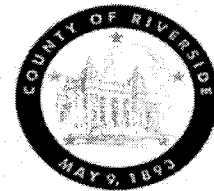


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM  
3.41  
(ID # 3155)

**MEETING DATE:**

Tuesday, January 17, 2017

**FROM:** TLMA-TRANSPORTATION:

**SUBJECT:** TLMA/TRANSPORTATION; Adopt Resolution No. 2017-002, Notice of Intention for Consideration of the Installation of a Locked Gate Across Box Springs Mountain Road in the Box Springs Mountain Area Pursuant to Street and Highway Code Section 966, and Set a Public Hearing for January 31, 2017 @ 9:00 a.m. or as soon as possible thereafter. 1st District; [\$0] (Clerk to advertise)

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

1. Adopt Resolution No. 2017-002, Notice of Intention to Set the Public Hearing For Considering the Installation of a Locked Gate across Box Springs Mountain Road in the Box Springs Mountain area Pursuant to Streets and Highway Code Section 966, and set a public hearing; and
2. Direct the Clerk of the Board to set the Public Hearing for January 31, 2017.

**ACTION:** Policy

  
Patricia Romo, Director of Transportation 12/9/2016

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: N/A	
			For Fiscal Year: N/A	

**C.E.O. RECOMMENDATION:** Approve

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing on Tuesday, January 31, 2017, at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Tavaglione, Washington and Ashley  
Nays: None  
Absent: None  
Date: January 17, 2017  
xc: Transp., COB

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

**3.41**

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

**BACKGROUND:**

**Summary**

Box Springs Mountain Road is a County of Riverside (County) Maintained dirt road extending from the end of Pigeon Pass Road to the gated entrance of the Box Springs Mountain Park. Box Springs Mountain Road serves visitors to Box Springs Mountain Park ("Park"), four resident property owners who live on the maintained dirt portion of the road leading to the park entrance and multiple owners/occupants of the telecommunication towers situated at the top of Box Springs Mountain. The history of Box Springs Mountain and how it received its name dates back to the 1880's. Teamsters with horse drawn wagons would stop at the natural spring to water their horses. One teamster surrounded the spring with a box to maintain water access, giving the spring and the mountain range its name. Prior to 1988, the County maintained Box Springs Mountain Road up to the top of the mountain. On November 8, 1988, the Board of Supervisors adopted Resolution No. 88-561 terminating maintenance of Box Springs Mountain Road above the gate that serves as the entrance to the Park. A gate was placed at the new westerly terminus of Box Springs Mountain Road. The access road beyond the gate leads to and serves a group of large telecommunication towers on top of Box Springs Mountain, including transmission towers for the KOLA 99.9 and KGGI 99.1 radio stations.

The residents along Box Springs Mountain Road have expressed their concerns about suspected activities happening along Box Springs Canyon Road in the evening hours that are suspected to be illegal, creating waste and are disturbing the resident property owners. There have been reports of speeding and illegal parking blocking access to the residents along Box Springs Mountain Road and after dark gatherings. The residents are concerned that the individuals gathering there are drinking alcohol and possibly using drugs. There have also been reports of fireworks and gunshots occurring in the area. Riverside County Sheriff's Department has provided documentation of approximately 135 calls for service to the immediate area between October 2014 and October 2016.

On August 18, 2015 (Agenda Item 3-81), the Board of Supervisors adopted Resolution No. 2015-172 Designating "No Stopping, Tow Away Zones" on Box Springs Mountain Road. The County of Riverside Transportation Department (Transportation Department) installed "No Stopping, Tow Away Zone" signs at various points along Box Springs Mountain Road, and speed limit signs. However, residents have reported that after dark activities continue to occur despite the posted signs.

This Resolution No. 2017-002 is to set the public hearing for the Board to consider the installation of a locked gate at the end of the paved portion of Box Springs Mountain Road. The financial responsibility for installation and maintenance would be the responsibility of the current resident property owners, through the formation of a County Service Area (CSA) to be formed at a later date. The CSA would be responsible for collecting the special tax and installing and maintaining the gate. Before the CSA could be formed, a tax rate would need to be set and approved by more than 50% of the property owners within the CSA boundary which is expected to be comprised of four private properties. The County would seek the assistance of the Riverside County Regional Park and Open-Space District who own and operate the Box Springs Mountain Park ("Park") by requesting that the Park Ranger open and close the gate at times that coincide with the Box Springs Mountain Park

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

hours. This action would keep access restricted to the use of the residents along Box Springs Mountain Road and for emergency vehicles after Box Springs Mountain Park closes in the evening. There are four residents and the owners/operators of the communication towers at the top of Box Springs Mountain who would be directly affected by the installation of a locked gate.

