

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



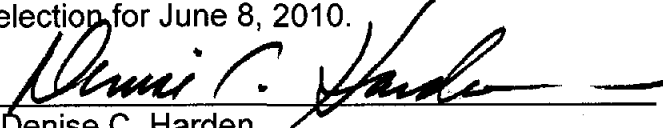
**FROM:** Executive Office

**SUBMITTAL DATE:**  
January 25, 2010

**SUBJECT:** Adoption of County Resolution No. 2010-057 Setting the Eastvale Reorganization for Election

**RECOMMENDED MOTION:** That the Board of Supervisor adopt County Resolution No. 2010-057 (Attachment A) setting the Eastvale reorganization for election on June 8, 2010.

**BACKGROUND:** On January 21, 2010, the Local Agency Formation Commission (LAFCO) adopted LAFCO Resolution No. 01-10, Approving the Reorganization to Include Incorporation of the City of Eastvale and concurrent detachment from the Riverside County Waste Resources Management District and Ordering Such Reorganization Subject to Confirmation by the Voters (Attachment B). Pursuant to the Cortese Knox Hertzberg Local Government Reorganization Act of 2000, that LAFCO resolution requests the Board of Supervisors call an election on the Eastvale reorganization. In compliance with that request, County Resolution No. 2010-057 will set that election for June 8, 2010.

  
 Denise C. Harden  
 Principal Management Analyst

FORM APPROVED COUNTY COUNSEL  
 BY: Pamela J. Walls  
 DATE: 1/25/10  
 Date: 1/25/10

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<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ NA	In Current Year Budget:	NA
	Current F.Y. Net County Cost:	\$ NA	Budget Adjustment:	NA
	Annual Net County Cost:	\$ NA	For Fiscal Year:	NA

<b>SOURCE OF FUNDS:</b> NA	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

BY: Gary M. Christmas  
 County Executive Office Signature  
 Gary M. Christmas

Dept's Recomm.:  Consent  Policy  
 Per Exec. Ofc.:  Consent  Policy

Board of Supervisors

County of Riverside

RESOLUTION NO. 2010-057

RESOLUTION OF  
THE BOARD OF SUPERVISORS OF  
THE COUNTY OF RIVERSIDE  
SETTING THE CITY OF EASTVALE REORGANIZATION  
FOR ELECTION  
(LAFCO NO. 2008-18-2)

WHEREAS, the Local Agency Formation Commission (LAFCO) on January 21, 2010, approved the City of Eastvale Reorganization (Exhibit "B") to include the incorporation of the City of Eastvale and detachment from the Riverside County Waste Resources Management District; and

WHEREAS, LAFCO requested the Board of Supervisors conduct an election on the subject reorganization; now, therefore,

BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on January 26, 2010, that:

1. The reorganization shall be subject to confirmation of the voters upon the question thereof at an election that shall be held on June 8, 2010, within the entire territory described in Exhibit "A" attached hereto and incorporated herein. The question submitted at such election shall be as follows:

"Shall the order adopted on January 21, 2010, by the Local Agency Formation Commission of Riverside County ordering the incorporation of the territory described in the order, including detachment from the Riverside County Waste Resources Management District, subject to the terms and conditions specified in the order designated as LAFCO No. 2008-18-2 (Resolution No. 01-10) be confirmed?"

This order of reorganization shall be confirmed where such question is favored by a majority of the votes cast within the entire territory within which the election is held.

2. At the election called pursuant to paragraph 1 above, provision shall also be made for the election at large of five members of the City Council, and the question of whether members of the City Council of the City of Eastvale in the future elections shall be elected by district, from district, or at large shall be submitted to the voters.





1 Commission, including the initial study, the Commission finds  
2 there is no substantial evidence that the proposal will have a  
3 significant effect on the environment. The Commission adopts a  
4 negative declaration and finds that the adoption of a negative  
5 declaration reflects the Commission's independent judgment and  
6 analysis as lead agency.

7 4. Based on the entire record of the Commission's  
8 proceedings, the Commission hereby makes the following findings  
9 and determinations.

10  
11 a. Pursuant to Government Code Section 56720(a),  
12 find the reorganization including incorporation of the  
13 proposed City of Eastvale is consistent with the intent of the  
14 Cortese-Knox-Hertzberg Local Government Reorganization Act of  
15 2000, including but not limited to, the policies of Government  
16 Code Sections 56001, 56300, 56301 and 56377, and the policies  
17 of the Riverside County Local Agency Formation Commission.

18 b. The Commission has reviewed the spheres of  
19 influence of affected local agencies and finds the  
20 reorganization is consistent with those spheres of influence.

21 c. Find the Commission has reviewed the  
22 comprehensive fiscal analysis prepared pursuant to Section  
23 56800.

24 d. Find the Commission has reviewed the Executive  
25 Officer's staff report and recommendations prepared pursuant  
26 to Government Code Section 56665 and the testimony presented  
27 at its public hearings.

28 //////////////

1 e. Pursuant to Section 56803, the Commission  
2 accepts each of the findings and recommendations in the  
3 Executive Officer's report and the comprehensive fiscal  
4 analysis prepared pursuant to Government Code Section 56800,  
5 with exceptions noted and supported by additional findings  
6 herein.

