

RESOLUTION NO. 2017-131

RESOLUTION OF THE COUNTY OF RIVERSIDE BOARD OF SUPERVISORS  
APPROVING AMENDMENT NO. 9 TO THE MENIFEE VALLEY ROAD AND BRIDGE  
BENEFIT DISTRICT AND ITS FINDINGS, AND  
FIND THE AMENDMENT CATEGORICALLY EXEMPT PER  
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES  
(AMENDMENT NO. 9)

WHEREAS, the Board of Supervisors (the "Board") of the County of Riverside (the "County") pursuant to Section 66484 of the California Government Code and Section 10.30 of Riverside County Ordinance No. 460, as amended, (the "Ordinance"), has established a program whereby an area of benefit may be established to charge a fee to defray the actual or estimated costs for the construction of bridges and major thoroughfares as a condition of approval of a final map or as a condition of issuing a building permit; and

WHEREAS, the Board adopted Resolution No. 88-242 on May 24, 1988, pursuant to Subsection D of Section 10.30 of the Ordinance, establishing the Meniffee Valley Road and Bridge Benefit District (the "District") and a fee schedule for said District regarding the approved designated improvements; and

WHEREAS, the "Rules and Regulations for the Administration of Road and Bridge Benefit Districts," as adopted by Resolution No. 85-92 on April 2, 1985, and subsequently amended, provides that the boundaries of a road and bridge benefit district may be adjusted from time to time in response to changed conditions, that new improvements may be designated as improvements to be constructed by a road and bridge benefit district to address changed conditions and that the County's Director of Transportation, as administrator, shall review a road and bridge benefit district annually to determine if any revisions to the geographical boundaries or modifications of the designated improvements should be considered by the Board; and

WHEREAS, the City of Meniffee incorporated since the last amendment to the District and the City's boundaries now include all of Zones B, C, D, F and a portion of Zone E, leaving only the majority portion of Zone E within the unincorporated County jurisdiction; and

FORM APPROVED COUNTY COUNSEL  
BY: *Amy K. Schneider*  
DALE S. GARDNER 8/10/17  
DATE

1           WHEREAS, the boundaries of the District Zone E are reflected in the attached map of the Menifee  
2 Valley RBBB (Zone E) as Exhibit A.

3           WHEREAS, the property owners/developers within Zone E of the District participated with the  
4 County in the dissolution of Community Facilities District (CFD) 05-1 (Salt Creek Bridges at Leon Road  
5 and Rice Road), which occurred in December 2016; and

6           WHEREAS, the Salt Creek Bridges are currently listed as needed facilities in the Menifee Valley  
7 RBBB, but with a lesser cost contribution, as it was planned for CFD 05-1 to fund a majority of the Salt  
8 Creek Bridges, and for which the County is now proposing to adjust the Zone E fee rates to include the  
9 full costs for the Salt Creek Bridges due to the dissolution of CFD 05-1; and

10           WHEREAS, the County is proposing to adjust the cost estimate for the District's share in the  
11 Newport Road Interchange at I-215 to conform with the RBBB obligation amount specified in a  
12 cooperative agreement with the City of Menifee for that facility (executed in June 2014 and amended in  
13 March 2015); and

14           WHEREAS, the County is proposing to adjust the District's share of the Newport Road Extension  
15 (Menifee Road to State Route 79) to no longer include the Newport Road Extension CFD 03-1  
16 contribution, since that contribution is now covered through Transportation Uniform Mitigation Fee  
17 (TUMF) credits; and

18           WHEREAS, the County's Transportation Department has prepared a report entitled "Analysis  
19 Report for Amendment No. 9 to the Menifee Valley Road and Bridge Benefit District, May 2017" that  
20 proposes to make adjustments to the estimated construction costs for identified facilities to be funded by  
21 the Menifee Valley District, update the land use assumptions to reflect an update of the Riverside County  
22 General Plan under General Plan Amendment No. 960, and make the associated adjustments to the  
23 District fee schedules; and

24           WHEREAS, the Transportation Department has prepared a Notice of Exemption for Amendment  
25 No. 9 to the Menifee Valley District based upon the finding that there is no substantial evidence that  
26 Amendment 9 to the Menifee Valley Road and Bridge Benefit District will have a significant effect on the  
27 environment; and

28           WHEREAS, on July 25, 2017, Resolution 2017-130 was adopted declaring the Board's intention

1 to amend the Menifee Valley Road and Bridge Benefit District and hold a public hearing to consider to  
2 the approval of Amendment 9 to the Menifee Valley District; and

3 WHEREAS, pursuant to Section 65091 of the California Government Code, a public hearing was  
4 duly noticed and date set for August 29, 2017 to consider the approval of Amendment No. 9 to the  
5 Menifee Valley Road and Bridge Benefit District and to consider any written or oral protests that  
6 interested parties may have with regard to Amendment No. 9 to the District.

