Board of Supervisors approve Resolution No. 2007-191 to give notice of intention to conduct a public hearing regarding private streets within the Lake Riverside Estates Association to be governed by the California Vehicle Code. Also, that the Board, at the conclusion of that noticed public hearing, approve Resolution 2007-192 "Declaring All Private Streets Within The Lake Riversides Estates Community Association Be Governed By The California Vehicle Code."

BACKGROUND: In an effort to control the traffic within their community, the Lake Riverside Estates Community Association has requested the County to declare all private streets within the Lake Riverside Estates Community, and other future streets constructed within the Lake Riverside Estates Community, be governed by the California Vehicle Code (CVC).

CVC Section 21107.7 allows for private roads not open for public use to be subject to the provisions of the CVC. The Board of Supervisors has the authority to approve by resolution or

George A. Johnson
Director of Transportation

LTT:bjf

(Continued On Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

SOURCE OF FUNDS:	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 Tina Grande

- Policy
- Policy
- Consent
- Consent

Prev. Agn. Ref. | **District:** 3 | **Agenda Number:**

3.41

The Honorable Board of Supervisors

RE: Resolution No. 2007-191 Notice of Intent to Conduct a Public Hearing Regarding Private Streets within the Lake Riverside Estates Community Association

May 15, 2007

Page 2 of 2

RECOMMENDED MOTION: (continued)

ordinance that specified roads which are privately owned and maintained and are not open for public use shall be governed by the CVC.

All signs to give notice of enforcement to the residents of Lake Riverside Estates Community will be installed according to the requirements of CVC Section 21107.7(a). These signs will be installed by and at the expense of the Lake Riverside Estates Community Association. Per Section 21107.7(b) the California Highway Patrol is not obligated to provide patrol or enforcement. It will be up to the Lake Riverside Estates Community Association to contract with an enforcement agency to obtain enforcement services.

The Lake Riverside Estates Community Association Board of Directors has provided evidence that the majority of the Board supports the enforcement of the CVC on the private streets within the gated community (see attached Exhibit "B").

At a noticed hearing on June 5, 2007, this Board will take testimony as to the request of the Lake Riverside Estates Community Association to have their roads made subject to the CVC.

Staff does not object to the request petitioned by the Lake Riverside Estates Community Association.

County Counsel has reviewed and approved as to form the attached Resolution No. 2007-191.

2 RESOLUTION NO. 2007-191

3 NOTICE OF INTENT TO CONDUCT A PUBLIC HEARING
4 REGARDING PRIVATE STREETS WITHIN THE
5 LAKE RIVERSIDE ESTATES
6 TO BE GOVERNED BY THE CALIFORNIA VEHICLE CODE

7 WHEREAS, the gated community of Lake Riverside Estates desires to have all private
8 streets within the community governed by the rules and regulations promulgated by the
9 California Vehicle Code (CVC); and

10 WHEREAS, CVC Section 21107.7 allows for private roads not open for public use to be
11 subject to the provisions of the CVC where the Board of Supervisors approves by resolution or
12 ordinance that specified roads which are privately owned and maintained and are not open for
13 public use shall be covered by the CVC; and

14 WHEREAS, the Lake Riverside Estates Community Association Board of Directors has
15 submitted minutes of their meeting of January 21, 2006, to petition the County Board of
16 Supervisors to bring forth a resolution to apply the CVC to the private streets within the Lake
17 Riverside Estates Community; and

18 WHEREAS, having the private streets governed by the CVC will provide an environment
19 of safe and orderly traffic flow, be conducive to the installation of appropriate traffic control
20 devices, facilitate traffic enforcement and improve the overall well-being of the residents in the
21 community; and

22 WHEREAS, the CVC provides that no resolution or ordinance shall be enacted under
23 Section 21107.7 without a public hearing thereon and 10 days prior written notice to the
24 owner(s) of the privately owned and maintained road(s) involved.