7 f. Find the proposed city is expected to receive  
8 revenues sufficient to provide public services and facilities  
9 and a reasonable reserve during the first three fiscal years  
10 following incorporation. The Commission rejects the Executive  
11 Officer's finding that the incorporation is not financially  
12 feasible based on the following findings.

13 i. Despite the findings of the Executive Officer  
14 that staffing assumptions are below acceptable levels,  
15 the Commission finds that the minimum staffing levels  
16 provided in the CFA and during public testimony will  
17 nevertheless allow the city to provide a basic level of  
18 services.

19 ii. The ability of the new city to make revenue  
20 neutrality mitigation payments from a source outside of  
21 its general fund provides reasonable assurance that  
22 sufficient revenues will be available to provide basic  
23 services and facilities and a reasonable reserve.

24 g. The Executive Officer has found that the  
25 ability of two cities, Eastvale and Jurupa Valley, to  
26 successfully incorporate is a critical factor to consider in  
27 evaluating this proposal. Furthermore, the Executive Officer  
28 has found that there is insufficient revenue to support the

1 existence of two cities. The commission rejects this finding  
2 based on the following findings.

3 i. The successful incorporation of both cities is  
4 not a critical factor in the Commission's consideration.

5 ii. The future incorporation of Jurupa Valley is  
6 not foreclosed by incorporation of Eastvale. Opportunity  
7 exists for significant commercial development in the  
8 future that could provide sufficient revenue to support  
9 incorporation.

10 h. Pursuant to Section 56886, determine that  
11 existing agencies cannot provide needed services in a more  
12 efficient and accountable manner. Incorporation will allow  
13 for increased local accountability. Contracting services such  
14 as police and fire protection will still allow the city to  
15 take advantage of economies of scale associated with a large  
16 organization, while allowing public service levels and  
17 priorities to be established locally.

18 i. Pursuant to Section 56810, determine the base  
19 year property tax to be transferred from the County General  
20 Fund to the City of Eastvale is \$1,620,345. The City shall  
21 also receive all Structural Fire Protection property taxes  
22 generated within the subject area. The base year amount shall  
23 be adjusted by the county auditor to the fiscal year in which  
24 the new city receives its initial allocation, in accordance  
25 with Revenue and Taxation Code Section 95 et seq.

26 j. Determine that a provisional appropriations  
27 limit of \$13,938,809 is established pursuant to Government  
28 Code Section 56812. A permanent appropriations limit will be

1 proposed by the city council and established by the voters of  
2 the new city at the first municipal election held following  
3 the first full fiscal year of operation.

4 k. Pursuant to Section 56815(c), determine that  
5 the amount of revenue transferring from the county to the new  
6 city is substantially equal to the cost of services similarly  
7 transferred. Nevertheless, the negative fiscal impact shall  
8 be mitigated by the terms of an agreement approved by the  
9 Riverside County Board of Supervisors on October 20, 2009 as  
10 subsequently amended on January 12, 2010, providing for  
11 mitigation payment from the City of Eastvale to the County  
12 over a specified period of time. Furthermore, such agreement  
13 is incorporated by reference in the terms and conditions  
14 adopted by this Commission.

15 l. The name of the city shall be the City of  
16 Eastvale.

17 m. The City shall be incorporated as a general law  
18 city.

19 n. The City shall be governed by a five-member  
20 city council elected at large.

21 o. The City shall have the City Manager form of  
22 government with a five member city council elected at large at  
23 the same election as the incorporation question.

24 p. The city council shall appoint a city manager,  
25 who shall appoint a city clerk and city treasurer.

26 q. The question of incorporation, all related  
27 boundary changes, and all terms and conditions shall be  
28 presented as one question on the ballot and in accordance with



1 Sections 57133 and 57134.

2 r. Pursuant to Section 57118, the election shall  
3 be held within the entire territory proposed to be  
4 reorganized.

5 s. Pursuant to Section 57116, the election to  
6 confirm the question of incorporation shall also present the  
7 question of whether members of the city council in future  
8 elections shall be elected by district, from district, or at  
9 large.

10 t. Determine the proposed reorganization is  
11 legally inhabited.

12 u. The reasons for the proposed reorganization  
13 include the following:

- 14 ▪ Increased local control and accountability for  
15 decisions regarding the community
- 16 ▪ Promote orderly government boundaries
- 17 ▪ Retain local revenues for use within the  
18 community
- 19 ▪ Increase opportunities for residents to  
20 participate in civic and government activities.

21 v. The regular county assessment roll shall be  
22 utilized.

23 w. The affected territory will not be taxed for  
24 any existing bonded indebtedness of any agency whose  
25 boundaries are changed as a result of this reorganization.  
26 Any existing bonded indebtedness of the County or any other  
27 affected agency whose boundaries are not changed shall remain  
28 in effect.

1 x. A simple majority of votes cast shall determine  
2 the outcome of the election.

3 5. This incorporation shall be subject to the  
4 following terms and conditions:

5 a. The effective date of the incorporation shall  
6 be October 1, 2010.