7  
8 NOW, THEREFORE, BE IT RESOLVED, DETERMINED, FOUND AND ORDERED by the  
9 County of Riverside Board of Supervisors, as follows:

10 **Section 1.** The above recitals are true and correct.

11 **Section 2.** A public hearing was opened and closed on August 29, 2017. All protests and  
12 objections of every kind and nature be, and the same hereby are, overruled and denied, and it is  
13 determined that said protests and objections are made by the owners of less than one-half (1/2) of the  
14 property within the boundaries of the Menifee Valley District to be assessed for the identified facilities.

15 **Section 3.** The District has been designed in a manner to distribute the cost of the development  
16 and construction of the improvements on an equitable basis among benefiting properties. The fee  
17 levels for this District are determined based on the estimated improvement costs and projected  
18 future development potential of each zone. The fee schedule for the District is calculated by distributing  
19 the estimated construction cost of all facilities identified for a Zone among all land use designations in the  
20 Zone. Revenues received by the District are applied against the revenues needed to cover estimated  
21 project cost. The District fees are a one-time charge paid to the Transportation Department at the time of  
22 issuance of a certificate of occupancy or upon final inspection, whichever comes first. Properties that  
23 have already been developed are not subject to District fees.

24 **Section 4.** A description of the improvements, estimated costs and Zone E share comparisons are  
25 attached as Exhibit B, "Menifee Valley RBBD Facilities Summary (Zone E)"; and Exhibit C, "District  
26 Facilities and Comparisons by Zone E".

27 **Section 5.** Amendment No. 9 to the Menifee Valley RBBD includes verification of residential  
28 densities that reflect the designations of the Sun City/Menifee and Harvest Valley/Winchester Area Plans,

1 and Specific Plans. An inventory of the existing level of development within Zone E was conducted  
2 using aerial photographs and Geographic Information System (GIS) analysis. The projections of  
3 development potential were based on the difference between the existing land use inventory and the likely  
4 build out level of the Area Plans and Specific Plans. A midpoint range of the Area Plans' residential land  
5 use allocation designation was assumed as a likely build-out level based on historical patterns. Portions  
6 of the District are within the "SR-79 Policy Area" established by the 2003 General Plan, which calls for a  
7 9% reduction below the General Plan Land Use mid-point to reduce traffic impacts in the Policy Area.  
8 The midpoint range of 3.5 dwelling units per acre for a future build-out is reduced by the 9%, and  
9 equates to 3.19 dwelling units per acre for a future build-out within the SR-79 Policy Area.

10 In determining the likely residential build-out within Specific Plans, a factor of 85% of the  
11 maximum number of permitted dwelling units was used as a build-out assumption where no Tentative  
12 Tract Map has been approved. Where a Tentative Tract Map has been approved, the actual residential lot  
13 count of that map was used after taking into account some reductions due to the need to provide detention  
14 basins required to comply with the County's Water Quality Management Program (WQMP). Commercial  
15 and industrial land uses were determined based on designations in the Area Plans and Specific Plans,  
16 and were assumed to build-out at the full acreage allocated.

17 **Section 6.** The Analysis Report ("Final Plan") for Amendment No. 9 to the Menifee Valley Road  
18 and Bridge Benefit District proposes to make adjustments to the estimated construction costs for  
19 identified facilities to be funded by the Menifee Valley RBBD, update the land use assumptions to reflect  
20 an update of the Riverside County General Plan under General Plan Amendment No. 960, and make the  
21 associated adjustments to the District fee schedule. The Board hereby adopts and approves each of the  
22 proposals identified in the Analysis Report/Final Plan; and adopts and levies the proposed fees set forth in  
23 Exhibit D to this Resolution.

