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

FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:

SUBJECT: Public Hearing - Amendment No. 2 to the Southwest 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. 2007-138 Approving Amendment No. 2 to the Southwest Area Road and Bridge Benefit District, Related Environmental Documents, and Findings.

BACKGROUND: On July 17, 2007, the Board of Supervisors set a public hearing for Amendment No. 2 to the Southwest Area Road and Bridge Benefit District (the "Southwest District") that adds two(2) new facilities, removes eight(8) facilities to be funded by other programs, removes one(1) completed facility; expands funding to six(6) lanes on Winchester and Bundy Canyon(Mission Trail to Sunset Avenue) of the Southwest District, increases cost estimates for several facilities, updates land use assumptions to determine the fee schedule for the District that should be updated to reflect the Riverside County Integrated Project and annexations, and adjust the fee schedules for Zones A, C, and D. The Board also noticed a public hearing for the Environmental Assessment 41164 and adoption of a negative declaration based on said Assessment.

Departmental Conference

George A. Johnson
Director of Transportation

JUL 17 2007

FORM APPROVED
COUNTY COUNSEL

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0.00	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0.00	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0.00	For Fiscal Year:	FY 07/08

SOURCE OF FUNDS: The Planned Facilities will be funded by Southwest District Fees(100%)	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY Tina Grande

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

Dep't Recomm.:
Per Exec. Ofc.:

The public hearing was properly noticed for July 31, 2007 in the Press Enterprise at least ten(10) days prior to the public hearing date. A copy of the Resolution No. 2007-086 along with the "Report for the Amendment No. 2 to the Southwest 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 six(6) other locations in Riverside County.

Adoption of Resolution 2007-138 confirms:

1. that the "Report for the Amendment No. 2 to the Southwest Area Road and Bridge Benefit District" will be approved as the "Final Plan;"
2. the addition of two(2) new facilities;
3. the removal of 8 overlapping facilities to be funded by the Transportation Uniform Mitigation Program (TUMF);
4. the removal of one(1) completed facility;
5. the amended estimated costs for constructing major thoroughfares and the basis on which said costs are to be equitably apportioned within said District;
6. that the Department will conduct a proper analysis and provide the necessary credits to participants in the Community Facilities District 07-2 that will fund Clinton Keith Road from Menifee to State Rout 79(SR79);
7. the adoption of the Negative Declaration for Environmental Assessment No. 41164;
8. the adoption of the Mitigation Monitoring Program;
9. the land use assumptions used to determine the fee schedule for the District to be updated to reflect the Riverside County Integrated Project and annexations;
10. the adjustment of fees to be consistent with the aforementioned changes which are to be charged as a condition of a final map or as a condition of issuing a building permit, except for Zone A where the Board has established early collection of development fees to finance the construction of Clinton Keith Road Interchange at Interstate I-15 where fees will not be deferred to building permit issuance; and
11. the effective date for the new fees to be September 29, 2007.

Table 1 summarizes the land use projections and fee schedules for affected Zones in the Southwest District proposed for adoption. Table 2 provides a summary column(titled RBBD & TUMF Comparison) that describes the expected net increase in the sum total of the combined TUMF and District fee. Additionally, a comprehensive listing of the facilities has been provided in Attachment A.

TABLE 1

ZONE A			
Description	Qty		Proposed Fee
Residential (Less Developed DUs)	8,241	/du	\$ 1,447
Commercial (Less Developed Acres)	563	/ac	\$21,705
Office Commercial(Less Developed Acres)	92	/ac	\$14,470
Industrial/Manufacturing (Less Developed Acres)	369	/ac	\$8,682

ZONE C			
Description	Qty		Proposed Fee
Residential (Less Developed DUs)	1,711	/du	\$ 1,284
Commercial (Less Developed Acres)	0	/ac	\$19,260
Office Commercial(Less Developed Acres)	0	/ac	\$12,840
Industrial/Manufacturing (Less Developed Acres)	0	/ac	\$ 7,704

ZONE D			
Description	Qty		Proposed Fee
Residential (Less Developed DUs)	5,462	/du	\$ 2,197
Commercial (Less Developed Acres)	287	/du	\$32,955
Office Commercial(Less Developed Acres)	110	/ac	\$21,970
Industrial/Manufacturing (Less Developed Acres)	543	/ac	\$13,182
Airport(Less Developed Acres)	6	/ac	\$13,182