25 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board
of Supervisors, County of Riverside, State of California, in regular session assembled on

1 ~~May 22, 2007~~ that on ~~June 5, 2007~~ at 9:30 a.m. or as soon thereafter as it
2 may be heard, in the meeting room of the Board of Supervisors, 4080 Lemon Street, Riverside,
3 California, this Board intends to take testimony and consider the adoption of a resolution
4 recognizing that, pursuant to Section 21107.7 of the CVC, the following named streets (as
5 shown in Exhibit A) as well as future streets within the Lake Riverside Estates, are hereby
6 declared that they are governed by the appropriate rules and regulations promulgated by the
7 CVC:

- 8 • Arabian Court
- 9 • Arroyo Way
- 10 • Aztec Court
- 11 • Bay Meadows Way
- 12 • Belmont Court
- 13 • Black Mountain Court
- 14 • Blossom Court
- 15 • Bridle Trail Road
- 16 • Brook Trails Way
- 17 • Canter Court
- 18 • Canyon Ridge Court
- 19 • Canyon Side Court
- 20 • Carriage Court
- 21 • Cherokee Court
- 22 • Cheyenne Court
- 23 • Chickasaw Court
- 24 • Coachman Court
- 25 • Comanche Court

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- Crazy Horse Canyon Drive
- Cree Court
- Curry Court
- Daisy Court
- Dalewood Court
- Deer Creek Way
- Deer Foot Court
- Deer Haven Way
- Del Mar Court
- Derby Way
- Flightline Way
- Forest Springs Road
- Gelding Way
- Hillrise Court
- Hopi Court
- Indian Hill Trail
- Indian Rock Road
- Ironwood Way
- Iroquois Court
- Kaibab Court
- Kiowa Drive
- Lake Canyon Drive
- Lake Riverside Drive
- Lakefront Drive
- Lakeshore Boulevard

- 1 • Leaning Rock Court
- 2 • Meadowview Way
- 3 • Mescalero Court
- 4 • Moccasin Court
- 5 • Mojave Court
- 6 • Mountain Springs Court
- 7 • North Caliente Court
- 8 • North Furlong Way
- 9 • North Preakness Court
- 10 • North Tanforan Court
- 11 • Ochobee Court
- 12 • Osage Street
- 13 • Ottawa Court
- 14 • Paiute Court
- 15 • Pawnee Court
- 16 • Pima Court
- 17 • Pinto Court
- 18 • Rambling Lane
- 19 • Riverdale Drive
- 20 • Roan Way
- 21 • Rock Canyon Way
- 22 • Rocky Ridge Court
- 23 • Rocky Valley Way
- 24 • Rolling Hills Drive
- 25 • Roundup Drive

- 1 • Saddleback Drive
- 2 • Saginaw Court
- 3 • Shetland Lane
- 4 • Shoshone Court
- 5 • Sky Harbor Way
- 6 • Skyview Way
- 7 • South Caliente Court
- 8 • South Furlong Way
- 9 • South Preakness Court
- 10 • South Tanforan Court
- 11 • Squawpeak Court
- 12 • Stallion Court
- 13 • Sunflower Court
- 14 • Sunnybrook Circle
- 15 • Surveyor Lane
- 16 • Sweepstakes Lane
- 17 • Tanglewood Court
- 18 • Thoroughbred Court
- 19 • Tomahawk Court
- 20 • Trotter Lane
- 21 • Tumbleweed Trail
- 22 • Ute Court
- 23 • Watomi Court
- 24 • Wild Horse Circle
- 25 • Wildflower Court

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- Wildlife Trail
- Wildwood Lane
- and other future streets constructed within the Lake Riverside Estates Community

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1 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Clerk of this
2 Board is directed to give notice of this hearing pursuant to the provisions contained in Sections
3 65090 and 65094 of the Government Code.

4 BE IT FURTHER RESOLVED, DETERMINED AND ORDERED that the Lake Riverside
5 Estates Community Association is directed to give notice of this hearing pursuant to the
6 provisions contained in CVC Section 21107.7(a).

