

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



FROM: Supervisor Marion Ashley
Supervisor John Benoit

SUBMITTAL DATE: November 19, 2013

SUBJECT: Cabazon Community Revitalization Act (CCRA)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Establish the Cabazon Community Revitalization Act effective January 1, 2014, for the exclusive purpose of directing twenty five percent of sales and use tax revenue generated from the expansion of the factory outlets in Cabazon toward augmenting impacts generated from the outlets on infrastructure and public safety services in and around the Cabazon community;
2. Direct the Auditor Controller to establish the CCRA Infrastructure and Public Safety Fund for the purpose of receiving and dispersing such sales and use tax during the term of the CCRA, and that the County Executive Officer or his designee administer this fund;
3. Direct that the County Executive Officer present the Board of Supervisors with implementation procedures for capturing such sales tax, and report to the Board annually on receipts deposited, project expenditures paid, and fund balance remaining; and,
4. Stipulate that the Cabazon Community Revitalization Act shall, unless reauthorized, sunset on/or before December 31, 2033, and that all unencumbered unassigned fund balance remaining on the sunset date not required to cover existing obligations revert to the county general fund.

BACKGROUND:

CCRA establishes a program whereby twenty five percent of the sales tax revenue generated by the expansion of the Cabazon Outlet stores be set aside in the CCRA Infrastructure and Public Safety Reserve Fund. The elimination of Redevelopment (RDA) funds as well as the Tribal Special Distribution Fund (SDF) has resulted in a loss of funding historically provided to augment public safety services and public infrastructure in and around the Cabazon Outlet stores and community. This is a local solution to loss of RDA funds and Special Distribution Funds that will result in regeneration of sales tax revenue by re-funding public safety needs and necessary infrastructure to support this critical source of County tax revenue. The proposed set-aside funding will reinvest in the area where the funds are generated and fill the funding gap. It should be noted that a precedent exists for establishment and operation of CCRA by similar programs in other districts.

(Continued)


Marion Ashley, 5th District


John Benoit, 4th District

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COUNTY OF RIVERSIDE
RECEIVED CLERK OF SUPERVISORS

Prev. Agn. ref.

Dist.

AGENDA NO.

3-7b

BACKGROUND: (Continued)

Table 1 identifies the amount of Special Distribution Fund (SDF) allocated to the Sheriff's Department from FY 03/04 through the last year of allocation, FY 10/11. The average amount received annually over the six fiscal years is \$576,393. Currently, high traffic events such as Memorial Day, Labor Day and the Thanksgiving weekend consist of overtime patrols by the Sheriff's Department. However, with the expansion of approximately 51 new stores and an additional 1,600 parking stalls, it is anticipated that the additional demand for service will result in increased costs of \$190,000 for overtime personnel, vehicles and equipment for Fiscal Year 2014/2015 [Attachment 1].

Table 2 identifies the amount of Tax Increment utilized in the Cabazon Area by the former Redevelopment Agency which provided for major projects. These projects include the Cabazon Fueling Station, Cabazon Ball Field, Cabazon Sheriff Station, Cabazon Community Park, Cabazon Child Care Center and the James A. Venable Community Center as well as community programs such as graffiti abatement and community cleanups. Projections of loss to the tax increment revenue to the Cabazon area for Fiscal Years 2012/2013 and 2013/2014 are \$462,929.57 and \$534,333.80, respectively, for a total of \$997,263.

Table 3 identifies projected expansion sales based on square footage and the potential set-aside amount. Current sales tax revenue from FY 12/13 of \$6,628,686 divided by the existing retail square footage of 605,000 equates to \$10.96 per square foot of sales tax revenue. Using those same figures, \$10.96 per square foot multiplied by the expansion square footage of 252,000 equals \$2,761,039 in new revenue resulting in a twenty five percent set-aside amount of \$690,259 with \$2,070,780 of new revenue going to the County general fund.

It is not the intent of the CCRA to utilize existing sales tax revenues from the Cabazon Factory Outlet Stores, but, instead, identify 25 percent of new sales tax revenue generated by the expansion for this use. The remaining 75 percent of sales tax revenue increases, along with existing sales tax revenue, will continue to contribute to the General Fund of the County. The sunset date of CCRA is established at 20 years which will allow for a baseline amount to be determined in the first five years of the fund, with capacity for bonding within the remaining 15 years.

