

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

641A



FROM: TLMA – Transportation Department

SUBMITTAL DATE:
December 15, 2014

SUBJECT: Resolution No. 2015-012, Resolution Delegating Authority to the City of Beaumont to Act as Lead Agency and Condemn Certain Properties within the County of Riverside for the State Route 60/Potrero Boulevard Interchange Project. 5th District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors Approve Resolution No. 2015-012, Resolution Delegating Authority to the City of Beaumont to Act as Lead Agency and Condemn Certain Properties within the County of Riverside for the State Route 60/Potrero Boulevard Interchange Project

BACKGROUND:

Summary

The City of Beaumont (City) is proposing a new interchange located at State Route 60 (SR-60) and Potrero Boulevard (Project) in order to improve traffic circulation and mitigate for increased traffic volumes associated with current and future development. The Project is consistent with the City's General Plan. There is currently no access to SR-60 from Potrero Boulevard, with the exception of the at-grade crossing at Western Knolls Avenue to the east.

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 (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: FY 14/15

C.E.O. RECOMMENDATION:

APPROVE

BY:

Tina Grande
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Benoit and Ashley
Nays: None
Absent: None
Date: January 6, 2015
xc: Transp.

Kecia Harper-Ihem
Clerk of the Board

By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.:

District: 5

Agenda Number:

3-47

FORM APPROVED COUNTY COUNSEL
BY: ANITA C. WILLIS
DATE: 12-18-14

Departmental Concurrence

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

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Resolution No. 2015-012, Resolution Delegating Authority to the City of Beaumont to Act as Lead Agency and Condemn Certain Properties within the County of Riverside for the State Route 60/Potrero Road Interchange Project. 5th District; [\$0]
DATE: December 15, 2014
PAGE: 2 of 2

BACKGROUND:

Summary (continued)

The proposed interchange at Potrero Boulevard will provide a new diamond shaped interchange connection to SR-60 with a new Potrero Boulevard overcrossing.

The Project will be built in two phases. The first phase proposes to build the Potrero Boulevard Bridge over SR-60 and improve the Western Knolls frontage road, north of SR-60. Phase 2 proposes to construct the entrance and exit ramps at Potrero Boulevard.

The City is the lead agency for the Project and has been delegated the authority to acquire right-of-way by Caltrans. The City is requesting that the County of Riverside expressly authorize the City to act as lead agency for any condemnation proceedings necessary for right-of-way acquisition within unincorporated county that is needed for both phases of the Project. A total of nine (9) properties are needed for the project, six (6) are located in the City and three (3) are within unincorporated county. The City has successfully negotiated acquisition agreements for six (6) of the parcels needed for the ultimate project. To complete Phase 1, two (2) of the three (3) remaining parcels are not needed; these will be acquired prior to commencement of Phase 2. One (1) parcel remains to be acquired and is necessary for Phase 1 to commence; this parcel is within county jurisdiction.

This Resolution delegates the authority to the City to acquire this last needed parcel by eminent domain if necessary. The City plans to begin construction of Phase 1 in the summer of 2015.

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

Impact on Residents and Businesses

The Project will improve traffic operations and circulation for the current and future traffic volumes.

SUPPLEMENTAL:

Additional Fiscal Information

All project costs, including right-of-way, will be paid for by the City.

2 **Resolution No. 2015-012**

3 **Resolution Delegating Authority to the City of Beaumont to Act as Lead Agency**
4 **and Condemn Certain Properties within the County of Riverside for the**
5 **State Route 60/Potrero Boulevard Interchange Project**

6 **WHEREAS**, the City of Beaumont (City) is proposing a new interchange located
7 at State Route 60/Potrero Boulevard ("Project") in order to improve increased traffic
8 volumes in the area; and

9 **WHEREAS**, on February 8, 2008, the City entered into a Cooperative
10 Agreement with the State of California, acting by and through its Department of
11 Transportation, which the City was granted authority to perform right-of-way acquisition
12 for the Project; and