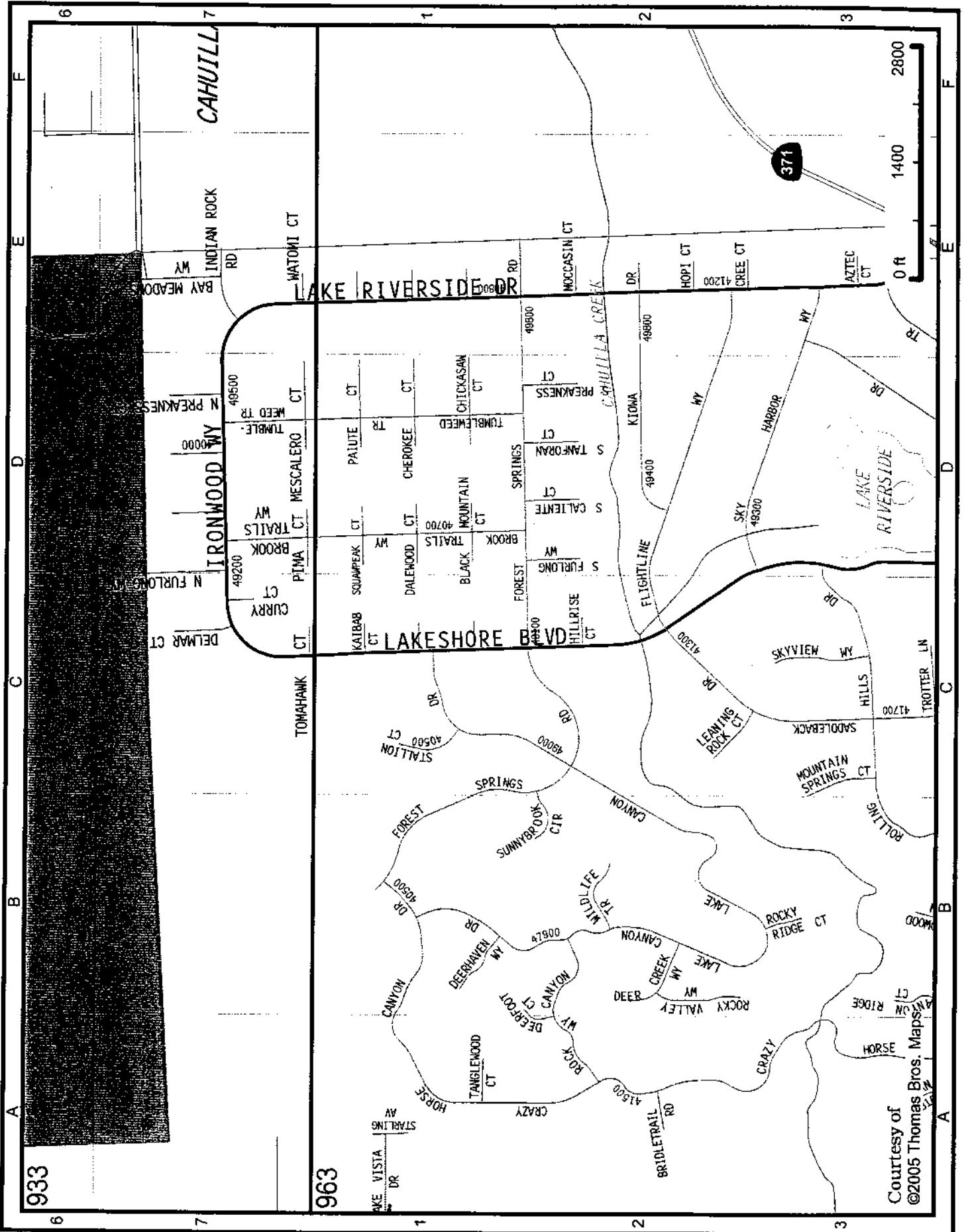
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April 2, 2007