The proceeds generated by the CCRA will be utilized to improve infrastructure and augment public safety services in the area which immediately surrounds the Cabazon Factory outlet stores. The outlet expansion necessitates road improvements and augmentation of inadequate public safety resources to police crowds during peak shopping periods and special events and to facilitate traffic ingress and egress in the area. Specifically, it is our intent to fund the necessary public safety resources and provide financial support for improvements as adopted by the Board of Supervisors in the Interstate 10 "Lifeline" Emergency Action Plan on October 4, 2012 [Attachment 2]. Adequate planning for public safety resources and enhanced infrastructure will foster economic growth and increase sales tax revenue to the general fund.

It has long been established that the number one priority of government is to provide for public safety and, while the Cabazon Outlet stores have mitigated their impacts via strong security at the Outlets, widening and signalization of Seminole Drive and the addition of a parking structure, the increase in population in the desert and the Pass area has magnified the need for additional infrastructure improvements and an added public safety presence. It is in the best interest of the County to ensure the safety of patrons at the Cabazon Factory Outlets, long the county's number one source of sales tax revenue. This policy shall continue in force until December 31, 2033 unless reauthorized by this body.

Table 1

Tribal Special Distribution Fund		
YEAR	REQUESTED	AWARDED
FY 2003/04	\$892,079	\$528,244
FY 2004/05	\$2,335,884	\$835,884
FY 2005/06	\$733,843	\$733,843
FY 2006/07	\$1,992,789	\$400,000
FY 2008/09	\$460,722	\$460,722
FY 2010/11	\$513,298	\$500,000
TOTAL		\$3,458,693

Table 2

Successor Agency to the **RPTTF

	Actual Gross Tax Increment	Net Tax Increment	Non Housing	Actual Receipt of **RPTTF	Revenue Lost
FY 03-04	1,786,526.33	1,217,329.44	881,474.58		
FY 04-05	1,886,804.57	1,281,500.29	924,717.20		
FY 05-06	2,223,920.26	1,515,072.35	1,212,057.88		
FY 06-07	2,667,037.73	1,794,657.67	1,280,180.34		
FY 07-08	3,091,844.73	2,061,716.59	1,464,678.85		
FY 08-09	3,490,340.40	2,257,287.24	1,590,032.86		
FY 09-10	4,667,262.60	2,903,688.63	2,011,474.19		
FY 10-11	3,301,679.41	2,245,142.00	1,617,776.00		
FY 11-12	3,073,805.88	2,090,188.00	1,506,121.00		
FY 12-13	2,990,651.00	2,033,642.68	1,626,914.14	1,570,713.11	462,929.57
FY 13-14*	3,067,587.44	2,085,959.46	1,668,767.57	1,551,625.66	534,333.80
TOTAL	19,813,736.62	13,031,252.21	10,982,391.90		997,263.37
*Jan-June 2014 amount received is an estimate					
**Redevelopment Property Tax Trust Fund					

Table 3

Current and Projected Sales

Factory Outlets at Cabazon			
Analysis of Potential Sales Tax Growth from Expansion			
		Current	Expansion Projections
Sales & use tax*		\$ 6,628,686	\$2,761,039
	CCRA = 25% of Expansion Projections		\$690,260
Retail square footage			
	Desert Hills Factory Outlets (Simon property)**	540,000	175,000
	Cabazon Factory Outlets (Craig property)***	65,000	77,000
	Total retail square footage	605,000	252,000
Estimated FY 12/13 average sales tax per square foot =		\$ 10.96	
	* Current sales & use tax is the FY 12/13 actual total.		
	** Current square footage for Simon property obtained from EDA.		
	*** Current square footage for Craig property obtained from outlet website.		



Cabazon Station

50290 Main Street, Cabazon, CA 92230, (951) 922-7100

To: Chief Deputy Mitch Alm

Date: October 30, 2013

From: Captain Robert Peebles

Re: Overtime Projection for Desert Hills Premium Outlets

SYNOPSIS OF OVERTIME COVERAGE

Simon Property Group is in the process of expanding the retail area and building a four-level parking structure at the Desert Hills Premium Outlets, located at 48400 Seminole Drive, Cabazon. The plan is to add approximately 158,000 square feet of retail businesses (approx. 51 new stores) and an additional 1,600 parking stalls to the existing mall. Upon completion in 2014, the size of the complex will be about 658,000 square feet with over 180 stores and more than 2,500 parking spaces.