Section 966 of the Streets and Highways Code allows the Board of Supervisors to provide for the erection and maintenance of gates provided that the person(s) who receive the benefit shall in all cases bear the expense of such erection and maintenance. Section 942.5(a) of the Streets and Highways Code allows the Board of Supervisors to close or restrict the use of a road or highway for the protection of the public, In this case, the four residents along Box Springs Mountain Road.

County Counsel has approved Resolution No. 2017-002 as to form.

**Impact on Residents and Businesses**

Considering the installation of a locked gate across Box Springs Mountain Road has no impact on any local businesses and will allow the residents at this site to have continuous access and eliminate any undesired after hours activities.

**SUPPLEMENTAL:**

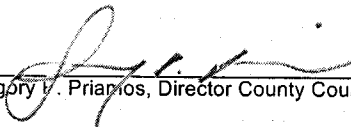
**Additional Fiscal Information**

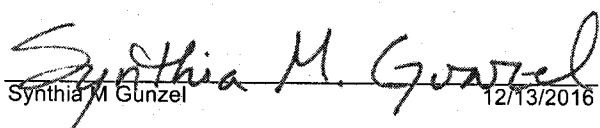
The staff time for the formation of the CSA and the installation and maintenance of the gate will be borne by the CSA. The costs associated with this effort are unknown at this time.

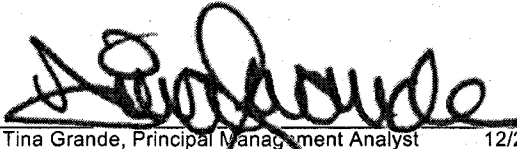
**ATTACHMENTS:**

Vicinity Map

Resolution No. 2017-002

  
\_\_\_\_\_  
Gregory V. Priamos, Director County Counsel 12/14/2016

  
\_\_\_\_\_  
Cynthia M. Gunzel 12/13/2016

  
\_\_\_\_\_  
Tina Grande, Principal Management Analyst 12/28/2016

1 Board of Supervisors

County of Riverside

2  
3 **RESOLUTION NO. 2017-002**

4 NOTICE OF INTENTION FOR CONSIDERATION OF THE INSTALLATION OF A  
5 LOCKED GATE ACROSS BOX SPRINGS MOUNTAIN ROAD IN THE BOX SPRINGS  
6 MOUNTAIN AREA PURSUANT TO STREETS AND HIGHWAY CODE SECTION 966;

7 SET PUBLIC HEARING

8 (SU1050)

9 (First Supervisorial District)

10  
11 **WHEREAS**, the Board of Supervisors of the County of Riverside ("Board") may  
12 restrict the use of a county highway for the protection of the public pursuant to Section  
13 942.5 of the Streets and Highways Code; and

14 **WHEREAS**, pursuant to Streets and Highways Code Section 966, the Board may  
15 provide for the erection and maintenance of gates on county roads, may prescribe rules  
16 and regulations for closing such gates, and may establish penalties for violating such  
17 rules and regulations; and

18 **WHEREAS**, the Board may exercise the authority derived from Streets & Highways  
19 Code Section 966 provided that the persons, for whom immediate benefit the gates are  
20 erected and maintained, shall in all cases bear the expense of such erection and  
21 maintenance; and,

22 **WHEREAS**, it is proposed to set a public hearing for the Board to consider  
23 installation of a locked gate across the county road known as Box Springs Mountain Road  
24 with rules, regulations and penalties to be established therewith provided a County service  
25 area is duly formed to properly establish the funding mechanism for collection from the  
26 persons for whom immediately benefit from the installation of the gate;

27 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND**  
28 **ORDERED** by the Board of Supervisors of the County of Riverside, State of California, in

FORM APPROVED COUNTY COUNSEL  
BY: *Synthia M. Gunzel* 12-13-14  
DATE  
SYNTHIA M. GUNZEL

1 regular session assembled on January 17, 2017, pursuant to Sections  
2 942.5 (a) and 966 of the Streets and Highways Code, that it is the intention of this Board  
3 to consider the installation of a locked gate at Box Springs Mountain Road at the point  
4 that Pigeon Pass Road ends thereby restricting access for the protection of the public,  
5 such location more particularly legally described and depicted as follows:

6 SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF;

7 **BE IT FURTHER RESOLVED** that a public hearing is to be set and will be held on  
8 January 31, 2017, at 9:00 in the meeting room of the Board of Supervisors, County  
9 Administrative Center, Riverside, California at which time and place the Board will hear  
10 and consider the proposal to restrict access by the installation of a lockable gate at the  
11 transition of Pigeon Pass Road and Box Springs Mountain Road and any objections  
12 thereto.

