

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



ITEM: 19.2
(ID # 24676)

MEETING DATE:
Tuesday, April 30, 2024

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Public Hearing for the Adoption of Resolution No.2024-049, Authorizing the Resolution of Necessity for the Jurupa Road Grade Separation Project in the City of Jurupa Valley, District 2. [\$722 Total Cost – SB 132-100%] (4/5 Vote Required)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that nothing further is required pursuant to the California Environmental Quality Act (CEQA) because the project was previously approved and found to be exempt pursuant to State CEQA Guidelines Section 15282(g) and Section 21080.13 of the California Public Resources Code;
2. Approve Resolution No. 2024-049, Authorizing the Resolution of Necessity for the Jurupa Road Grade Separation Project; and
3. Allocate the sum of \$722 for a deposit to the State Condemnation Fund.

ACTION: 4/5 Vote Required, Policy


Dennis Acuna, Director of Transportation

4/12/2024

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: April 30, 2024
xc: Trans.

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 722	\$ 0	\$ 722	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: SB 132-100%. No General Funds will be used on this project.			Budget Adjustment: No	
			For Fiscal Year: 2024/2025	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Riverside County Transportation Department (Transportation Department) in cooperation with the City of Jurupa Valley (City), the Riverside County Transportation Commission (RCTC) and the State Department of Transportation (Caltrans) desire to construct a new grade separation to replace the existing Union Pacific Railroad (UPRR) at-grade crossing located on Jurupa Road in the City of Jurupa Valley, just east of Van Buren Boulevard. Jurupa Road is a two-lane Arterial Highway that provides access to commercial, industrial and residential land uses in the City. This proposed project will grade separate Jurupa Road and the UPRR mainline tracks with an underpass where it crosses the tracks. The Transportation Improvement Program (TIP) provides for improvements to the existing Union Pacific Railroad crossing located on Jurupa Road, which is located within the jurisdictional boundaries of the City of Jurupa Valley (Project).

On October 24, 2017 by Minute Order 3.14, the Board of Supervisors approved an agreement between the County, the City, and RCTC, that designated the County as the lead agency to implement the Jurupa Road grade separation project.

On October 16, 2018 by Minute Order 3.23, the Board of Supervisors approved Resolution 2018-183 Agreeing to Hear Future Resolutions of Necessity for the Jurupa Road Grade Separation Project.

The Project eliminates an existing at-grade crossing at the Union Pacific Railroad (UPRR) grade crossing located on Jurupa Road in the City of Jurupa Valley. Therefore, the project qualifies for a California Environmental Quality Act (CEQA) Statutory Exemption per the California Code of Regulation (CCR) 15282 (g), such that the Project clearly constitutes the action as described in Public Resource Code (PRC) 21080.13 in which any railroad grade separation project which eliminates an existing grade crossing or which reconstructs an existing grade separation in Section 21080.13 of the Public Resource Code (PRC) is Statutorily Exempt under CEQA.

As documented in the Notice of Exemption, the Transportation Department conducted a review of the proposed Project and determined that the Project, including the acquisition of the permanent and temporary easements, are categorically exempt from the provisions of CEQA,

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under the General Rule Exemption, pursuant to CEQA Guidelines Section 15051(a), because the Project is being carried out by the County, the County shall be the CEQA Lead Agency.

The Transportation Department has presented a written offer to the property owner as required by Government Code section 7267.2. The amount of the offer is consistent with current property values in the City of Jurupa Valley and is based upon fair market value appraisal report. The Transportation Department has also offered to pay the reasonable costs, not to exceed \$5,000, for an independent appraisal obtained by the property owner as required by Code of Civil Procedure section 1263.025.

Negotiations are still ongoing with the property owner listed below for the property rights needed for the Project. The Transportation Department will continue to conduct good faith negotiations with the property owner in an effort to reach a mutually agreed to settlement.

Assessor's Parcel Number	Parcel No.	Owner(s)
167-160-021 (portion)	0060-033A	SAP-II YSI #1, LLC

The Notice of Intention Resolution 2024-046 approved April 2, 2024, as Minute Order Item 3.31, set a public hearing on April 30, 2024, for the proposed adoption of Resolution 2024-049, "Resolution of Necessity" (R.O.N.). The R.O.N. hearing on April 30, 2024 is needed to permit the Jurupa Road Grade Separation Project to be completed. The project is currently under construction, after construction started, and during coordination with the railroad, it was discovered that this additional parcel was needed to support the project.