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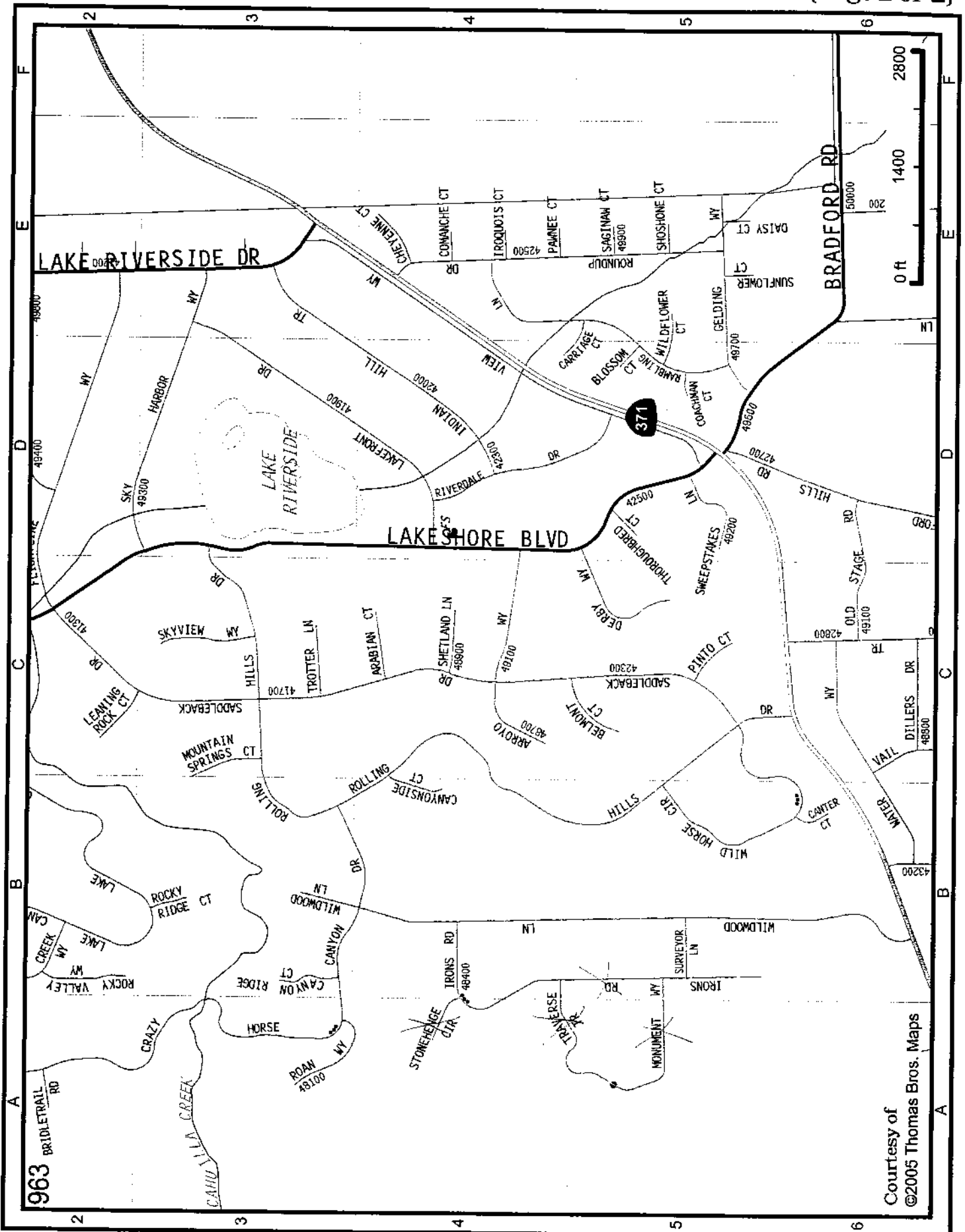
FORM APPROVED
COUNTY COUNSEL

APR 11 2007

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11 BY Gordon V. Woo



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LAKE RIVERSIDE ESTATES COMMUNITY ASSOCIATION

Meeting of the Board of Directors

January 21, 2006

Minutes

Exhibit B
Page 1 of 3

The meeting was held at 9:00 a.m. at the Lake Riverside Estates on-site office located at 41610 Lakeshore Blvd. Aguanga, CA 92536

Board Members Present:

George Phelps, President
Mel Finke, First Vice President
Dan Christopherson, Second Vice President
Mary Lee, Secretary
Joanne Rose, Treasurer

Carrie Kieta and Mark Jones from Avalon Management were also present.

I. Call to Order

George Phelps called the meeting to order at 9:00 a.m. A quorum of Directors was present.

II. Pledge of Allegiance

The Pledge of Allegiance was recited.

III. Minutes

Secretary Mary Lee read the minutes from the previous meetings held on November 19, 2005, and December 1, 2005 as well as the Action without Meeting minutes from November 28, 2005 and December 20, 2005. A motion was made properly by George Phelps to approve the November 19th minutes with the following amendments:

Page 1, paragraph 7, line 6, add "effective January 1, 2006" regarding the new state laws. Mel Finke seconded the motion and the motion was unanimously carried. A motion was made properly by George Phelps to approve the November 28th action without meeting minutes. Joanne Rose seconded the motion and the motion was unanimously carried. A motion was made properly by Mary Lee to approve the December 1st, minutes with the following amendments:

Page 1, paragraph 5, line 2, change checking account to operating account. Page 2, first paragraph, line 4, take out unanimously.