1           **Section 7.** The proposed District fee rate changes are primarily due to adjustments as a result of  
2 the dissolution of the Leon Road and Rice Road bridges CFD 05-1 and the additional funding needed to  
3 replace the revenue that was to have come from CFD 05-1. Other adjustments are attributed to updated  
4 project costs and changes in demographics. The proposed and existing fee schedules for Zone E are  
5 represented in Exhibit D and Exhibit E, respectively.

6           The fee rate schedules for Zones B, C and F are no longer included in the County’s RBBB fee rate  
7 schedules for the District, since those zones are now within the City of Menifee and the City collects the  
8 respective RBBB fees within those zones.

9           **Section 8.** The Board of Supervisors find the adoption of Amendment No. 9 to the Menifee  
10 Valley Road and Bridge Benefit District is Categorically Exempt pursuant to California Environmental  
11 Quality Act (CEQA) Guidelines Section 15061(b)(3) in that it can be seen with certainty there is no  
12 substantial evidence that the Amendment will have a significant effect on the environment.

13           **Section 9.** The Clerk of the Board is authorized and directed to file the CEQA Notice of  
14 Exemption with the Office of the County Clerk and Recorder of the County of Riverside.

15           **Section 10.** The Clerk of the Board is authorized and directed to cause a certified copy of this  
16 Resolution to be filed with the Office of the County Clerk and Recorder of the County of Riverside.

17           **Section 11.** The effective date of this Resolution shall be August 29, 2017.

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1 STATE OF CALIFORNIA )  
2 ) ss.  
3 COUNTY OF RIVERSIDE )  
4

5 I, Kecia Harper-Ihem, Clerk of the Board of the County of Riverside, California, do hereby certify  
6 that the foregoing Resolution No. 2017-131 was duly adopted by the Board of Supervisors of said County  
7 at a meeting of said Board held on the 29 day of August, 2017, and that it was so adopted by the  
8 following vote:

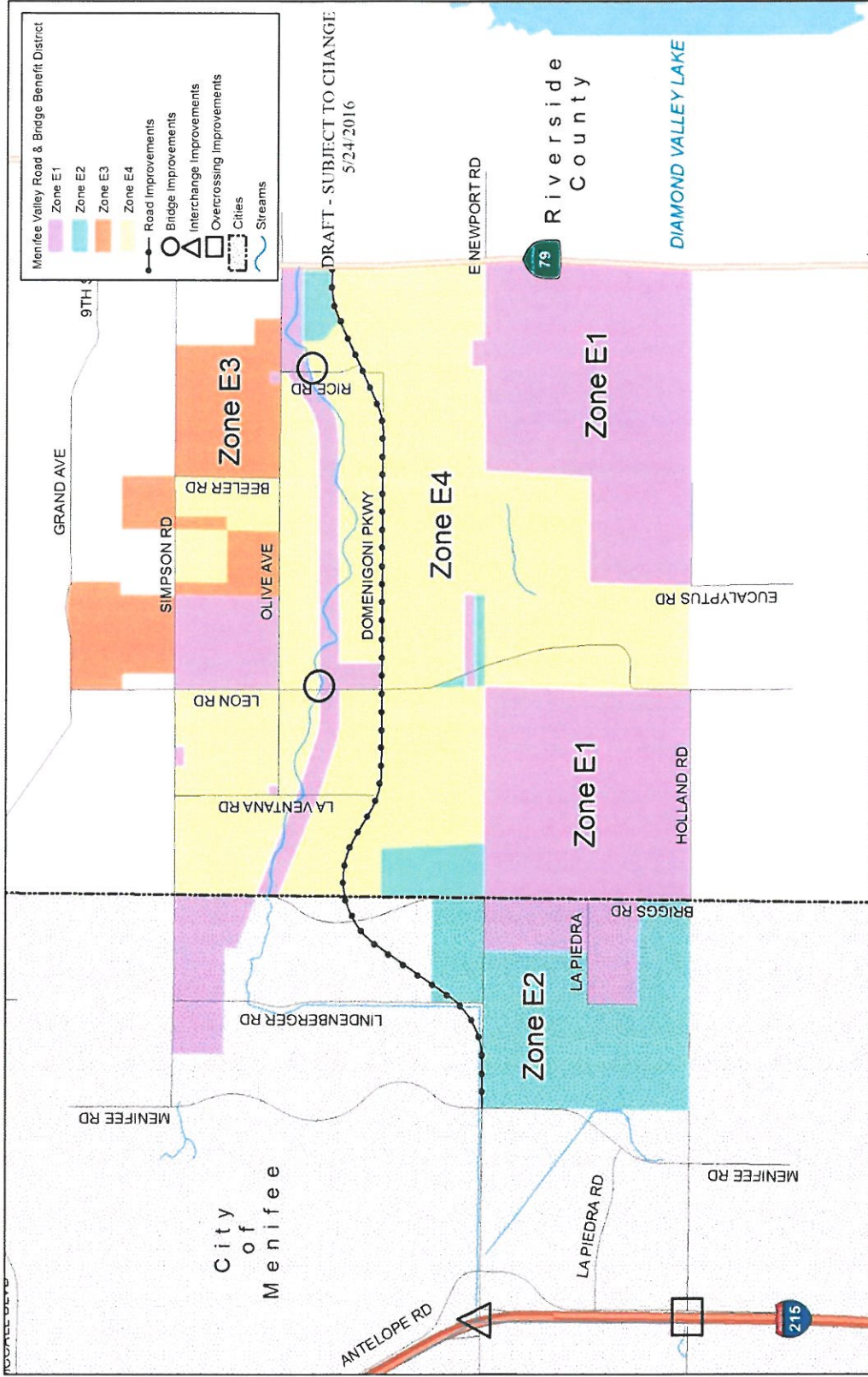
- 9
- 10 AYES:
- 11 NOES:
- 12 ABSTAIN:
- 13 ABSENT:
- 14
- 15

