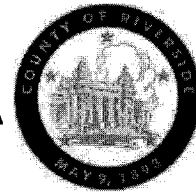


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM
3.12
(ID # 5837)**

MEETING DATE:

Tuesday, February 6, 2018

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA) AND TRANSPORTATION LAND
MANAGEMENT AGENCY-TRANSPORTATION DEPARTMENT :

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA) AND TRANSPORTATION LAND
MANAGEMENT AGENCY-TRANSPORTATION DEPARTMENT: Approval of
Temporary Construction Access Agreement for a Portion of Assessor's Parcel
Number 152-630-029 for the Limonite Avenue/Interstate 15 Interchange Project in the
City of Jurupa Valley, CEQA Finding of Nothing Further is Required, District 2; [Total
Cost - \$72,300] Mira Loma Road and Bridge Benefits District-100% (Clerk to File
Notice of Determination)

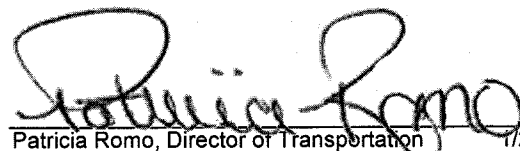
RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that nothing further is required for the acquisition of the temporary construction easement interest by the County as it has been adequately analyzed in the Final Initial Study with Mitigated Negative Declaration for Environmental Assessment No. OE150 and Mitigation Monitoring and Report Program Findings, adopted by the Board on June 21, 2016 for the Limonite Avenue/Interstate 15 Project;
2. Approve the attached Temporary Construction Access Agreement between the County of Riverside and Lowe's Home Centers, LLC, a North Carolina limited liability company, as successor by merger to Lowe's HIW, Inc., a Washington corporation, for a non-exclusive temporary right in real property identified as Parcel 0393-001B, located within a portion of Assessor's Parcel Number 152-630-029 and authorize the Chairman of the Board to execute the agreement on behalf of the County;

ACTION: Policy


Robert Field, Assistant County Executive Officer/EDA

11/30/2017


Patricia Romo, Director of Transportation

1/24/2018

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: February 6, 2018
xc: EDA, Transp., Recorder

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors:

3. Authorize the Assistant County Executive Officer/Economic Development Agency (EDA) or his designee to execute any other documents and administer all actions necessary to complete this transaction;
4. Authorize and allocate the amount of \$67,300 for the temporary right to Parcel 0393-001B located within a portion of Assessor's Parcel Number: 152-630-029;
5. Ratify and authorize reimbursement to EDA-Real Estate (RE) in the amount not-to-exceed \$5,000 for due diligence and staff expenses; and
6. Direct the Clerk of the Board to file the Notice of Determination with the County Clerk within five days of the approval by the Board.

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost |
|--|-----------------------------|--------------------------|---------------------------|---------------------|
| COST | \$ 72,300 | \$ 0 | \$ 72,300 | \$ 0 |
| NET COUNTY COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| SOURCE OF FUNDS: Mira Loma R&B Benefits District-100% | | | Budget Adjustment: | No |
| | | | For Fiscal Year: | 2017/18 |

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Riverside County Transportation Department proposes to reconstruct, realign, and widen the existing Interstate 15/Limonite Avenue Interchange to reduce operational deficiencies and improve traffic operations. See Exhibit A for Vicinity Map.

The existing Limonite Avenue at Interstate 15 (I-15) freeway interchange is currently a diamond-style interchange. The project would widen the existing northbound and southbound on- and off-ramps, widen Limonite Avenue to three lanes in each direction through the interchange area, and replace the existing Limonite Avenue Overcrossing structure, as well as construct loop on-ramps in the southeast and northeastern quadrant (partial cloverleaf). The project will improve the operational performance of the Limonite Avenue interchange, to address current and future traffic demand. See Exhibit B for Project Map.

On January 29, 2013, the Board approved MO 3-47, Cooperative Agreement between the County of Riverside, the City of Eastvale, and the City of Jurupa Valley to complete the development of the environmental, design, and right-of-way acquisition phases of the Limonite Avenue/I-15 Interchange Project.

On June 21, 2016, the Board approved MO 3-71 and adopted a final Initial Study with Mitigated Negative Declaration and approved the Interstate 15/Limonite Interchange Improvements.

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

On July 3, 2016, the California Department of Transportation (Caltrans), the National Environmental Policy Act (NEPA) Lead Agency, made a NEPA Categorical Exclusion Determination under Section 6005 of 23 U.S.C. 327, based on an examination of the Project and supporting information.

On August 29, 2017, the Board approved MO 3.58 for fee simple interest of a portion of Assessor's Parcel Number 152-630-029 from Lowe's Home Centers, LLC, a North Carolina limited liability company, as successor by merger to Lowe's HIW, Inc., a Washington corporation (Lowe's). This transaction is currently in escrow.

