

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS  
 DATE: 11/14/14

Departmental Concurrence

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

410 2



**FROM:** TLMA – Transportation Department

**SUBMITTAL DATE:**  
 October 14, 2014

**SUBJECT:** First Amendment to the Agreement between the County of Riverside and the City of Riverside for the Street A (also Described as "A" Street) Improvement Project. District 1/District 1; [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the attached First Amendment to the Agreement between the County of Riverside and City of Riverside for the Street A Improvement Project; and
2. Authorize the Chairman of the Board to execute this First Amendment on behalf of the County of Riverside and delegate authority to the Director of Transportation and Land Management, or his designee, to take all necessary administrative actions to implement the First Amendment.

*Patricia Romo*

Patricia Romo  
 Assistant Director of Transportation  
 for Juan C. Perez  
 Director of Transportation and Land Management

| FINANCIAL DATA              | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost:                 | POLICY/CONSENT<br>(Per Exec. Office)  |
|-----------------------------|----------------------|-------------------|-------------|-------------------------------|---|
| COST                        | \$ 0                 | \$ 0              | \$ 0        | \$ 0                          | Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/> |
| NET COUNTY COST             | \$ 0                 | \$ 0              | \$ 0        | \$ 0                          |   |
| <b>SOURCE OF FUNDS:</b> N/A |                      |                   |             | <b>Budget Adjustment:</b> No  |   |
|                             |                      |                   |             | <b>For Fiscal Year:</b> 14/15 |   |

**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 Ashley 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: November 25, 2014  
 xc: Transp.

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

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

**Prev. Agn. Ref.:** 12/18/07, Item 3-58  
 03/27/12, Item 3-38

**District:** 1/1

**Agenda Number:**

3-3

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11:** First Amendment to the Agreement between the County of Riverside and the City of Riverside for the Street A (also Described as "A" Street) Improvement Project. District 1/District 1; [\$0]

**DATE:** October 14, 2014

**PAGE:** 2 of 2

**BACKGROUND:**

**Summary**

The Street A Project is a proposed two lane collector road connecting McAllister Parkway to Van Buren Boulevard, of which 40 percent is located within the jurisdiction of the County of Riverside (County) and 60 percent is located within the jurisdiction of the City of Riverside (City). In 2006, the County approved Tract 30153 (McAllister Hills), which would have constructed a golf course residential community development. The County required this tract to construct a new road between McAllister Street and Van Buren Boulevard, referred to as Street A, which would serve traffic from the development and provide an alternate access route for residents of Victoria Grove, The Orchards, and other communities in the area north of El Sobrante Road and east of La Sierra Avenue.

On December 18, 2007, the Board of Supervisors (Board) approved Item 3-58, which consented to and authorized the City to act as lead agency on behalf of the County for purposes of land acquisition services and eminent domain necessary for Street A, since most of the property to be acquired was within City limits. The road design was nearly complete and right-of-way acquisition was about to commence in 2008 when work ceased on the developer's project, which went into foreclosure due to the economic downturn.

On March 27, 2012 (Agenda Item 3-38), the Board executed the agreement for the Street A Street Improvement Project between the County and City. The agreement between the County and the City provides the terms and conditions under which said project is to be pursued. The agreement further defines the project-related activities including real property activities to be performed by the County and the City. The agreement also formally revoked the County's consent to authorize the City to act as lead agency on behalf of the County for purposes of land acquisition services and eminent domain necessary for the project.

Through this amendment, the City will grant authorization to the County to act as the lead agency on behalf of the City for the purposes of land acquisition services, including consideration of eminent domain should that is necessary for the project.

The Riverside City Council approved this amendment at their November 19, 2013, city council meeting.

Project Number: C1-0641

**Impact on Residents and Businesses**

Street A will provide an alternative access route for the residents of Victoria Grove, The Orchard, and other communities in the area north of El Sobrante Road and east of La Sierra Road.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

FIRST AMENDMENT TO AGREEMENT BY AND BETWEEN  
RIVERSIDE COUNTY  
AND  
CITY OF RIVERSIDE  
FOR  
"A" STREET (FAIRWAY DRIVE) IMPROVEMENTS

THIS FIRST AMENDMENT TO AGREEMENT BY AND BETWEEN RIVERSIDE COUNTY AND CITY OF RIVERSIDE FOR "A" STREET (FAIRWAY DRIVE) IMPROVEMENTS ("First Amendment"), is made and entered into this 25th day of November, 2013, by and between the CITY OF RIVERSIDE, a California charter city and municipal corporation ("City") and the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("County").

**RECITALS**

WHEREAS, on April 18, 2012, City and County entered into the Agreement By And Between Riverside County and City of Riverside For "A" Street (Fairway Drive) Improvements ("Agreement"); and

WHEREAS, City and County desire to modify language pertaining to County's consent that authorized the City to act as lead agency on behalf of the County for purposes of land acquisition services and eminent domain.

NOW, THEREFORE, in consideration of the foregoing recitals which are incorporated herein by this reference, City and County agree as follows:

1. Section 2 of the Agreement is hereby amended to add the following new paragraph 4.

"4. Pursuant to Government Code section 6502 and Code of Civil Procedure section 1240.140, CITY agrees to jointly exercise its power of eminent domain with the COUNTY to condemn certain properties in relation to the PROJECT. CITY further directs and authorizes COUNTY to act as lead agency on behalf of the CITY for purposes of land acquisition services and eminent domain necessary for PROJECT."