Desert Hills Premium Outlets has maintained continued growth since it was first opened in 1990. It continues to be a popular shopping destination and tourist attraction because of its shopping uniqueness and the malls proximity to Casino Morongo and the City of Palm Springs. Holiday weekends easily increase the Desert Hills Premium Outlets' population to over 40,000 shoppers per day. The holiday weekends include Memorial Day (a 3-day event), Labor Day, (a 3-day event), Thanksgiving (a 4-day event). The increase of retail shops is sure to increase those numbers. With overtime costs included in Cabazon's current budget, we have been able to maintain adequate staffing coverage through this current Fiscal Year (2013/2014), but after the expansion, will need to increase the law enforcement presence during the busy events to ensure the Desert Hills Premium Outlets remains a safe retail environment.

SUPPORTING DATA

When the outlets opened in 1990, their one complex located at 48650 Seminole Road had approximately 200,000 square feet of small to medium retail businesses. In 1995, the outlets expanded by adding a second complex located next door at 48400 Seminole Road. This added an additional 175,000 square feet of small to medium retail businesses, for a total complex size of approximately 375,000 square feet of retail businesses.

As a result of the 1995 expansion of the Desert Hills Premium Outlets, a determination was made that the tax revenue generated by the mall supported additional Sheriff's Department infrastructure. The Cabazon Station received two additional deputy sheriff

positions. This increase of sheriff's personnel and equipment assisted in off setting increased calls for service.

In 1997, 1998, and 2002, Desert Hills Premium Outlets again continued its expansion by adding additional retail shops. Today, there is approximately 500,000 square feet of retail businesses at the Desert Hills Premium Outlets. No additional law enforcement infrastructure was provided as a result of the expansion of the retail complex in these years.

Simon Property Group is in the process of building an additional 158,000 square feet of retail space. This will increase the Desert Hills Premium Outlets' overall total gross building area to approximately 658,000 square feet. The Cabazon Station anticipates additional demands upon existing resources.

RECOMMENDATIONS

Corresponding with expansion of 158,000 square feet of retail businesses (approx. 51 new stores) at the Desert Hills Premium Outlets, combined with the addition of a four-level parking structure, the Cabazon Station anticipates the need to continue to staff the high volume weekends on an overtime basis. In addition, it would be prudent to establish one full time deputy sheriff as a crime prevention and liaison officer to coordinate a variety of prevention/intervention programs along with additional patrols. The anticipated costs for these efforts would be approximately \$190,000 for personnel vehicles, training and equipment for Fiscal Year 2014/2015.

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



FROM: Supv. John Benoit, 4th District & Supv. Marion Ashley 5th District

SUBMITTAL DATE:
October 4, 2012

SUBJECT: Interstate 10 "Lifeline" Emergency Action Plan

RECOMMENDED MOTION: That the Board of Supervisors join us in:

- 1) Endorsing the I-10 "Lifeline" Plan, and;
- 2) Authorizing the Director of Transportation and Land Management to approve a Memorandum of Understanding (MOU) with all participating agencies that substantially conforms with the attached version, and;
- 3) Direct the Transportation Department, the Fire Department/Office of Emergency Services, and all other County Departments to work cooperatively with other agencies to implement the "Lifeline" Plan and develop a joint protocol for emergency response.

BACKGROUND: Interstate 10 through the Cabazon/San Gorgonio Pass area carries over 100,000 vehicles per day. This Interstate is the primary east-west connection between the Los Angeles basin, the Inland Empire, and the Coachella Valley to the rest of the Country. Thousands of travelers and millions of dollars of commerce rely on this major interstate highway every day.

Over the last 5-7 years, I-10 has experienced a series of major, well publicized traffic incidents which have created enormous back-ups, and in some cases have left motorists stranded for hours in closed sections of the freeway without a way of getting off the road to access restrooms, water and basic services.