In addition, the Economic Development Agency has negotiated the acquisition of a non-exclusive temporary right within a portion of Assessor's Parcel Number 152-630-029 from Lowe's for the price of \$67,300. There are costs of \$5,000 associated with this transaction.

The Temporary Construction Access Agreement has been reviewed and approved by County Counsel as to legal form.

Impact on Citizens and Businesses

The proposed Limonite Avenue/Interstate 15 Interchange will reduce traffic congestion and improve overall traffic flow within the interchange and on the I-15 corridor for the current and future residents and businesses within the project region.

SUPPLEMENTAL:

Additional Fiscal Information

The following summarizes the funding necessary for the non-exclusive temporary right of a portion of Assessor's Parcel Number 152-630-029:

| | |
|--|----------|
| Temporary Construction Access Agreement identified as Parcel No. 0393-001B, located within a portion of APN: 152-630-029 | \$67,300 |
| Estimated Title and Escrow Charges | 0 |
| County Appraisal Costs | 0 |
| EDA Real Property Staff Time | 5,000 |
| Total Estimated Acquisition Costs (Not-to-Exceed) | \$72,300 |

The transaction costs in the amount of \$5,000 included staff time to allow for the negotiation process as well as coordination and preparation of necessary documents to complete the transaction.

All costs associated with the temporary right to the portion of the property is fully funded by the Mira Loma Road and Bridge Benefits District. No net County costs will be incurred as a result of this transaction. These charges are estimated only and only actual amounts will be charged to the Project.

Attachments:

- Exhibit A - Vicinity Map
- Exhibit B - Project Map
- Exhibit C - Property Map
- Notice of Determination

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

- (3) Temporary Construction Access Agreements for Parcel 0393-001B

RF:PR:VC:VY:SV:jb 253TR 19.316 13723
Transportation Work Order No.A3-0393
Minute Traq ID 5837