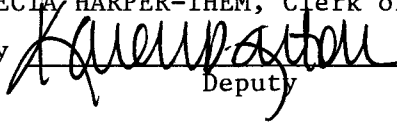
13 **BE IT FURTHER RESOLVED, DETERMINED AND ORDERED** that notice of this  
14 hearing be given by the County of Riverside Transportation Department posting three  
15 copies of this Resolution No. 2017-002 along Box Springs Mountain Road at least 14  
16 days prior to date the public hearing will be set.

17 ROLL CALL:

18 Ayes: Jeffries, Tavaglione, Washington and Ashley  
19 Nays: None  
20 Absent: None

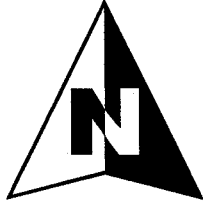
21 The foregoing is certified to be a true copy of a resolution duly  
22 adopted by said Board of Supervisors on the date therein set forth.

23 KECLIA HARPER-IHEM, Clerk of said Board

24 By  Deputy

25  
26  
27  
28

# EXHIBIT "A"



**N.T.S.**  
SECTION 22  
T. 2S, R. 4W  
S.B.M.

**KEVIN JEFFRIES  
1ST DISTRICT**

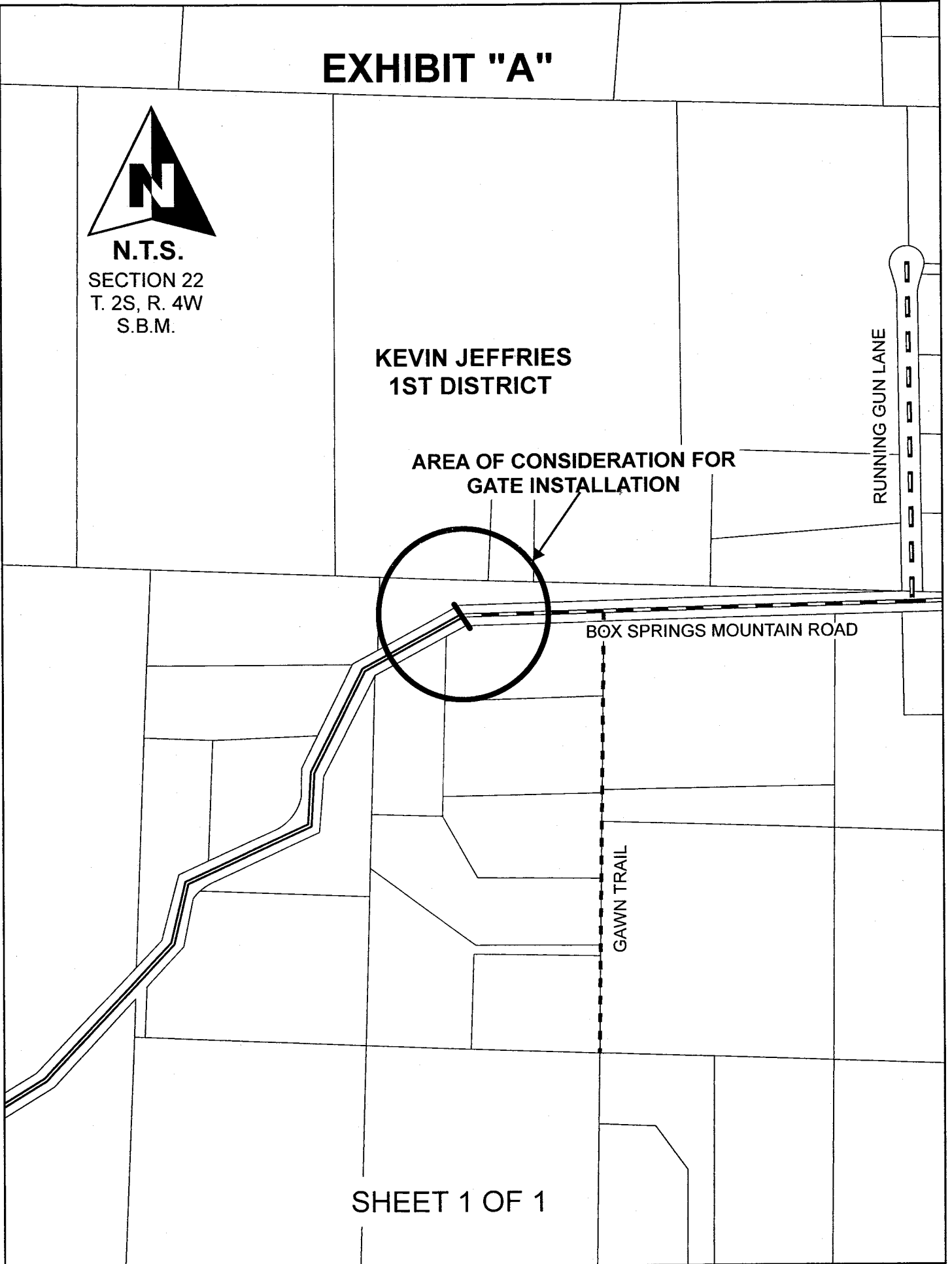
**AREA OF CONSIDERATION FOR  
GATE INSTALLATION**