The County, Caltrans, the CHP, the Morongo Band of Mission Indians, CVAG, the City of Banning, the City of Palm Springs and RCTC staff have partnered to develop the I-10

John J. Benoit *Marion Ashley*

 John J. Benoit Marion Ashley
 District 4 Supervisor District 5 Supervisor

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended with additions to extend plan through Highway 60 and the Badlands and allow for earthquake potential and direction to participating agencies to meet twice a year.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: October 16, 2012
xc: Supvr. Benoit, Supvr. Ashley, Transp., Fire-OES, Affected Depts. Deputy

Kecia Harper-Ihem
 Clerk of the Board
 By: *Kecia Harper-Ihem*
 Deputy

Prev. Agn. Ref.

District: 4/4 &
5/5

Agenda Number:

ATTACHMENTS

Departmental Concurrence

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

The Honorable Board of Supervisors

RE: Interstate 10 "Lifeline" Emergency Action Plan

October 4, 2012

Page 2 of 2

Emergency Action Plan and MOU. This action plan is a one page map identifying recently completed, on-going, and future projects that will provide alternate access routes and public notification through changeable message signs in the event of a full freeway closure on the I-10 in the Cabazon/Pass Area. Emergency contact information of all partners will be shared amongst the partners and posted on this one page map. The MOU memorializes the commitment of all agencies to provide support during an I-10 freeway closure and work cooperatively as one team.

This Emergency Action Plan and MOU constitute a guide and commitment for agencies to work cooperatively as a team and is not intended to supplant any of the responsibilities of emergency services agencies or other agreements between the parties or applicable State or Federal laws.

The Transportation projects identified in this plan are in various stages of implementation. The I-10 By-Pass – Westward Extension, is undergoing environmental and preliminary design work. The Seminole Extension, which would traverse tribal-land, is being coordinated with the Morongo Band, one of our key partners who have also allocated significant Special Distribution funding towards this effort. The Tamarack and Garnet extension links are projects in the early conceptual stages. The County will be installing interim changeable message signs on SR 62 and I-10 (approaching SR 62), in the near future. Caltrans is working on installing additional gates on I-10 on the median and installing larger permanent changeable message signs at several locations next year.

The next step will be to work closely with all partners on an emergency response protocol that can be implemented as the additional Transportation links/signs come on-line. We will also continue working with our traditional funding partners at RCTC, WRCOG and CVAG to identify and pursue all available funding to implement this plan. The stakeholders that participate in this MOU will agree to meet regularly to keep everyone updated as improvements are made and conditions evolve.

Memorandum of Understanding

Between

the County of Riverside, the California Department of Transportation District 8, the California Highway Patrol, the Morongo Band of Mission Indians, Coachella Valley Association of Governments, the Riverside County Transportation Commission, the City of Palm Springs, and the City of Banning

This Memorandum of Understanding (MOU), entered into effect on _____, 2012 between the County of Riverside (County), the California Department of Transportation District 8 (Caltrans), the California Highway Patrol (CHP), the Morongo Band of Mission Indians (Tribe), the Coachella Valley Association of Governments (CVAG), the Riverside County Transportation Commission (RCTC), the City of Palm Springs (City), and the City of Banning (City) outlines the general responsibilities of each agency and agreed upon action plan for emergency events on Interstate 10 in the Cabazon area between Banning and the Indian Avenue interchange in Palm Springs. This MOU constitutes a guide to the intentions and strategies of the parties involved, and is not intended to authorize funding for projects nor is it a legally binding contract.

INTENT

The intent of the MOU is to establish a partnership between the County, Caltrans, CHP, CVAG, RCTC, Tribe, and the Cities to improve communication and coordination and define how the entities work together as one team to effectively and efficiently respond to incidents on Interstate 10 that result in closure of the freeway. The MOU will act as a guideline for the County, Caltrans, CHP, Tribe, CVAG, RCTC, and the Cities when emergency measures are necessary to close interstate 10 for an extended period of time, and is not intended to supplant any of the responsibilities of the parties under other agreements between the parties or applicable state or federal laws.

BACKGROUND

There is an approximately 19-mile stretch of I-10 between the Hargrave Interchange/Banning and the Indian Canyon Avenue Interchange on I-10 which lacks a continuous system of frontage, or by-pass, roads to accommodate traffic in the event of an incident which causes congestion or blocks lanes on Interstate 10. Interstate 10 carries approximately 100,000 vehicles per day in this segment. The freeway has experienced a series of major, well-publicized traffic incidents in the last 5-7 years which have created enormous back-ups, and in some cases have left motorists stranded for hours in closed sections of the freeway without a

way of getting off the freeway to access restrooms, water and basic services. The County, Caltrans, CHP, Tribe, CVAG, RCTC, and Cities have partnered to establish guidelines in which to work as a team in an effort to attend to the need of stranded motorists and provide alternate routes during an emergency. As a supplement to this MOU, the attached "Emergency Action Plan" was developed as a simple reference for staff to quickly contact all parties during an emergency.