Kristine Bell-Valdez, Deputy County Counsel

12/8/2017



Pehini Daska, Principal Management Analyst

1/29/2018

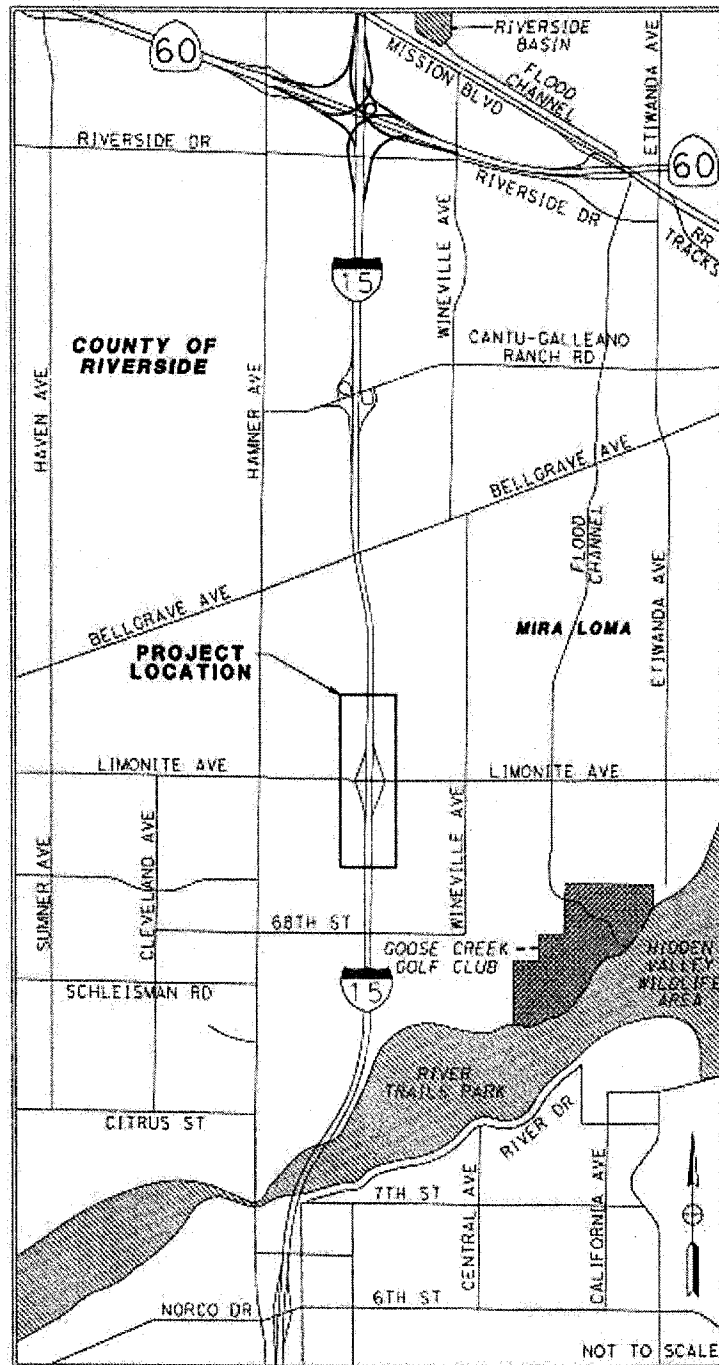


Gregory J. Priamos, Director County Counsel

12/11/2017

Exhibit A

Vicinity Map



**In RIVERSIDE COUNTY in the CITIES of EASTVALE and JURUPA VALLEY
on INTERSTATE 15 FROM 1.5 MILES SOUTH OF LIMONITE AVENUE to
1.5 MILES NORTH OF LIMONITE AVENUE**

Exhibit B - Project Map

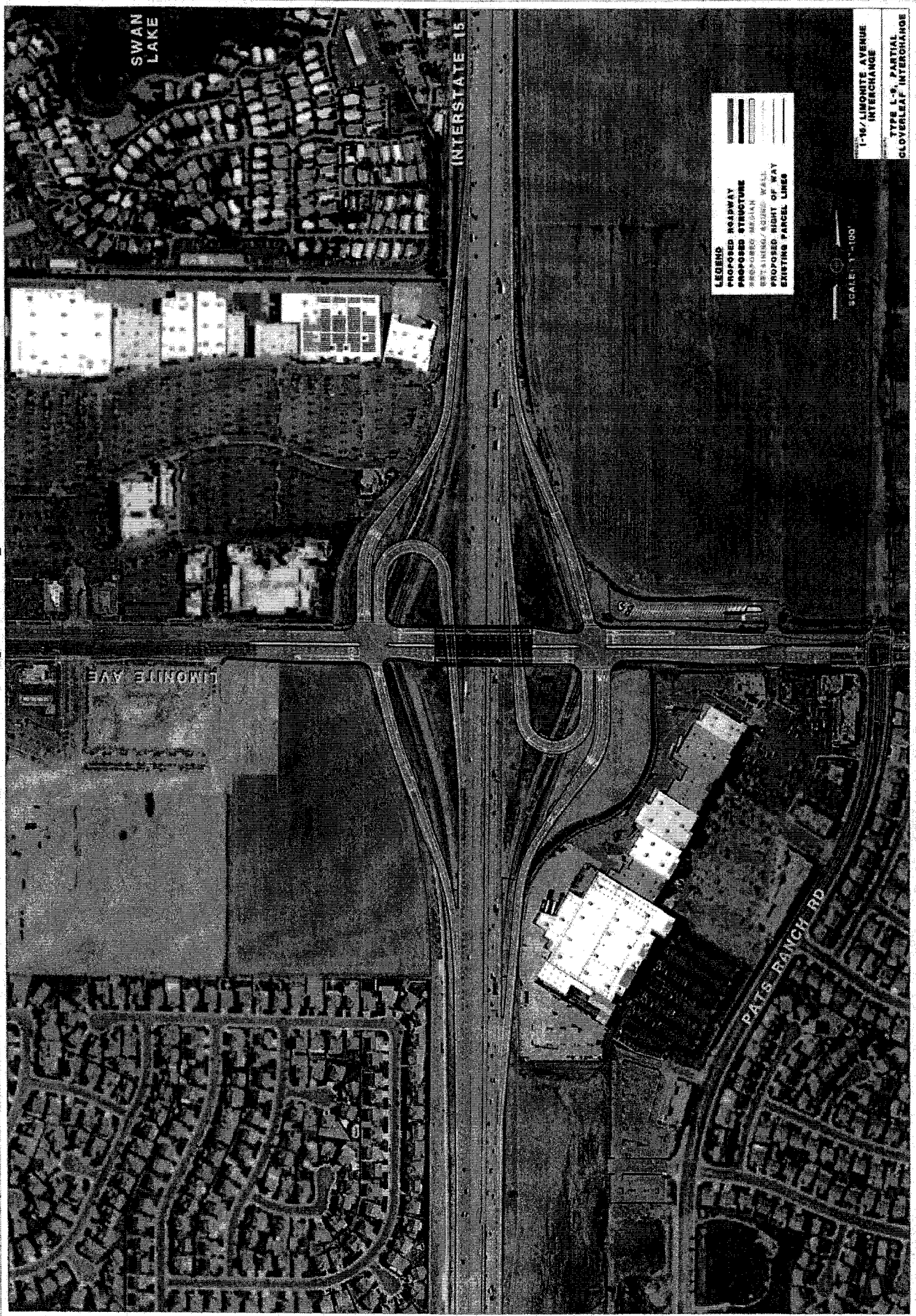
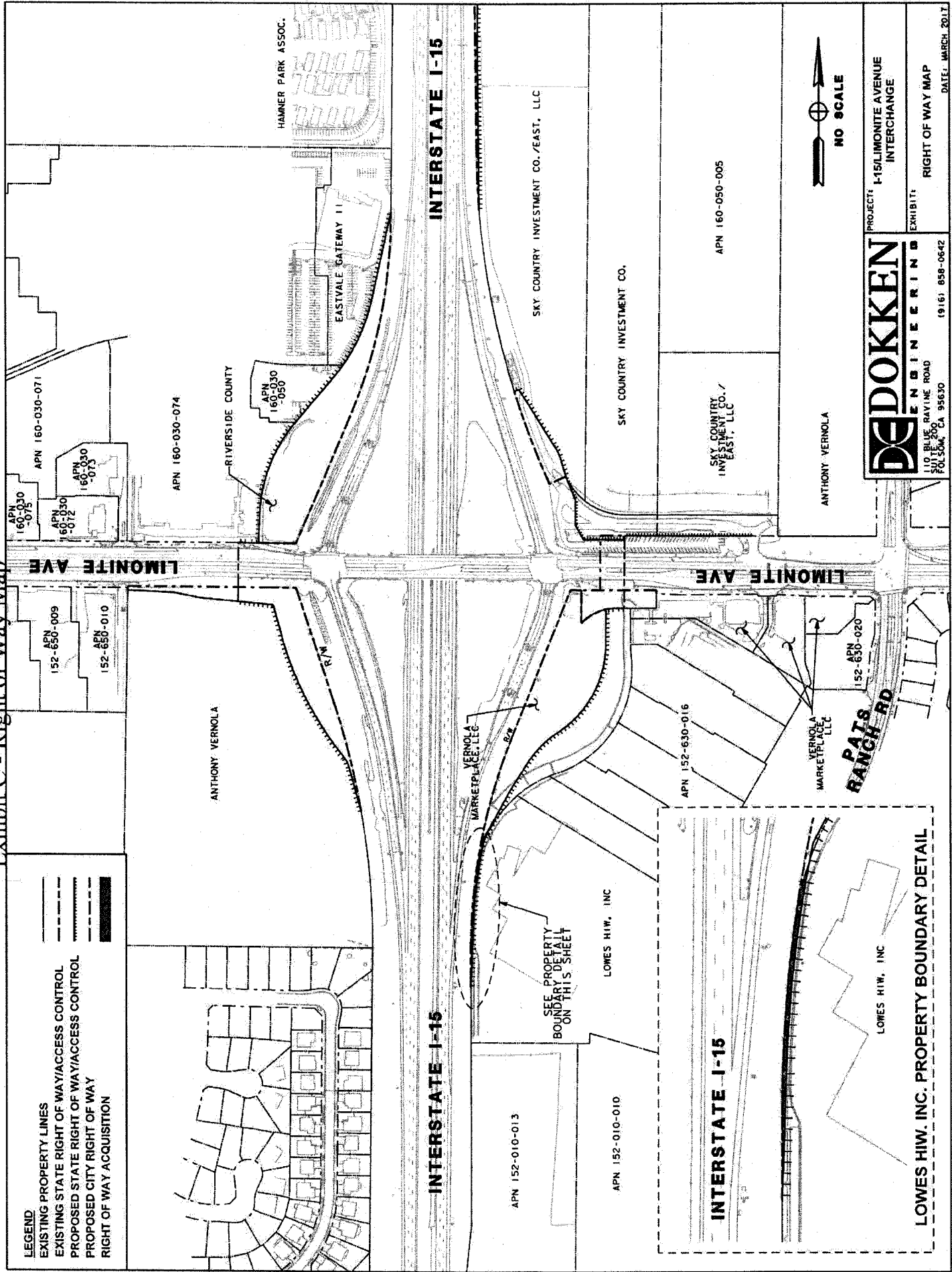