7 b. The election and terms of office for members of  
8 the City Council shall be subject to Government Code Sections  
9 57377-57379, inclusive.

10 c. The disposition of public facilities, land and  
11 fees shall be subject to negotiation between the County of  
12 Riverside and the new City.

13 d. Pursuant to Government Code Section 56815, the  
14 City shall be required to make payments in order to mitigate  
15 the impact of incorporation on the County. Payment shall be  
16 made as specified in the agreement approved by the Board of  
17 Supervisors on October 20, 2009, as subsequently amended on  
18 January 12, 2010, providing for mitigation payment from the  
19 City of Eastvale to the County over a specified period of time  
20 and incorporated by reference herein.

21 e. Pursuant to Government Code Section 57376, the  
22 City Council shall, immediately following its organization and  
23 prior to performing any other official act, adopt an ordinance  
24 providing that all County ordinances previously applicable  
25 shall remain in full force and effect as City ordinances for a  
26 period of 120 days thereafter, or until the City Council has  
27 enacted ordinances superseding them, whichever shall occur  
28 first. Enforcement of continuing County ordinances in the

1 incorporated area shall be with the City, except insofar as  
2 enforcement services are furnished in accordance with  
3 Government Code Section 57384.

4 f. Pursuant to Section 57384, the County of  
5 Riverside shall continue to furnish all services provided to  
6 the area prior to incorporation. Such services shall be  
7 furnished for the remainder of the fiscal year during which  
8 the incorporation becomes effective or until the City Council  
9 requests discontinuance of the services, whichever occurs  
10 first. The new City shall be obligated to reimburse the  
11 County Riverside for the net cost of services provided in  
12 accordance with the provisions of Section 57384(b).

13 g. In accordance with Section 57385, all roads and  
14 highways or portions thereof within the subject territory,  
15 which had been accepted into the County road system prior to  
16 the adoption of the resolution of application, shall become  
17 city streets on the effective date of incorporation.

18 h. Notwithstanding subdivision (b) of Section  
19 57385, all roads accepted into the county road system  
20 subsequent to the first signature on the petition initiating  
21 incorporation and prior to the effective date of incorporation  
22 shall become city streets on the effective date of  
23 incorporation.

24 i. In accordance with Government Code Sections  
25 56886(t), the City shall have the authority to continue the  
26 levying and collection of any previously authorized charge,  
27 fee, assessment or general or special tax levied within the  
28 subject territory by the County or other subject agency,

1 including, but not limited to, transient occupancy tax,  
2 franchise fees, business license fees, property transfer tax,  
3 sales and use tax.

4 j. In accordance with Section 56886(u), the  
5 authority and responsibility for special assessment districts  
6 associated with any County Landscape Maintenance District  
7 shall be transferred to the new city upon incorporation.

8 k. The Eastvale Incorporation Committee shall  
9 defend, indemnify, and hold harmless the Riverside County  
10 Local Agency Formation Commission ("LAFCO"), its agents,  
11 officers, and employees from any claim, action, or proceeding  
12 against LAFCO, its agents, officers, and employees to attach,  
13 set aside, void, or annul an approval of LAFCO concerning this  
14 proposal.

15 l. At the earliest possible time after the  
16 effective date, the City shall take necessary actions to  
17 participate in regional agencies, plans and programs,  
18 specifically including Western Riverside County of  
19 Governments, Riverside County Transportation Commission,  
20 Multi-Species Habitat Conservation Plan and the Transportation  
21 Uniform Mitigation Fee Program.

22 6. Pursuant to the Cortese-Knox-Hertzberg Local  
23 Government Reorganization Act of 2000, order the reorganization  
24 subject to confirmation of the voters and request the Board of  
25 Supervisors to call an election on the subject reorganization.


26 7. The Executive Officer is directed to prepare  
27 and execute a Certificate of Completion upon confirmation of  
28 the voters. The State Board of Equalization fees will be

1 deferred and paid by the City after incorporation.

2 8. The Executive Officer is directed to transmit a  
3 certified copy of this resolution to the applicant, the Board  
4 of Supervisors and each subject agency.

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7 \_\_\_\_\_  
BOB BUSTER, Chair







8 I certify the above resolution was passed and adopted by the  
9 Local Agency Formation Commission of Riverside County on  
January 21, 2010.

10  
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12 \_\_\_\_\_  
13 GEORGE J. SPILIOTIS  
14 Executive Officer

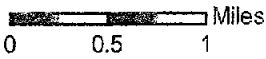
15 FORM APPROVED COUNTY COUNSEL  
16 BY:  1/21/10  
PAMELA J WALLS DATE

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# PROPOSED CITY OF EASTVALE

-  Proposed City of Eastvale
-  Cities
-  County Line
- County of San Bernardino
-  Highways
-  Major Roads
-  Waterbodies

**Commission  
Approved on: 1/21/2010**



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 makes no warranty or guarantee as to the content (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 this product with respect to accuracy and precision shall be the sole responsibility of the user.



RCTLMA  
**GIS**

October 15, 2009

Map Created by Charles J. Rook, GIS Analyst