The County is authorized to acquire property by eminent domain under Article 1, Section 19 of the California Constitution and pursuant to various status including Government Code Section 25350.5, Streets and Highway Code section 760 and Code of Civil Procedure section 1240.010, 1240-020, 1240-030, 1240.040, 1240.110, 1240.120, 1240.130, 1240.240, 1240.310, 1240.320, 1240.350, 1240.410, 1240.140, 1240.510, and 1240.610.

Impact on Residents and Businesses

The Project will greatly improve traffic conditions, reduce delays, and provide increased capacity and congestion relief, particularly during peak hour traffic. The project is expected to have minimum impact on the surrounding environment and the community.

Additional Fiscal Information

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The following summarizes the funding necessary for the deposits to the State of Condemnation Fund for the property referenced above as well as due diligence costs and staff time during the condemnation process.

Right of Way Acquisition (Deposit to the State Condemnation Fund)	\$722.00
Litigation Guarantee	\$463.00
Independent appraisal obtained by owner	\$5,000
Transportation Department Staff Time (Condemnation process)	\$10,000
Total Estimated Costs	\$16,185.00

All costs associated with the deposits of these properties are fully funded by SB-132 and these costs will be included in a separate Form 11 along with the Authorizing Resolution of Necessity motion. No net County costs will be incurred as a result of this transaction. These charges are estimates only and only actual amounts will be charged to the Project.

ATTACHMENTS:

Aerial Map
Resolution No. 2024-049
Legal and Plats



Jason Farin, Principal Management Analyst 4/24/2024



George Trindle, CHIEF ASST COUNTY COUNSEL 4/18/2024

1 Board of Supervisors

County of Riverside

2 **Resolution No. 2024-049**

3 **Authorization to Adopt a Resolution of Necessity for the Jurupa Road Grade**
4 **Separation Project in the City of Jurupa Valley**

5
6 **WHEREAS**, the portion of real property that is subject to this Notice (collectively
7 the ("Subject Property") is located in the City of Jurupa Valley, County of Riverside, State
8 of California, is legally described and depicted on the documents attached hereto as
9 Exhibit "A" and Exhibit "B" (and incorporated herein by this reference), is referenced as
10 Parcel No. 0060-033A, a portion of a larger real property;

11 **WHEREAS**, the Subject Property, of which it is a part, is listed in table below;

Parcel Nos.	Assessor's Parcel Number(s)	Property Owner(s)
0060-033A	167-160-021(portion)	SAP-II YSI #1, LLC, a Delaware limited liability company

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13
14
15
16 **WHEREAS**, the "Project" is to grade separate Jurupa Road and Union Pacific
17 Railroad (UPRR) main line tracks with an underpass where it crosses the tracks and;

18 **WHEREAS**, the "Project" will greatly improve traffic conditions, reduce delays,
19 and provide increased capacity and congestion relief, particularly during peak hour
20 traffic. The project is expected to have minimum impact on the surrounding environment
21 and the community;

22 **WHEREAS**, Parcel 0060-033A is a Fee Simple interest that is needed for the
23 Project;

24 **WHEREAS**, the interest in the Subject Property that is the subject of this
25 Resolution is identified below;

FORM APPROVED COUNTY COUNSEL
BY:  BRUCE G FORDON
DATE 4-15-24

Project Parcel No.(s)	Fee Simple
0060-033A	X

1
2
3
4 **WHEREAS**, the statutes that authorize the County of Riverside to acquire the
5 Subject Property Interests by eminent domain include Article 1, Section 19 of the
6 California Constitution; Government Code Section §25350.5; Section 760 of the Streets
7 and Highways Code; and Sections 1240.010, 1240.020, 1240.030, 1240.040, 1240.110,
8 1240.120, 1240.130, 1240.140, 1240.240, 1240.310, 1240.320, 1240.350, 1240.410,
9 1240.510, and 1240.610 of the Code of Civil Procedure.

10 Now, therefore, **BE IT RESOLVED AND ORDERED** as follows by the Board of
11 Supervisors ("Board") of Riverside County, State of California, not less than four/fifths of
12 all members concurring, in regular session assembled on April 30, 2024, that the Board
13 finds and determines each of the following:

14 1. Notice of Board's intention to adopt this Resolution of Necessity was duly
15 given as required by Section 12.45.235 of the Code of Civil Procedure and, on the date
16 and at the time and place fixed for hearing, this Board did hear and consider all of the
17 evidence presented.