Exhibit C - Right of Way Map

- LEGEND**
- EXISTING PROPERTY LINES
 - - - EXISTING STATE RIGHT OF WAY/ACCESS CONTROL
 - · - · - PROPOSED STATE RIGHT OF WAY/ACCESS CONTROL
 - · - · - PROPOSED CITY RIGHT OF WAY
 - █ RIGHT OF WAY ACQUISITION



PROJECT: I-15/LIMONITE AVENUE INTERCHANGE
 EXHIBIT: RIGHT OF WAY MAP
 DATE: MARCH 2017

DE DOKKEN
 ENGINEERING

ANTHONY VERNOLA
 110 BLUE RAYLINE ROAD
 FOLSOM, CA 95630
 (916) 638-0642

1 PROJECT: LIMONITE/I-15 INTERCHANGE
2 PROJECT
3 PARCEL: 0393-001B
4 APN: 152-630-029 (PORTION)
5

6 **TEMPORARY CONSTRUCTION ACCESS AGREEMENT**

7 This Non-Exclusive Temporary Construction Access Agreement ("Agreement")
8 is made by and between the COUNTY OF RIVERSIDE, a political subdivision of the
9 State of California, ("County") and LOWES HOME CENTERS, LLC, a North Carolina
10 limited liability company ("Grantor"). County and Grantor are sometimes collectively
11 referred to as "Parties."