Table 2

ZONE A							
	Existing	Proposed	Existing	Proposed		Net Combined TUMF/District Fee Change *	
	Qty.	Qty.	Fee	Fee		Variance	Variance %
Residential	10,359	8,241	1,743	1,447	/DU	1,338	13.18%
Commercial**	658	563	26,145	21,705	/AC	11,900	12.29%
Office Comm.**	83	92	17,430	14,470	/AC	7,933	14.09%
Industrial**	436	369	10,458	8,682	/AC	4,760	17.02%
ZONE C							
	Existing	Proposed	Existing	Proposed		Net Combined TUMF/District Fee Change *	
	Qty.	Qty.	Fee	Fee		Variance	Variance %
Residential	2,813	1,711	487	1,284	/DU	856	8.17%
ZONE D							
	Existing	Proposed	Existing	Proposed		Net Combined TUMF/District Fee Change *	
	Qty.	Qty.	Fee	Fee		Variance	Variance %
Residential	10,969	5,462	2,215	2,197	/DU	1,738	16.54%
Commercial**	283	287	33,225	32,955	/AC	17,290	16.84%
Office Comm.**	139	110	22,150	21,970	/AC	11,527	19.15%
Industrial**	753	543	13,290	13,182	/AC	6,916	22.82%
Airport**	9	6	13,290	13,182	/AC	-108	-0.81%

NOTES:

- * The column titled "Net Combined TUMF/District Fee Change" shows the expected net increase or decrease in the sum total of the combined TUMF and District fee.
- ** The commercial and industrial fees comparisons are an estimate only, based on typical coverage ratios. The District is calculated on an acreage basis and the TUMF on a per square foot of building basis.

ATTACHMENT A

SOUTHWEST FACILITY SUMMARY TOTAL					
				COMPARISON	COMPARISON
Name of Facility		Proposed RBBB Budgets	Current RBBB Budgets	Variance (Incr/decre)	Variance %(Incr/decre)
A. Interchanges					
1	Clinton Keith Road Interchange @ I-15	16,300,000	6,636,773	9,663,227	146%
2	Los Alamos Road Interchange	DELETE	2,654,709	-2,654,709	-100%
3	Murrieta Hot Springs Rd @ I-215 Interchange	2,010,690	2,654,709	-644,019	-24%
4	Clinton Keith Road Interchange @ I-215	DELETE	2,293,591	-2,293,591	-100%
5	Baxter Road Interchange @ I-15	DELETE	9,759,960	-9,759,960	-100%
6	Bundy Canyon Interchange @ I-15	DELETE	9,759,960	-9,759,960	-100%
B. Roads/Drainage Improvements					
7	Bundy Canyon(Mission Trail to Corydon)	1,000,000	1,182,912	-182,912	-15%
8	Bundy Canyon Road(Mission Trail to Sunset Ave)	20,000,000	8,077,413	11,922,587	148%
9	Clinton Keith Road (City of Murrieta to Zone C Boundary)	2,000,000	1,206,900	793,100	66%
10	Winchester Road/State Highway 79(Auld to Keller Rd.)	10,576,000	4,682,470	5,893,530	100%
11	Clinton Keith Rd.(Menifee Rd to Hwy 79)	22,800,000	19,282,370	3,517,630	18%
12	Benton Rd.(Hwy 79 to Washington)	3,000,000	Included #11	3,000,000	100%
13	Keller(Rte. 79 to Washington)	3,362,688	New	3,362,688	100%
14	Central Street	DELETE	1,206,900	-1,206,900	-100%
15	Baxter Road	DELETE	1,830,600	-1,830,600	-100%
16	Palomar	DELETE	3,982,770	-3,982,770	-100%
17	Washington	DELETE	13,891,150	-13,891,150	-100%
C. Bridges					
18	La Estrella Bridge	5,000,000	New	5,000,000	100%
19	Clinton Keith Road Bridge @ Warm Springs Creek East	Included # 11	Included # 11		
20	Clinton Keith Road Bridge @ Warm Springs Creek West	Included # 11	Included # 11		
21	Washington St at French Valley Stream	3,000,000	3,000,000	0	0%
22	Clinton Keith Bridge(Built)	DELETE	294,840	-294,840	-100%
D. Landscaped Medians					
23	Benton Rd. Landscaped Median (SR79 to Pourroy Road)	1,043,561	Included #12	1,043,561	100%
TOTAL		90,092,939	92,398,027	(2,305,088)	-2%
TOTAL REVENUES RECEIVED		26,626,803	2,881,288	23,745,515	824%
TOTAL REVENUES NEEDED		63,466,136	89,516,739	-26,050,603	-29.10%

*Reported revenues for this proposed amendment are through the end of March 31, 2007.