**RUNNING GUN LANE**

**BOX SPRINGS MOUNTAIN ROAD**

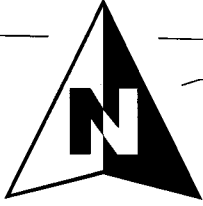
**GAWN TRAIL**

**SHEET 1 OF 1**



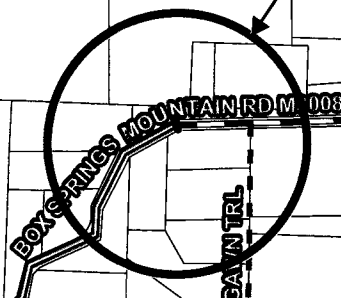
TO BE REMOVED BEFORE RECORDING

# VICINITY MAP



N.T.S.  
SECTION 22  
T. 2S, R. 4W  
S.B.M.

AREA OF APPROVAL



RUNNING GUN LN

PIGEON

PASS RD M80

FOXSPRINGS MOUNTAIN RD M 008

CAIN TRL

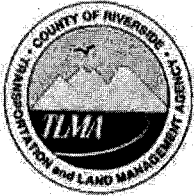
QUAL CALL DR

KEVIN JEFFRIES  
1ST DISTRICT

CITY OF MORENO VALLEY

SHEET 1 OF 1

TO BE REMOVED BEFORE RECORDING



*Juan C. Perez, P.E., T.E.  
Transportation and Land  
Management Agency Director*

**COUNTY OF RIVERSIDE  
TRANSPORTATION AND  
LAND MANAGEMENT AGENCY**



*Patricia Romo, P.E.  
Director of Transportation*

**Transportation Department**

**CERTIFICATE OF POSTING**


I, Wesley Hohenberger, Transportation Dept. Staff / Survey Division, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on January 17, 2017, I posted, a minimum of three (3), copies of the following document, as required by Streets and Highways Code, Section 970.5.

**RESOLUTION NO. 2017-002  
NOTICE OF INTENTION FOR CONSIDERATION OF THE INSTALLATION OF A  
LOCKED GATE ACROSS BOX SPRINGS MOUNTAIN ROAD IN THE BOX SPRINGS  
AREA 1<sup>ST</sup> DISTRICT**

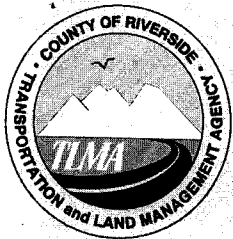
Posted near each end and the middle of Box Springs Mountain Road as being affected by the naming in the Box Springs area, First Supervisorial District.

Board Agenda date for Notice of Intention: **January 17, 2017 agenda item # 3.41**

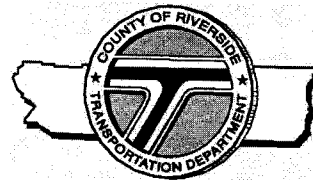
Board Agenda date for Public Hearing: **January 31, 2017**

  
Signature





**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND**  
**LAND MANAGEMENT AGENCY**



**Transportation Department**

*Juan C. Perez, P.E.*  
*Director of Transportation*

January 18, 2017

**TO: Cecilia Gil**

**FROM: Wesley Hohenberger, Transportation Department / Survey Division**

**RE: Certificate of Posting- Resolution No. 2017-002**

Attached please find the Certificate of Posting for Resolution No. 2017-002 Notice of Intention for Consideration of the Installation of a Locked Gate Across Box Springs Mountain Road in the Box Springs Area 1<sup>st</sup> District