12 1. RIGHTS GRANTED. The right is hereby granted to County, its officers,
13 agents and employees, and all persons under contract with the County, to enter upon
14 and use the land of Grantor in the County of Riverside, State of California, described
15 as a portion of Assessor's Parcel Number 152-630-029, highlighted on Attachment "1,"
16 attached hereto ("Property"), and made a part hereof, for the purpose of constructing
17 Limonite/I-15 Interchange Project ("Project"). The rights granted herein include the full
18 right and authority to enter upon the temporary construction access area with
19 machinery, trucks, tools and other equipment that is useful or necessary to construct
20 and access the Project. Notwithstanding the foregoing, County agrees that its authority
21 to enter and exit the temporary construction access area with machinery, trucks, tools
22 and other equipment shall be strictly limited to entry and exit from the I-15 (west) side
23 of the Property. County agrees there will be no storage or staging within the temporary
24 construction access area, and that traffic circulation around Grantor's store building will
25 remain open for trucks and other vehicles at all times.

26 2. AFFECTED PARCEL. The temporary construction access, used during
27 construction of the Project, is referenced as Parcel No. 0393-001B consisting of
28 approximately 0.257 acres or 11,214 square feet as designated on Attachment "2,"

1 attached hereto, and made a part hereof ("TCA Area").

2 3. COMPENSATION. County shall pay to the order of Grantor the sum of
3 Sixty-Seven Thousand Three Hundred and 00/100 Dollars (\$67,300.00) for the right to
4 enter upon and use the TCA Area in accordance with the terms hereof. Such payment
5 shall be made within 45 days by execution of this Agreement by all Parties.

6 4. TERM/NOTICE TO GRANTOR. County shall provide a thirty (30) day
7 written notice to Grantor prior to the start of construction of the Project. The rights
8 herein granted may be exercised for thirty-six (36) months from the date this
9 Agreement is signed by the Parties. If the County desires to extend the term of this
10 Agreement, Grantor and the County shall negotiate in good faith for an extension of the
11 terms herein until the actual completion of the Project. Upon the expiration of the term
12 (including any extensions thereto), the rights granted by this Agreement shall
13 automatically terminate and be of no further force and effect.

14 5. EQUIPMENT. It is understood that the County may enter upon the TCA
15 Area where appropriate or designated for the purpose of getting equipment to and from
16 the TCA Area. County agrees not to damage the TCA Area in the process of
17 performing such activities.

18 6. COUNTY TO PROTECT OR REPLACE. County agrees to protect all-site
19 improvements located within the TCA Area. The County agrees to restore or repair
20 any damage to the Property that results from the County's activities under this
21 Agreement.

22 7. DEBRIS REMOVED. At the termination of the period of use of TCA Area
23 by County, but before its relinquishment to Grantor, debris generated by County's use
24 will be removed and the surface will be graded and left in a neat condition.

25 8. INDEMNIFICATION. The County shall indemnify, defend and hold
26 Grantor, its agents, employees, successors and assigns harmless from any and all
27 liability, claim, loss, lien or damage proximately caused by the County, its officers,
28 agents, or employees and arising out of the County's activities under this Agreement.

1 15. COUNTERPARTS. This Agreement may be signed in counterpart or
2 duplicate copies, and any signed counterpart or duplicate copy shall be equivalent to a
3 signed original for all purposes.

4 In Witness Whereof, the Parties have executed this Agreement the day and year
5 last below written.

6 Dated: FEB 06 2018

7
8 COUNTY:
9 COUNTY OF RIVERSIDE, a political
10 subdivision of the State of California

GRANTOR:
11 LOWE'S HOME CENTERS, LLC,
12 a North Carolina limited liability
13 company

14 By: Chuck Washington
15 Chairman
16 Board of Supervisors
17 Chuck Washington

By: Tim L. Cooksey
18 Its: Vice President

19 ATTEST:
20 Kecia Harper-Ihem
21 Clerk of the Board

22 By: Kecia Harper-Ihem
23 Deputy

24 APPROVED AS TO FORM:
25 Gregory P. Priamos, County Counsel

26 By: Thomas Oh
27 Deputy County Counsel

28 SV:jb/101017/253TR/19.100

TR
TR
JEC
JEC
MS
MS

ATTACHMENT "1"
ASSESSOR'S PLAT MAP

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ASSESSOR'S MAP BRIDGE PG.83
Riverside County, Calif.