18 2. That the public interest and necessity require the Project;

19 3. That the Project is planned or located in the manner that will be most
20 compatible with the greatest public good and least private injury.

21 4. That the Subject Property Interests are necessary for the Project;

22 5. That the offers required by Section 7267.2 of the Government Code have
23 been made to the owners of record of the Subject Properties;

24 6. That, to the extent that the Subject Properties are already devoted to a
25 public use, the of the Project is a compatible use that will not unreasonably interfere
26 with or impair the continuance of the public use as it presently exists or may reasonably
27 be expected to exist in the future (California Code of Civil Procedure Section 1240.510)

1 or the use of the Project is a more necessary public use than is the presently existing
2 public use (California Code of Civil Procedure Section 1240.610);

3 7. As documented in the Notice of Exemption, County Transportation
4 conducted a review of the proposed Project and determined that the Project, including
5 the acquisition of the Property, is categorically exempt from the provisions of CEQA,
6 under the General Rule Exemption, pursuant to CEQA Guidelines Section 15051(a);

7 8. That acquisition of the Subject Property Interest will promote the interests
8 of the County of Riverside.

9 BE IT FURTHER RESOLVED AND ORDERED that the County Counsel of the
10 County of Riverside is hereby authorized and empowered:

11 1. To acquire the Subject Property Interest by condemnation in accordance with
12 the Constitution and laws relating to eminent domain.

13 2. To prepare and prosecute in the name of the County such proceedings in the
14 proper court having jurisdiction thereof as are necessary for such acquisition.

15 3. To make application to the Court for an order to deposit the probable
16 amount of compensation out of proper funds under the control of the County into the
17 Condemnation Deposits Fund with the Office of the State Treasurer and to make
18 application to the Court and for an order permitting the County to take prejudgment
19 possession and use the Subject Property Interest for the purpose of construction the
20 Project.

21 4. To compromise and settle such proceedings if such settlement can be
22 reached and in that event, to take all necessary actions to complete the acquisition,
23 including stipulations as to judgement and other matters and the causing of all
24 payments to be made.

25 5. To correct any errors or to make or agree to nonmaterial changes in the legal
26 description of the real property that are deemed necessary for the conduct of the
27 condemnation action, or other proceedings or transactions required to acquire the
28 Subject Property interest.

2 **Resolution N0. 2024-049**

3 **Authorization to Adopt a Resolution of Necessity of the Jurupa Road Grade**
4 **Separation Project in the City of Jurupa Valley**

5
6 **ROLL CALL:**

7
8 Ayes: Jeffries, Washington, Spiegel, Perez, and Gutierrez

9 Nays: None

10 Absent: None

11
12
13 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
14 Supervisors on the date therein set forth.

15
16 KIMBERLY A. RECTOR, Clerk of said Board

17
18 By:  _____
19 Deputy

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21
22 04/30/2024 19.2

23
24
25

**C8-0060 JURUPA RD:
PARCEL 33A AERIAL EXHIBIT**



EXHIBIT "A"
LEGAL DESCRIPTION
0060-033A

BEING THAT PORTION OF PARCEL 1 OF PARCEL MAP NUMBER 19234, ON FILE IN BOOK 141, PAGES 11 AND 12, OF PARCEL MAPS, FURTHER DESCRIBED BY GRANT DEED RECORDED JANUARY 04, 2011 AS DOCUMENT NUMBER 2011-0003333, BOTH OFFICIAL RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN SECTION 14, TOWNSHIP 2 SOUTH, RANGE 6 WEST, AS SHOWN BY A SECTIONALIZED SURVEY OF THE JURUPA RANCHO ON FILE IN BOOK 9, PAGE 26 OF MAPS, SAN BERNARDINO COUNTY RECORDS, WITHIN THE CITY OF JURUPA VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF JURUPA ROAD AND THE CENTERLINE OF FELSPAR STREET (44.00 FOOT WESTERLY HALF-WIDTH) AS SHOWN BY SAID PARCEL MAP NUMBER 19234;

THENCE NORTH 00°36'59" EAST ALONG SAID CENTERLINE OF FELSPAR STREET, A DISTANCE OF 429.27 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID PARCEL 1;