Dan Christopherson seconded the motion and the motion was unanimously carried. A motion was made properly by Mary Lee to approve the action without meeting minutes from December 20th. Dan Christopherson seconded the motion and the motion was unanimously carried.

IV. Presidents Report:

President George Phelps gave a verbal report. No decisions by the Board were required.

V. Treasurer's Report

Treasurer Joanne Rose gave a verbal report stating that there was \$52,253.35 in the operating account and \$118,783.32 in reserve funds as of November 30, 2005. There was \$81,169.92 in the general reserves, \$21,112.37 in the airport reserves and \$16,501.03 in the lake reserves. The Association is operating under budget by \$3,676.63 as of November 30, 2005. Joanne Rose made a motion to approve the November 2005 financials as submitted by Equity Management. Dan Christopherson seconded the motion and the motion was unanimously carried.

VI. Committee Reports

Exhibit B
Page 2 of 3

Airport Committee – No report was provided

Architectural Committee – No report was provided

CC&R's Committee – No report was provided

Election Committee – No report was provided

Environmental and Improvement Compliance Committee - A verbal report was made. No decisions by the Board were required.

Finance Committee – Dennis Sheehan gave a verbal report. No decisions from the Board were required.

Lake Committee – Jon Cope gave a verbal report and asked that the board approve the aeration system for the Lake.

Long Range Planning Committee – Mel Finke gave a verbal report. No decisions by the Board were required.

Pool & Park Committee – No report was provided

Rules Committee – No report was provided

Security Committee - Dennis Sheehan gave a verbal report and submitted his resignation to the Board of Directors removing himself from the Security Committee.

Ad Hoc Committee – No report was provided

VII. New Business

Gate Card and Mailbox/Pool Key Policy – A motion was made properly by George Phelps to approve a change in the policy procedure for the deposit of the gate card and mailbox/Pool keys. As of April 1, 2006 deposits for the gate cards, mailbox key and pool key will not be refundable. Joanne Rose seconded the motion and the motion was unanimously carried.

Gate Cards – A motion was made properly by Mary Lee to purchase an additional one hundred gate cards, at a cost not to exceed \$900.00. Dan Christopherson seconded the motion and the motion was unanimously carried.

Off Highway Vehicle Rule Amendment – Following proper notice to the membership of the proposed amendment and allowing for comments, a motion was made properly by Dan Christopherson to approve the rule amendment for off Highway Vehicles, a copy of which is attached to these minutes. Mary Lee seconded the motion. The motion carried 4-1 (Mel Finke opposed).

Golf Cart Rule Amendment – Following proper notice to the membership of the proposed amendment and allowing for comments, a motion was made properly by Mel Finke to approve the rule amendment for Golf Carts, a copy of which is attached to these minutes. Dan Christopherson seconded the motion and the motion was unanimously carried.

Recommendations from Rules Committee – A motion was made properly by Mary Lee to treat vehicles with expired tags the same as other rules violations (i.e., refer the violation to the rules committee). Mel Finke seconded the motion and the motion was unanimously carried.

Lake Aerator – A motion was made properly by Dan Christopherson to approve the lake aeration system not to exceed the cost of \$5,500.00. The aeration system will be purchased from Keen Industries of Palm Desert. The system will minimize the growth of algae and other anaerobic organisms in the lake water. Joanne Rose seconded the motion and the motion was unanimously carried.

Vehicle Code – A motion was made properly by Joanne Rose to start the process to enforce section 21107.7 of the California Vehicle Code. Mel Finke seconded the motion and the motion was unanimously carried.

VIII. Open Forum:

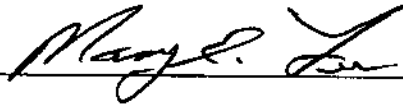
The Board provided an opportunity for members to address the Association

IX. Adjournment

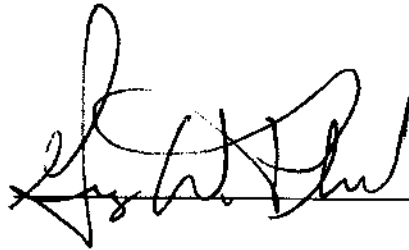
George Phelps motioned to adjourn the meeting to executive session at 11:33 a.m. Dan Christopherson seconded the motion and the motion was unanimously carried.



Respectfully Submitted
Carrie Kieta, Recording Secretary



Secretary



President