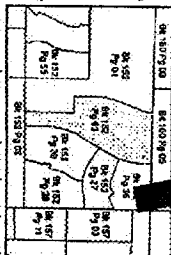
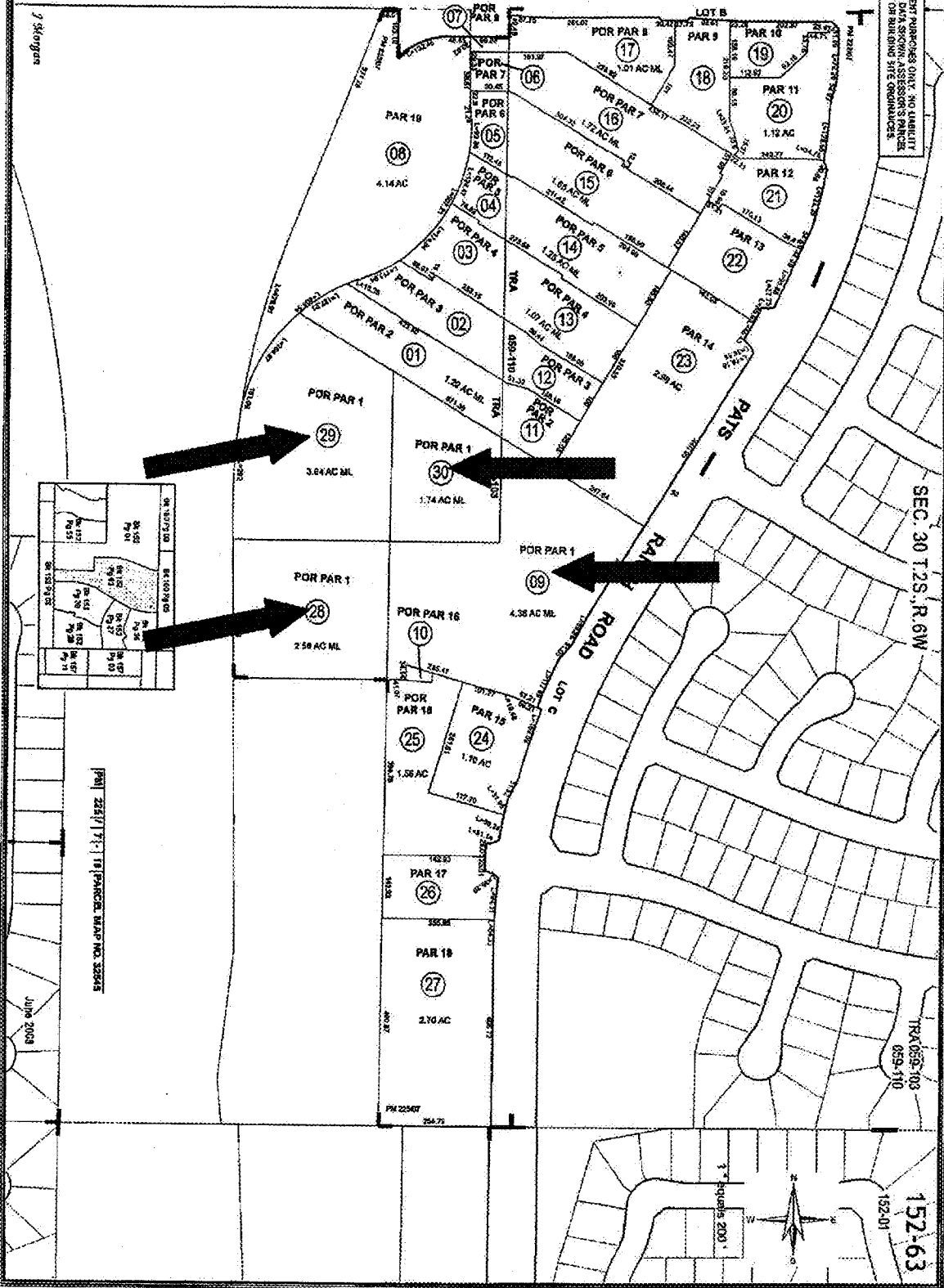


MAR 15 2008

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR ANY ERRORS OR OMISSIONS. THE ASSessor'S OFFICE DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE INFORMATION.