2
3 **RESOLUTION NO. 2007-138**

4 **APPROVING AN AMENDMENT TO THE SOUTHWEST AREA ROAD AND BRIDGE**
5 **BENEFIT DISTRICT, IDENTIFYING ADDITIONAL FACILITIES WHOSE**
6 **COST OF CONSTRUCTION ARE TO BE FUNDED BY SAID DISTRICT,**
7 **ADDING AND REMOVING SEVERAL FACILITIES, ADJUSTING THE FEE SCHEDULE FOR**
8 **SAID DISTRICT,**
9 **AND APPROVING THE RELATED ENVIRONMENTAL**
10 **DOCUMENTS AND FINDINGS**
11 **(AMENDMENT NO. 2)**

12 WHEREAS, the Board of Supervisors (the "Board") of the County of Riverside (the "County")
13 pursuant to Section 66484 of the California Government Code and Chapter 16.28 of the Riverside County
14 Code ("Chapter 16.28") and at the conclusion of a noticed public hearing on August 28, 2001, which was
15 ratified by the adoption of Resolution No. 2001-317 on September 25, 2001, reestablished the Southwest
16 Area Road and Bridge Benefit District (the "Southwest District" or "District") and established a fee to
17 defray the actual or estimated costs for the construction of certain identified bridges and major
18 thoroughfares as a condition of approval of a final map or as a condition of issuing a building permit with
19 boundaries of said Southwest District; and

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

28 WHEREAS, the Transportation Department has determined that: the boundaries of the Southwest

1 District do not require any changes at this time; two(2) new facilities should be included in the District;
2 eight(8) facilities within the District are sufficiently funded by TUMF(Transportation Uniform Mitigation
3 Fund) Program at this time and can be removed from the District; one(1) completed facility needs to be
4 removed from the District; funding for Winchester Road(Auld to Keller Rd.) and Bundy Canyon
5 Road(Mission Trail to Sunset) expand to include the number one(1), two(2), three(3), four(4), five(5), and
6 six(6) lanes; the cost estimates for several facilities should be increased and/or decreased to reflect
7 additional design and engineering information; the land use assumptions used to determine the fee
8 schedule for the District should be updated to reflect the Riverside County Integrated Project and
9 annexations; and the fees need to be adjusted to be consistent with the aforementioned changes, and
10

11 WHEREAS, the Transportation Department has prepared a report entitled "Report for Amendment
12 No. 2 to the Southwest Area Road and Bridge Benefit District" that is dated June 2007 (the "Final Plan")
13 that proposes to: add Keller Road(from State Route 79 to Washington), and La Estrella Bridge; remove
14 Clinton Keith Interchange at the Interstate 215(I-215), Baxter Road at Interstate 15(I-15), Bundy Canyon
15 Interchange at I-15, Los Alamos Interchange at I-215, Central Street(from Palomar to I-15), Baxter
16 Road(I-15 to 6,000 feet Easterly of I-15), Palomar(from Mission Trail to City of Murrieta),
17 Washington(from City of Murrieta to Keller), and Clinton Keith Bridge over Murrieta Creek; expand
18 existing facilities to include funding for 6 lanes on Winchester and Bundy Canyon(Mission Trail to
19 Sunset Avenue); adjust the estimated construction costs for those identified facilities to be funded by the
20 Southwest District; revise land use assumptions to determine the fee schedule for the District that should
21 be updated to reflect the Riverside County Integrated Project and annexations; and adjust fees to be
22 consistent with the aforementioned changes which are to be charged as a condition of a final map or as a
23 condition of issuing a building permit; and
24
25

26 WHEREAS, the Transportation Department has prepared an initial study for the project (the
27 "Project") as identified in the Report for the Southwest District as described in Environmental Assessment
28

1 No. 41164 and recommends the adoption of a Mitigated Negative Declaration based upon the finding that
2 there is no substantial evidence that the Project will have a significant effect on the environment, and the
3 adoption of a Mitigation Monitoring and Reporting Program; and