TERMS OF AGREEMENT

The following agreements have been mutually agreed upon and will serve as a guideline for responsibility and agreed upon strategies.

County agrees to:

- 1) County will perform the project development of the I-10 by-pass project, which will provide for a new 2-lane road south of interstate 10 connecting Hathaway Street in the City of Banning to Apache Trail in the Cabazon area.
- 2) County will contribute towards the project development of the extension of Seminole Road north of interstate 10 between the easterly end of Seminole to Rushmore Avenue.
- 3) County will pursue funding opportunities for the project development of the extension of Tamarack Road from Mesquite Road to Whitewater Cutoff Road north of interstate 10.
- 4) County will pursue funding opportunities for the project development of the extension of Garnet Avenue from Whitewater Cutoff Road to the westerly terminus of Garnet Avenue south of interstate 10.
- 5) County will purchase 2-4x6 changeable message boards for installation on westbound interstate 10 near the Indian Avenue interchange and southbound state route 62 near Dillon Road.
- 6) In the event of an emergency closure on interstate 10 and upon direction from Caltrans, County will provide resources to assist in traffic control and detour support, including staff, vehicles, and equipment.
- 7) In the event of an emergency closure on interstate 10, the County will make County facilities available for staging of emergency services personnel, equipment, and supplies.

Caltrans agrees to:

- 1) Caltrans will install changeable message signs on westbound interstate 10 east of state route 95 and westbound interstate 10 east of state route 177 before the end of 2012.
- 2) Caltrans will install changeable message signs on westbound interstate 10 east of the Indian Avenue interchange, on northbound state route 111 south of Tipton Road, and on westbound state route 62 west of painted hills road during the summer of 2013.

- 3) Caltrans will install vehicle detection stations and CCTV along interstate 10 at various locations in Riverside County by mid 2013.

CHP agrees to:

- 1) In the event of an emergency closure, utilize the Emergency Action Plan methods as appropriate to safely move traffic through the pass area.
- 2) Notify parties of closures that require implementation of the Emergency Action Plan.

CVAG and RCTC agree to:

- 1) Support agencies in the implementation of the Emergency Action Plan MOU.

City of Banning and City of Palm Springs agree to:

- 1) In the event of an emergency closure on interstate 10 and upon request from Caltrans, the cities will provide resources to assist in traffic control and detour support, including staff, vehicles, and equipment.
- 2) In the event of an emergency closure on interstate 10, the City will make City facilities available for staging of emergency services personnel, equipment, and supplies.

Morongo Band of Mission Indians agree to:

- 1) Morongo Band of Mission Indians will environmentally clear, design, and construct the extension of Seminole Road north of interstate 10 between the easterly end of Seminole to Rushmore Avenue, contingent upon the identification of adequate funding.
- 2) In the event of an emergency closure on interstate 10 and upon request from Caltrans, the Morongo Band of Mission Indians will make Tribal facilities available for staging of emergency services personnel, equipment, and supplies.

All parties agree:

- 1) Work cooperatively as a team to use the tools and resources available to minimize disruption of travel through the Banning Pass area for the traveling public and emergency services vehicles and personnel.
- 2) Each party will strive to meet the agreements contained in this MOU and if any conditions arise that prevent any of the items in this agreement from being met, the affected parties will immediately notify the other parties.
- 3) Each party will insure that new staff members will be fully informed of the key decisions/commitments agreed upon and as formalized in this MOU.
- 4) Participate in regular quarterly meetings to maintain active communication, provide updates, and improve coordination efforts.

