

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

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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

Patricia Romo
Assistant Director of Transportation

Robert Field

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*
Rohini Dasika
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: April 29, 2014
xc: EDA, Transp.

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

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

A-30
 4/5 Vote
 Positions Added
 Change Order

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

Economic Development Agency/Facilities Management and Transportation Department

FORM 11: 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]

DATE: April 17, 2014

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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

5
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.

10
11 FORM APPROVED COUNTY COUNSEL
12 BY: PAUL J EARLY 3-7-14 DATE

13 ROLL CALL:

14 Ayes: Jeffries, Stone, Benoit and Ashley
15 Nays: None
16 Absent: Tavaglione

17 The foregoing is certified to be a true copy of a resolution duly
18 adopted by said Board of Supervisors on the date therein set forth.

19 KECIA HARPER-IHEM, Clerk of said Board

20 By _____
21 Deputy

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27 YK:s\030514\424TR\16.766 S:\Real Property\TYPING\Docs-16.500 to 16.999\16.766.doc

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Paul Jacobs

Address: _____
(only if follow-up mail response requested)

City: Temecula **Zip:** _____

Phone #: _____

Date: 4/29/14 **Agenda #** 3-4

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.