4 WHEREAS, on July 17, 2007, Resolution No. 2007-086 was adopted declaring the Board's
5 Intention to hold a public hearing for Amendment No. 2 of the Southwest District, identifying additional
6 facilities whose cost of construction are to be funded by said District, removing eight(8) facilities to be
7 funded by the Transportation Uniform Mitigation Fund, removing one(1) completed facility, expanding
8 funding of six(6) lanes on two(2) included facilities, updating the land use assumptions to determine the
9 fee schedule for the District that should be updated to reflect the Riverside County Integrated Project and
10 annexations, and adjusting fee schedules for said District in accordance with the provisions outlined in
11 said Resolution; and,

12 WHEREAS, pursuant to Section 16.28.040 of the Riverside County Code, a public hearing was
13 duly noticed on July 17, 2007 and opened on July 31, 2007, to consider any written or oral protests that
14 interested parties have with regard to the amendment of the Southwest District, that provides: funding for
15 the addition of two(2) new facilities, for the removal of nine(9) facilities; the funding expansion to fund
16 six(6) lanes on two(2) included facilities; adjustments to the estimated construction costs for those
17 identified facilities to be funded by the Southwest District; the revised land use assumptions to determine
18 the fee schedule for the District that should be updated to reflect the Riverside County Integrated Project
19 and annexations; the adjustment of fees to be consistent with the aforementioned changes which are to be
20 charged as a condition of a final map or as a condition of issuing a building permit; and the adoption of a
21 Mitigated Negative Declaration with regard to Environmental Assessment No. 41164 and related
22 findings;

23 **NOW, THEREFORE, BE IT RESOLVED, DETERMINED, FOUND AND ORDERED** by
24 the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on
25
26
27
28

1 July 31, 2007, as follows:

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

3 **Section 2.** The public hearing was opened and closed on July 31, 2007. All protests and
4 objections of every kind and nature be, and the same hereby are, overruled and denied, and it is
5 determined that said protests and objections are made by the owners of less than one-half (1/2) of the
6 property within the boundaries of the Southwest District to be assessed for the identified facilities.
7

8 **Section 3.** The report entitled "Amendment No. 2 to the Southwest Area Road and Bridge Benefit
9 District" that is dated June 2007 filed with the Clerk of the Board of Supervisors is adopted as the "Final
10 Plan" for the area of benefit is identified as Zones "A," "C," and "D" of the Southwest Area Road and
11 Bridge Benefit District. The geographic boundaries of the Southwest District will remain unchanged and
12 shown in the map attached hereto as Exhibit A, and by this reference incorporated herein.
13

14 **Section 4.** The major thoroughfares and bridges whose costs of construction are to be funded by
15 fees collected within the Southwest District is shown on a map entitled "Southwest Area Road and Bridge
16 Benefit District" that is filed with the Clerk of the Board of Supervisors and is attached hereto as Exhibit
17 A.

18 **Section 5.** The amended estimated costs for constructing said major thoroughfares and the basis
19 of which said costs are to be equitably apportioned within said District as set forth in the Final Plan are
20 adopted and approved. The estimated costs for constructing identified facilities for the District are as
21 stated in Exhibit B which is attached hereto, and by this reference incorporated herein, the basis and
22 manner by which said costs are to be equitably apportioned within the Southwest District, as shown in the
23 Final Plan, and the fee that shall be paid by each landowner upon the recordation of a final map or the
24 issuance of a building permit is also stated in Exhibit B.
25

26 **Section 6.** The land use assumptions used to determine the fee schedule for the District will be
27 updated to reflect the Riverside County Integrated Project and annexations.
28

1 **Section 7.** The Board of Supervisors Adopts the Negative Declaration for Environmental
2 Assessment No. 41164 based upon the finding that there is no substantial evidence that the Project will
3 have a significant effect on the environment, and adopts a Mitigation Monitoring and Reporting Program.
4

5 **Section 8.** The Clerk of the Board of Supervisors is authorized and directed to cause a certified
6 copy of this Resolution to be filed and recorded with the Office of the County Clerk and Recorder for the
7 County of Riverside.

8 **Section 9.** The Report filed with the Clerk of the Board of Supervisors is adopted as the "Final
9 Plan" for the area of benefit identified as Zones "A," "C," and "D" of the Southwest Area Road and
10 Bridge Benefit District.