J. Morgan

LOT A LIMONITE AVENUE



PAR 226/171: 18 PARCEL MAP NO. 32845

July 2008

152.63

ATTACHMENT "2"
TEMPORARY ACCESS PLAT MAP

Parcel 0393-001B

1. A portion of 152-630-029 in favor of the County.

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EXHIBIT "A"

08-RIV-15-PM 47.9-48.1
0393-001 (0393-001B)



NON-EXCLUSIVE EASEMENTS
CONTAINED IN INST#S
2006-0204608 REC'D 2/23/06
2006-0947546 REC'D 12/28/06
2008-0395407 REC'D 7/18/2008
BLANKET IN NATURE

CURVE DATA

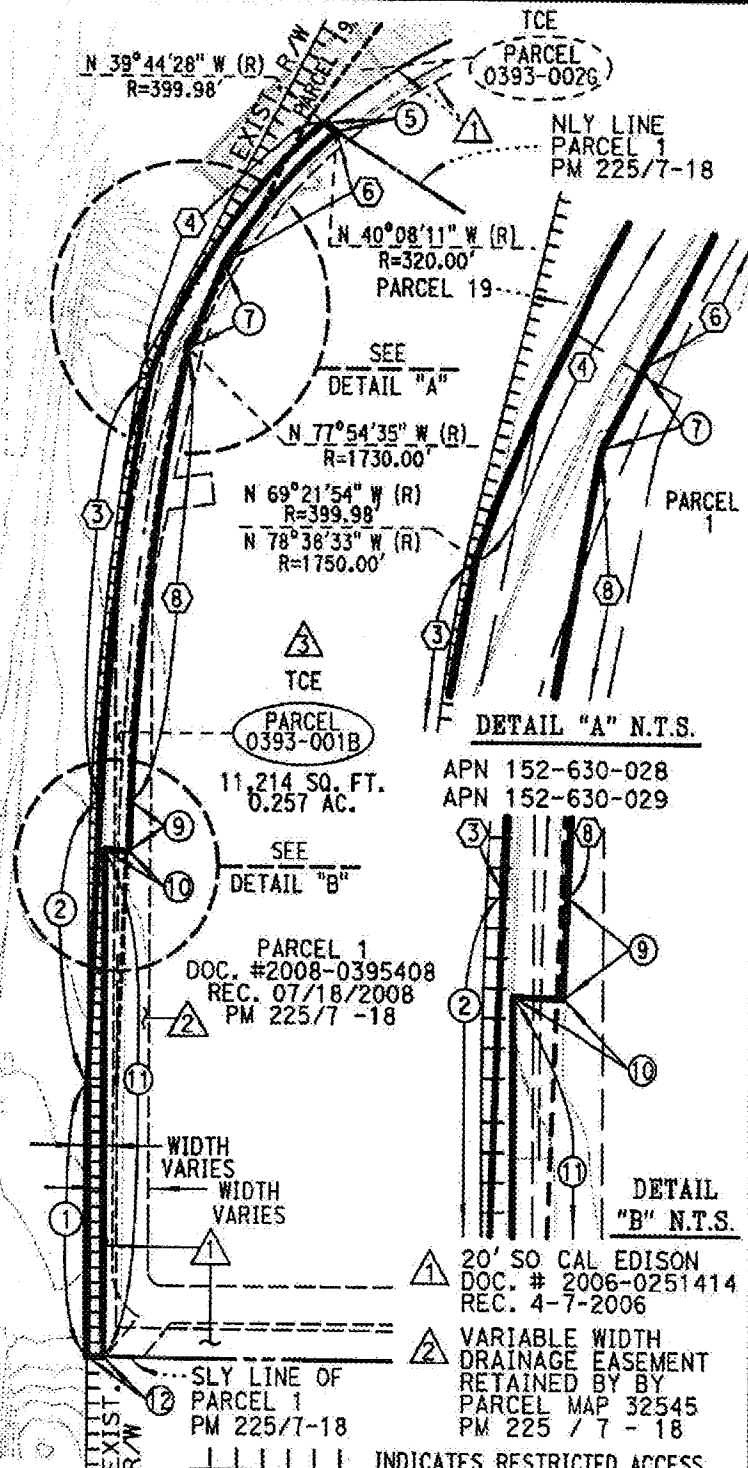
- ③ Δ=9°14'39"
R=1750.00'
L=282.34'
T=141.48'
- ④ Δ=29°37'26"
R=399.98'
L=206.80'
T=105.77'
- ⑥ Δ=20°26'06"
R=320.00'
L=114.13'
T=57.68'
- ⑧ Δ=09°58'37"
R=1730.00'
L=301.25'
T=151.00'

LINE DATA

- ① N 00°03'20" W 180.71'
- ② N 02°06'48" E 189.48'
- ⑤ S 59°01'37" E 10.98'
- ⑦ S 29°25'43" W 64.07'
- ⑨ S 02°06'48" W 34.92'
- ⑩ N 87°53'12" W 17.75'
- ⑪ S 00°14'47" W 335.11'
- ⑫ N 89°41'08" W 6.34'

NE 1/4 SEC.30
T.2S., R.6W.,
SECTIONALIZED
JURUPA RANCHO
MB 9 / 33 S.B.CO

CITY OF EASTVALE
CITY OF JURUPA VALLEY
INTERSTATE 15



SEE
DETAIL "A"

SEE
DETAIL "B"

DETAIL "A" N.T.S.