16 \_\_\_\_\_, Deputy  
17 Clerk of the Board  
18 County of Riverside  
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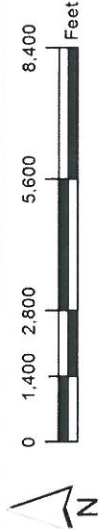


# EXHIBIT A

## MENIFEE VALLEY Road and Bridge Benefit District ( Zone E )

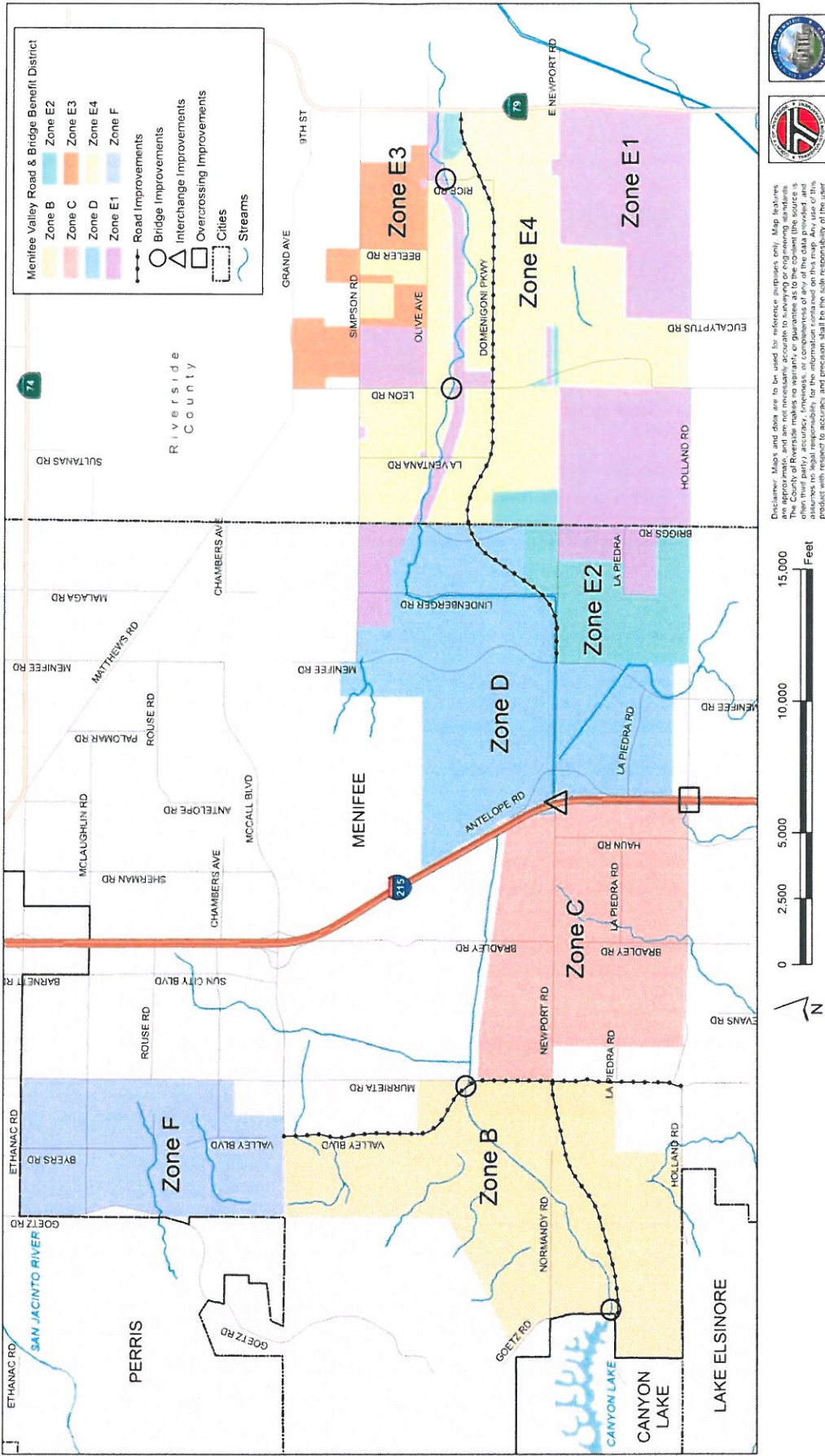


Disclaimer: Maps and data are to be used for reference purposes only. Map features are not guaranteed to be accurate and are not necessarily accurate to surveying or engineering standards. The County of Riverside and the City of Menifee do not warrant, represent, or assume any liability for the accuracy, timeliness, or completeness of any of the data provided, and assume no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.



# EXHIBIT A-1 (For Reference Only)

## MENIFEE VALLEY Road and Bridge Benefit District



- Notes:**
1. Zones B, C, D and F have been incorporated within the City of Menifee and the City collects the RBBB fees within those zones.
  2. Portions of Zone E fall within both the City and the County. Each jurisdiction collects RBBB fees within their respective portions of Zone E.