2. All terms and conditions of the Agreement not inconsistent with this First Amendment, shall remain in full force and effect and are incorporated herein by this reference as if set forth in full.

Signatures on next page.

IN WITNESS WHEREOF, City and County have caused this Amendment to Agreement for Professional County Services to be duly executed on the day and year first above written.

CITY OF RIVERSIDE, a California charter city and municipal corporation

COUNTY OF RIVERSIDE, a political subdivision of the State of California

RECOMMENDED FOR APPROVAL:

By: *Deanna Rosen*  
City Manager *DR*

By: *Patricia Romo*  
*Patricia Romo Assistant*  
[Name and Title] *Director*

Attest: *Em Muenich*  
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:  
COUNTY COUNSEL

By: *[Signature]*  
Supervising Deputy City Attorney

By: *[Signature]* *11/17/14*  
*Marsha L. Victor*  
[Name and Title]

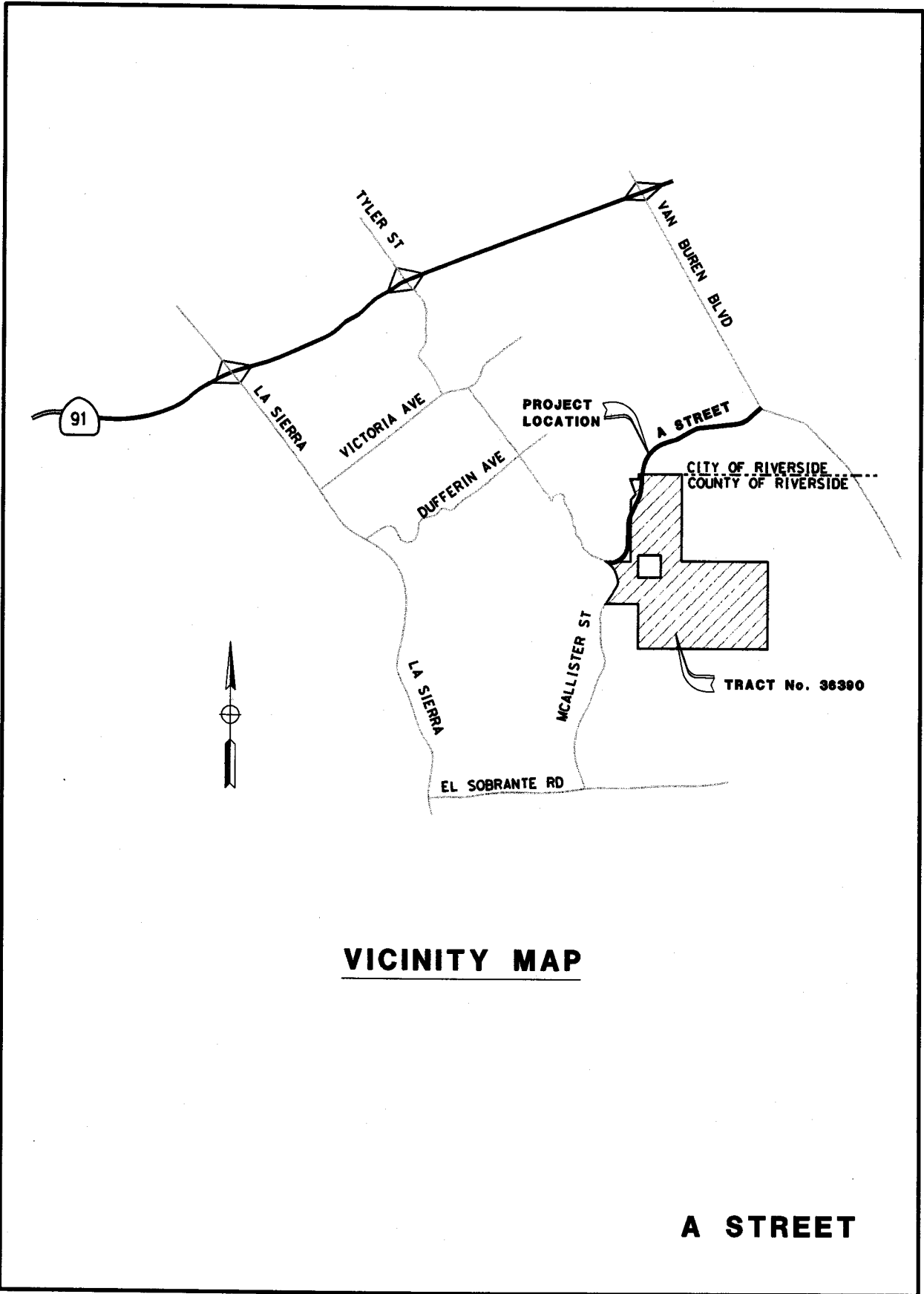
APPROVAL BY THE BOARD OF SUPERVISORS

By: *Jeff Stone*  
**JEFF STONE**  
**CHAIRMAN, BOARD OF SUPERVISORS**  
[Name and Title]

ATTEST:

By: \_\_\_\_\_  
\_\_\_\_\_  
[Name and Title]

ATTEST:  
KECIA HARPER-JHEM, Clerk  
By: *[Signature]*  
DEPUTY



**VICINITY MAP**

**A STREET**