DETAIL
"B" N.T.S.

APN 152-630-028
APN 152-630-029

PARCEL 1
DOC. #2008-0395408
REC. 07/18/2008
PM 225/7-18

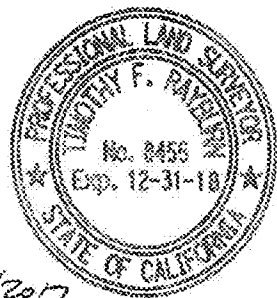
20' SO CAL EDISON
DOC. # 2006-0251414
REC. 4-7-2006

VARIABLE WIDTH
DRAINAGE EASEMENT
RETAINED BY BY
PARCEL MAP 32545
PM 225 / 7 - 18

SLY LINE OF
PARCEL 1
PM 225/7-18

INDICATES RESTRICTED ACCESS

ALL DISTANCES SHOWN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE GRID DISTANCE BY A COMBINATION FACTOR OF 1.000056313.



| | |
|---------------------|---|
| PCL No.: 0393-001B | COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION |
| WO No.: A3-0393 | PROJECT: LIMONITE AVE (I-15 INTERCHANGE) |
| SCALE: NTS | |
| PREPARED BY: H.FINN | |
| DATE: MAY 2017 | APPROVED BY: <i>Timothy F. Ravell</i> |
| SHEET 1 OF 1 | DATE: 5/23/2017 |



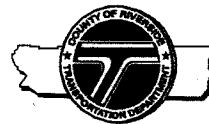
Original Negative Declaration/Notice of
 Determination was routed to County
 Clerks for posting on

NOTICE OF DETERMINATION

COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT

Date

Initial



EA: 0E150

SCH#2015071051

PROJECT NAME: Right-of-Way Fee Acquisition, Temporary Construction Easements, Access Control and various Easement Agreements for Interstate 15/Limonite Avenue Interchange Improvement Project.

DESCRIPTION AND LOCATION: The County of Riverside (County) proposes to enter into a right-of-way fee acquisition, temporary construction easement, access control, and various easement agreements for all or a portion of several parcels for the Interstate 15/Limonite Avenue Interchange Improvement Project, which is located within the State right-of-way and the Cities of Jurupa and Eastvale.

The County of Riverside (County), in cooperation with the California Department of Transportation (Caltrans) and the cities of Eastvale and Jurupa Valley, propose to improve the existing freeway interchange at 1-15 and the Limonite Avenue Overcrossing. The project would widen the existing northbound and southbound on-and-off-ramps, widen Limonite Avenue to three lanes in each direction through the interchange area, and replace the existing Limonite Avenue Overcrossing structure, as well as construct loop ramps in the southeast and northeastern quadrant (Partial Clover Leaf). The project extends easterly and westerly along Limonite Avenue between Hamner Avenue and Wineville Avenue; and along 1-I 5, improvements are proposed from approximately L5 miles south to 1.4 miles north of the existing Limonite Avenue Overcrossing.

An Initial Study/Mitigated Negative Declaration (IS/MND) was completed in compliance with the CEQA Guidelines and Riverside County Rules to implement California Environmental Quality Act (CEQA). On June 21 2016, the Riverside County Board of Supervisors adopted the Final IS/MND, the Mitigation Monitoring and Reporting Program (MMRP), and approved the Interstate 15/Limonite Avenue Interchange Improvement Project, as recorded under Agenda Item 3-71.

1. The project [will will not] have a significant effect on the environment.
 2. An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA.
 3. A Mitigated Negative Declaration was prepared for this project pursuant to the provision of CEQA.
 4. Mitigation measures [were were not] made a condition of the approval of this project.
 5. A Mitigation Monitoring plan [was was not] adopted for this project.
 6. A Statement of Overriding Considerations [was was not] adopted for this project.
- The project will not have a significant effect on the environment and a Mitigated Negative Declaration has been adopted pursuant to CEQA and may be examined, along with administrative record, at the Transportation Department, 4080 Lemon Street, 81h floor, Riverside, California 92501. The Final IS/MND may be examined, along with administrative record, at the Transportation Department, 4080 Lemon Street, 8th floor, Riverside, California 92501.

Russell Williams Title Environmental Division Mgr. Date 11/16/17
 Russell Williams
Patty Romo Title Director of Transportation Date 11-20-17
 Patty Romo

HEARING BODY OR OFFICER

ACTION ON PROJECT

XX Board of Supervisors
 _____ Planning Commission

X Approval
 _____ Disapproval

Karen Engler Date: February 6, 2018
 Verifying: Karen Engler Title: Board Assistant Date: 2/6/18
 For County Clerk Use