

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

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A



FROM: Economic Development Agency/Facilities Management and Transportation Department

SUBMITTAL DATE:
April 17, 2014

SUBJECT: Resolution No. 2014-076, Resolution Agreeing to Hear Future Resolutions of Necessity for the Machado Street Sidewalk Improvement Project in the Lake Elsinore Area, District 1 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Resolution No. 2014-076, Resolution Agreeing to Hear Future Resolutions of Necessity for the Machado Street Sidewalk Improvement Project.

BACKGROUND: The Riverside County Transportation Department (RCTD) is proposing to construct a sidewalk project along Machado Street, between Tiller Avenue and approximately 200 feet north of Natalie Drive, near the Lakeside High School in the Lake Elsinore Area (Project).

BACKGROUND:
Summary (continued)



Patricia Romo
Assistant Director of Transportation



Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: N/A				Budget Adjustment: No	
				For Fiscal Year: 2013/14	

C.E.O. RECOMMENDATION: APPROVE
BY: 
Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

FORM APPROVED COUNTY COUNSEL
BY: PAUL J EARLY
DATE: 5-17-14
Departmental Concurrence

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: N/A

District: 1/1

Agenda Number:

3-4

BACKGROUND:
Summary (continued)

The Notice of Exemption was filed and posted on April 11, 2013. RCTD staff conducted a review of the Project and it is exempt for the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(c).

The City of Lake Elsinore adopted Resolution No. 2014-003 on February 14, 2014 authorizing County to act as lead agency and exercise the powers of eminent domain for the Machado Street Sidewalk Improvement Project.

In the event the County is unable to negotiate voluntary purchases of properties necessary for the Project, this resolution sets the Board of Supervisors as the hearing body for resolutions related to eminent domain.

This Form 11 has been reviewed and approved by County Counsel as to legal form.

Impact on Residents and Businesses

Installation of the proposed sidewalk will reduce the potential for vehicle and pedestrian conflicts, thus improving public safety in the area.

SUPPLEMENTAL:
Additional Fiscal Information:

There are no costs associated with this Resolution.

2 Resolution No. 2014-076

3 Resolution Agreeing to Hear Future Resolutions of Necessity
4 for the Machado Street Sidewalk Improvement Project

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6 WHEREAS, the County of Riverside ("County") is empowered to acquire
7 property by eminent domain pursuant to Article 1, Section 19 of the California
8 Constitution, and pursuant to various statutes including Sections 1230.010 et seq. of
9 the California Code of Civil Procedure;

10 WHEREAS, the County, in cooperation with City of Lake Elsinore ("City"), has
11 proposed to construct sidewalks, curb and gutter, curb ramps, minor drainage and
12 installation of signs and pavement markings (Project) to increase bicycle and
13 pedestrian safety along Machado Street between Tiller Lane and approximately 200
14 feet north of Natalie Drive within portions of the unincorporated area of Riverside
15 County and the City of Lake Elsinore;

16 WHEREAS, Government Code 6502 provides that "if authorized by their
17 legislative or governing bodies, two or more public agencies by agreement may jointly
18 exercise any power common to the contracting parties;"

19 WHEREAS, Code of Civil Procedure Section 1240.140(b) provides two or more
20 public agencies may enter into an agreement for the joint exercise of their respective
21 powers of eminent domain, whether or not possessed in common, for the acquisition of
22 property as a single parcel"; and

23 WHEREAS, Resolution No. 2014-003 passed by the City Council of Lake
24 Elsinore, California directs and authorizes the County to act as lead agency on behalf
25 of the City for purposes of any eminent domain necessary for the Project;

26 NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the
27 County of Riverside, State of California, not less than four-fifths of all members
28

1 concurring, in regular session assembled on April 29, 2014, that this Board hereby
2 agrees as follows:

3 1. This Board hereby agrees to hear and determine Resolutions of
4 Necessity regarding the Machado Street Sidewalk Improvement Project; and

5 2. The County Counsel of the County of Riverside is hereby designated
6 to prepare (in conformance with applicable law), to review, to approve, and to
7 otherwise process resolution of necessity packages for the Machado Street Sidewalk
8 Improvement Project (including the Notice of Intention to Adopt Resolution of Necessity
9 and the Resolution of Necessity) prior to those matters being heard by the Board.

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11 FORM APPROVED COUNTY COUNSEL
12 BY:  3-7-14
13 PAUL J EARLY DATE

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