THENCE NORTH 89°29'23" WEST ALONG SAID EASTERLY PROLONGATION AND SAID SOUTHERLY LINE, A DISTANCE OF 442.18 FEET TO AN ANGLE POINT THEREIN;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE SOUTH 43°09'55" WEST, A DISTANCE OF 176.31 FEET TO THE SOUTHERLY-MOST CORNER OF SAID PARCEL 1, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 5,779.60 FEET AND AN INITIAL RADIAL BEARING OF NORTH 43°09'55" EAST AND THE **TRUE POINT OF BEGINNING**;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 1, NORTHWESTERLY ALONG SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 02°22'59", AN ARC DISTANCE OF 240.37 FEET TO THE WESTERLY-MOST CORNER OF SAID PARCEL 1;

THENCE NORTH 40°46'56" EAST ALONG THE NORTHWESTERLY LINE OF SAID PARCEL 1, A DISTANCE OF 2.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 5,781.60 FEET AND AN INITIAL RADIAL BEARING OF NORTH 40°46'56" EAST, BEING CONCENTRIC WITH AND DISTANT 2.00 FEET NORTHEASTERLY OF, AS MEASURED RADIALY TO, SAID SOUTHWESTERLY LINE OF PARCEL 1;

THENCE SOUTHEASTERLY ALONG SAID CONCENTRIC CURVE THROUGH A CENTRAL ANGLE OF 02°22'59", AN ARC DISTANCE OF 240.46 FEET RETURNING TO THE SOUTHERLY LINE OF SAID PARCEL 1;

THENCE SOUTH 43°09'55" WEST ALONG SAID SOUTHERLY LINE OF PARCEL 1, A DISTANCE OF 2.00 FEET TO THE **TRUE POINT OF BEGINNING**;


EXHIBIT "A"
LEGAL DESCRIPTION
0060-033A

PARCEL CONTAINS 481 SQUARE FEET OR 0.011 ACRES MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN BY 1.00000791 TO OBTAIN GROUND DISTANCE.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

PREPARED UNDER MY SUPERVISION:



TIMOTHY F. RAYBURN, P.L.S. 8455

3/10/2023

DATED:

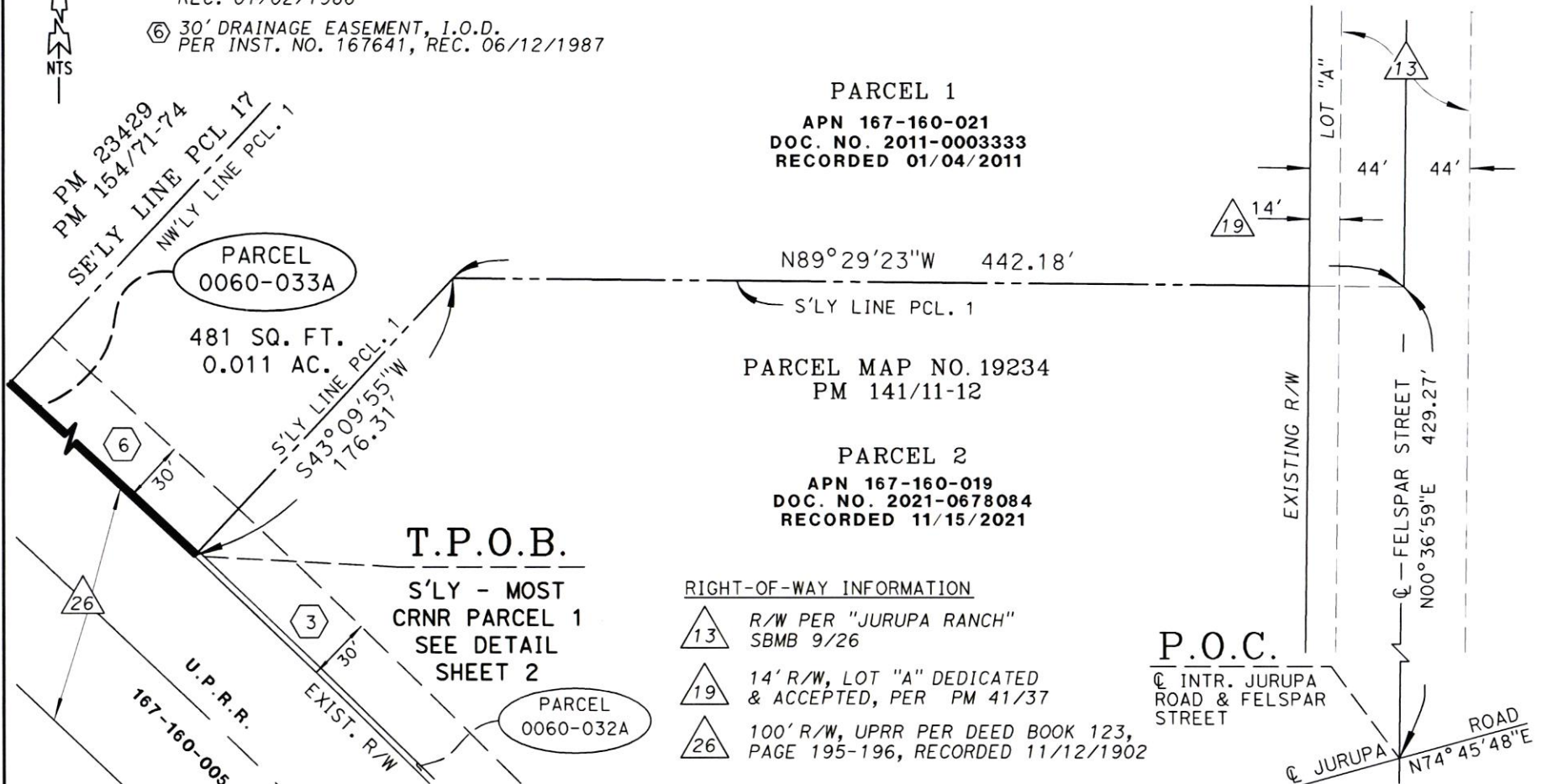


EXHIBIT "B"

0060-033A

EASEMENT INFORMATION

- ③ 30' DRAINAGE EASEMENT, I.O.D. PER INST. NO. 154266, REC. 07/02/1986
- ⑥ 30' DRAINAGE EASEMENT, I.O.D. PER INST. NO. 167641, REC. 06/12/1987



PARCEL 1
 APN 167-160-021
 DOC. NO. 2011-0003333
 RECORDED 01/04/2011

PARCEL MAP NO. 19234
 PM 141/11-12

PARCEL 2
 APN 167-160-019
 DOC. NO. 2021-0678084
 RECORDED 11/15/2021

RIGHT-OF-WAY INFORMATION

- ⑬ R/W PER "JURUPA RANCH" SBMB 9/26
- ⑱ 14' R/W, LOT "A" DEDICATED & ACCEPTED, PER PM 41/37
- ⑳ 100' R/W, UPRR PER DEED BOOK 123, PAGE 195-196, RECORDED 11/12/1902

P.O.C.

☉ INTR. JURUPA ROAD & FELSPAR STREET

T.P.O.B.

S'LY - MOST CRNR PARCEL 1
 SEE DETAIL SHEET 2

ALL DISTANCES SHOWN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE GRID DISTANCE BY A COMBINATION FACTOR OF 1.00000791

PCL No.: 0060-033A
WO No.: C8-0060
SCALE: NTS
PREPARED BY: H. FINN
DATE: MARCH, 2023
SHEET 1 OF 2

COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION
PROJECT: JURUPA ROAD GRADE SEPARATION
THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