Signatures to this agreement are as follows:

County of Riverside

California Department of Transportation, District 8

California Highway Patrol

Morongo Band of Mission Indians

City of Palm Springs

City of Banning

Coachella Valley Association of Governments

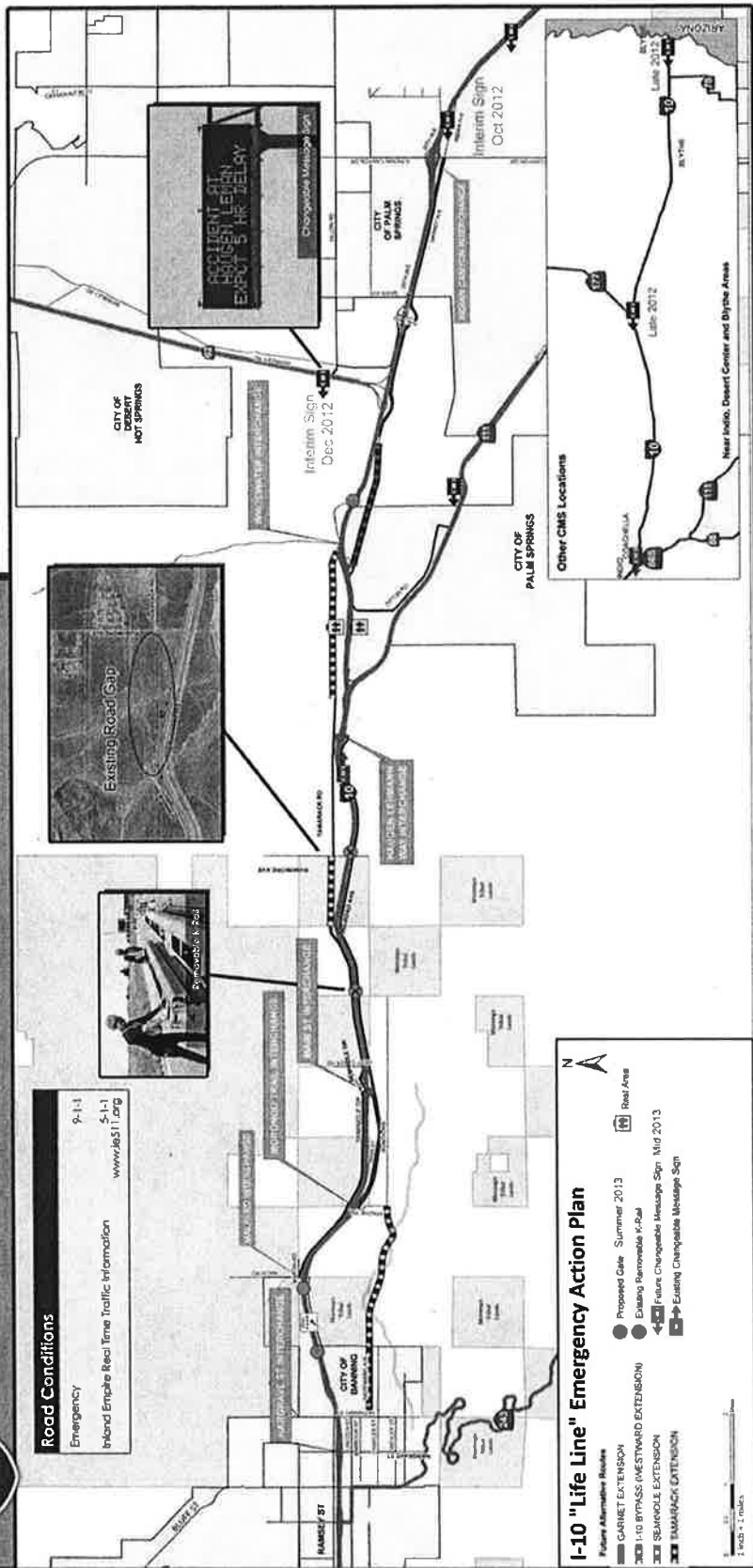
Riverside County Transportation Commission



EMERGENCY ACTION PLAN

Road Conditions

Emergency
9-1-1
Inland Empire Real Time Traffic Information
www.ies11.org



I-10 "Life Line" Emergency Action Plan

Future Alternative Routes

- GARNET EXTENSION
- I-10 BYPASS (WESTWARD EXTENSION)
- SEARSOLE EXTENSION
- EMARAWAY EXTENSION

Legend:

- Proposed Cane Summer 2013
- Existing Removable K-Rail
- Future Changeable Message Sign Mid 2013
- Existing Changeable Message Sign
- Real Area

Scale: 1 inch = 1 mile