13 **WHEREAS**, the City is the lead agency for the Project, including acting as lead
14 agency for the purposes of providing land acquisition services pursuant to the Uniform
15 Relocation Assistance and Real Property Acquisition Policies Act of 1970, as
16 amended, and exercising eminent domain, if necessary, in connection with the Project
17 in accordance with Government Code, Section 7260 et seq. and California Code of
18 Civil Procedure, Section 1230.010 et seq.; and

19 **WHEREAS**, public agencies may jointly exercise any power common to them
20 pursuant to Government Code, Section 6502 and California Code of Civil Procedure,
21 Section 1240.140(b); and

22 **WHEREAS**, Government Code, Section 6502 provides that "[i]f authorized by
23 their legislative or governing bodies, two or more public agencies by agreement may
24 jointly exercise any power common to the contracting parties"; and

25 **WHEREAS**, California Code of Civil Procedure, Section 1240.140(b) provides
26 that "[t]wo or more public agencies may enter into an agreement for the joint exercise
27 of their respective powers of eminent domain, whether or not possessed in common,
28 for the acquisition of property as a single parcel"; and

FORM APPROVED COUNTY COUNSEL
BY *[Signature]* DATE 12/16/14

1 **WHEREAS**, the City and County are public agencies within the meaning of
2 Government Code, Section 6500 et seq. and possess the common power to acquire
3 and construct real property and facilities thereon for street and highway purposes; and

4 **WHEREAS**, the County desires to consent to the acquisition by the City of any
5 property interests that are located within the County's jurisdiction and that are within
6 the boundaries of the Project in accordance with applicable law including, but not
7 limited to, Government Code, Section 6502, Code of Civil Procedure, Section
8 1240.140(b), and the Eminent Domain Law (Code of Civil Procedure, Section
9 1230.010 et seq.); and

10 **WHEREAS**, the County expressly grants to the City its powers of eminent
11 domain for the purpose of acquiring the appropriate real property interests in
12 connection with the Project in accordance with applicable law including, but not limited
13 to, Government Code, Section 6502, Code of Civil Procedure, Section 1240.140(b),
14 and the Eminent Domain Law (and Code of Civil Procedure, Section 1230.010 et
15 seq.); and

16 **WHEREAS**, the City's acquisition of necessary property interests and rights-of-
17 way within the County's jurisdiction in connection with the Project shall comply with
18 applicable law, including but not limited to, Code of Civil Procedure, Section 1230.010
19 et seq.; and

20 **WHEREAS**, the project is a State Highway project; and

21 **WHEREAS**, Caltrans has granted the City authority to acquire property on
22 behalf of the State.

23 **NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the
24 County of Riverside, State of California, not less than four-fifths of all members
25 concurring, in regular session assembled on January 6, 2015, that this Board hereby
26 agrees as follows:

27 1. The Recitals set forth above are incorporated herein by this reference; and
28

1 2. The County expressly consents to the acquisition by purchase or eminent
2 domain, if necessary, by the City of any property interests and right-of-way located
3 within the County's jurisdiction in connection with the State Route 60 and Potrero
4 Interchange Project; and

5 3. Pursuant to Government Code, Section 6502 and Code of Civil Procedure,
6 Section 1240.140, the County expressly grants to the City the County's power of
7 eminent domain to acquire the necessary property interests and right-of-way located
8 within the County's jurisdiction in connection with the State Route 60 and Potrero
9 Interchange Project. The City shall exercise the County's power of eminent domain in
10 accordance with all applicable laws, including but not limited to, Code of Civil
11 Procedure, Section 1230.010 et seq.; and

12 4. The County further directs and authorizes City to act as lead agency on
13 behalf of the County for purposes of land acquisition services and eminent domain, if
14 necessary, in connection with the State Route 60 and Potrero Interchange Project.

15
16 ROLL CALL:

17 Ayes: Jeffries, Tavaglione, Benoit and Ashley
18 Nays: None
19 Absent: None

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

22 KECIA HARPER-IHEM, Clerk of said Board

23 By 

24 Deputy