APPROVED BY: *Timothy F. Rayburn* DATE: 3/10/2023



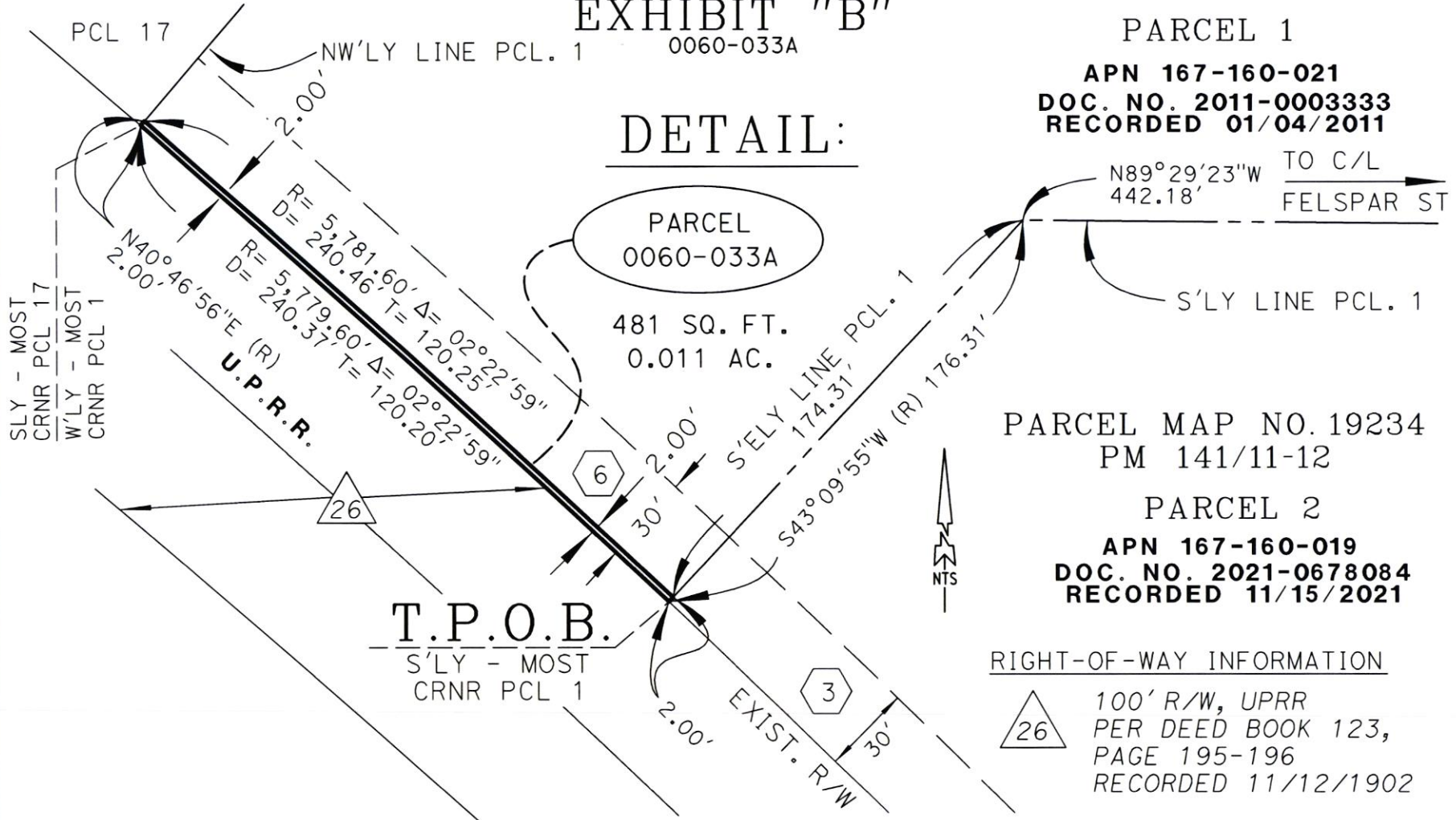
SECTION 14
 T. 2 S., R. 6 W.
 SECTIONALIZED
 JURUPA RANCHO
 SBMB 9/33

EXHIBIT "B"

PARCEL 1

APN 167-160-021
 DOC. NO. 2011-0003333
 RECORDED 01/04/2011

DETAIL:



PARCEL MAP NO. 19234
 PM 141/11-12

PARCEL 2

APN 167-160-019
 DOC. NO. 2021-0678084
 RECORDED 11/15/2021

RIGHT-OF-WAY INFORMATION

△ 26 100' R/W, UPRR
 PER DEED BOOK 123,
 PAGE 195-196
 RECORDED 11/12/1902

SURVEYOR'S NOTES
 SEE SHEET 1 OF 1
 FOR EASEMENT NOTES

SECTION 14
 T. 2 S., R. 6 W.
 SECTIONALIZED
 JURUPA RANCHO
 SBMB 9/33

ALL DISTANCES SHOWN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE GRID DISTANCE BY A COMBINATION FACTOR OF 1.00000791	
PCL No.: 0060-033A	COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT, SURVEY DIVISION
WO No.: C8-0060	PROJECT: JURUPA ROAD GRADE SEPARATION
SCALE: NTS	THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.
PREPARED BY: H. FINN	
DATE: MARCH, 2023	APPROVED BY: <i>Timothy F. Rayburn</i> DATE: 3/10/2023
SHEET 2 OF 2	