11 **Section 10.** The effective date of this resolution shall be September 29, 2007.
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FORM APPROVED
COUNTY COUNSEL

JUL 17 2007

BY 

Dale A. Gardner

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF RIVERSIDE)
4

5 I, Nancy Romero, Clerk to the Board of Supervisors of the County of Riverside, California, do
6 hereby certify that the foregoing Resolution No. 2007-138 was duly adopted by the Board of Supervisors
7 of said County at a meeting of said Board held on the 31st day of July, 2007, and that it was so adopted by
8 the following vote:

9
10 AYES:

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12 NOES:

13
14 ABSTAIN:

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16 ABSENT:
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20 _____, Deputy
21 Clerk of the Board of Supervisors of the
22 County of Riverside
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EXHIBIT A

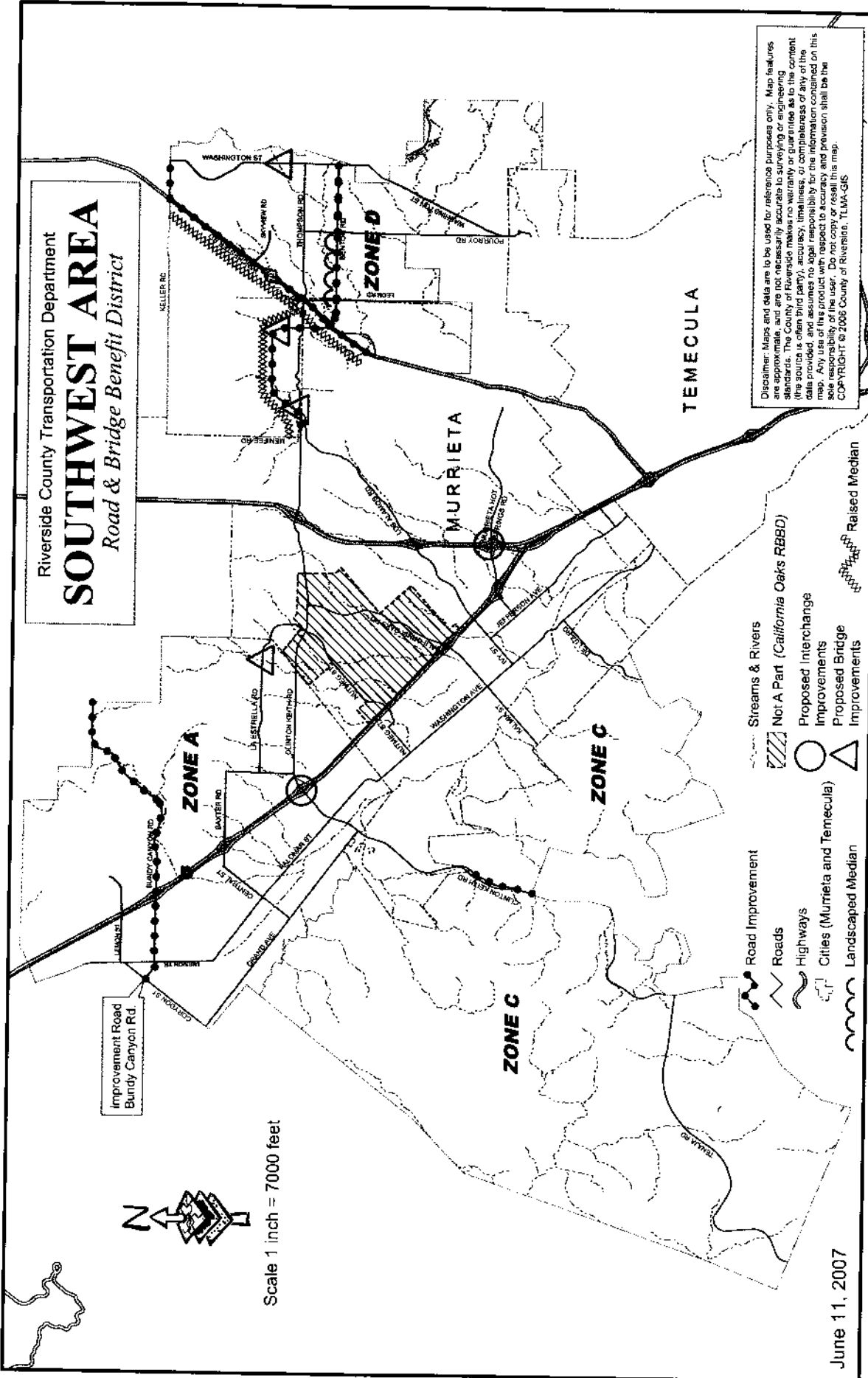
Riverside County Transportation Department

SOUTHWEST AREA Road & Bridge Benefit District

Improvement Road
Bundy Canyon Rd.



Scale 1 inch = 7000 feet



Disclaimer: Maps and data are to be used for reference purposes only. Map features are approximate and are not necessarily accurate to surveying or engineering standards. The County of Riverside, its employees, agents, contractors, or any other person (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of the product with respect to accuracy and precision shall be the sole responsibility of the user. Do not copy or resell this map.
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- Streams & Rivers
- Not A Part (California Oaks RBBB)
- Proposed Interchange Improvements
- Proposed Bridge Improvements
- Road Improvement
- Roads
- Highways
- Cities (Murrieta and Temecula)
- Landscaped Median
- Raised Median

June 11, 2007

EXHIBIT B

SOUTHWEST FACILITY SUMMARY TOTAL											
Name of Facility	Increase of Lanes	Program Lanes	Construction	Admin/Design/ Eng	Total RBBD Share	Admin Fee 5%	Adj. Total RBBD Share	Average Total	Length (Linear F)	Reimbursement Per Linear	Zone(s)
A. Interchanges											
1 Clinton Keith Road Interchange @ I-15			11,241,379	5,058,621	16,300,000	-815,000	15,485,000	18%			A, C
2 Murrieta Hot Springs Rd @ I-215 Interchange			1,386,683	624,007	2,010,690	-100,535	1,910,156	2%			D
B. Roads/Drainage Improvements											
3 Bundy Canyon Road (Mission Tr to Sunset Ave)	6	1, 2, 3, 4, 5, 6	13,793,103	6,206,897	20,000,000	-1,000,000	19,000,000	22%	23,600	\$	134
4 Bundy Canyon (Mission Trail to Corydon)	4	1, 2, 3, 4	689,655	310,345	1,000,000	-50,000	950,000	1%	1,900	\$	125
5 Clinton Keith Road (City of Murrieta to Zone C Boundary)	2	3, 4	1,379,310	620,690	2,000,000	-100,000	1,900,000	2%	6,000	\$	158
6 Winchester Road/State Highway 79 (Auld to Keller Rd.)	6	1, 2, 3, 4, 5, 6	7,293,793	3,282,207	10,576,000	-528,800	10,047,200	12%	19,900	\$	84
7 Clinton Keith Rd. (Menifee Rd to Hwy 79)	6	1, 2, 3, 4, 5, 6	15,724,138	7,075,862	22,800,000	-1,140,000	21,660,000	25%	13,100		Note 2
8 Benton Rd. (Hwy 79 to Washington)	2	1, 2	2,068,966	931,034	3,000,000	-150,000	2,850,000	3%	13,500	\$	106
9 Keller (Rte. 79 to Washington)	4	1, 2, 3, 4	2,319,095	1,043,593	3,362,688	-168,134	3,194,554	4%	3,024	\$	264
C. Bridges											
10 La Estrella Bridge		Bridge	3,448,276	1,551,724	5,000,000	-250,000	4,750,000	0%			A
11 Clinton Keith Road Bridge @ Warm Springs Creek East		Bridge	Included in #7					0%			Note 2
12 Clinton Keith Road Bridge @ Warm Springs Creek West		Bridge	Included in #7					0%			Note 2
13 Washington St at French Valley Stream		Bridge	2,068,966	931,034	3,000,000	-150,000	2,850,000	3%			D
D. Landscaped Medians											
14 Benton Rd. Landscaped Median (SR79 to Pourroy Road)		Median	719,697	323,864	1,043,561	-52,178	991,383	1%	9,500	\$	104
					TOTAL		85,588,292	100%			
					TOTAL REVENUES RECEIVED						
					TOTAL REVENUES NEEDED						
NOTES:											
1) Cost assumptions for Clinton Keith (Menifee Rd to Hwy 79) include Right-Of-Way acquisition.											
2) Clinton Keith Rd (Menifee Rd to Hwy 79) will be constructed by the Department and includes funding for the East and West Bridges over Warm Springs, the Wildlife Overcrossing.											