## EXHIBIT B

### MENIFEE VALLEY RBBD FACILITIES SUMMARY (ZONE E)

	Name of Facility	Increase in Lanes	Facility Type	Total Estimated Project Cost	RBBD Share	Zone E Share	Admin Fee 5%	Adjusted Zone E Budget	Zone E %	Total Length (Linear Lane Feet)	RBBD Credit/Reimbursement Per Linear Foot/Lane	Zone(s)
1	Newport Rd Interchange @ I-215		Interchange	49,708,000	7,196,000	1,782,672	-89,134	1,693,538	4.0%		N/A	B, C, D, E
2	Holland Road Overpass @ I-215	4	Overpass	10,000,000	5,000,000	1,900,000	-95,000	1,805,000	4.3%		N/A	B, C, E
3	Newport Rd (Meniffee Rd to SR-79)	6	Road	22,224,171	4,615,644	1,504,260	-75,213	1,429,047	3.4%		N/A	E
4	Leon Road Bridge @ Salt Creek	6	Bridge	15,468,714	15,468,714	15,468,714	-773,436	14,695,278	35.1%		N/A	E
4a	Leon Road (North of bridge to Olive Ave)	6	Road	4,073,865	4,073,865	4,073,865	-203,693	3,870,172	9.2%	6 Lanes @ 1,113'=6,678'	\$580	E
4b	Leon Road (South of bridge to Newport Rd/Domenigoni Pkwy)	6	Road	1,195,932	1,195,932	1,195,932	-59,797	1,136,135	2.7%	6 Lanes @ 914'=5,484'	\$207	E
4c	Leon Road Traffic Signals (3)		Traffic Signal	748,348	748,348	748,348	-37,417	710,931	1.7%		\$236,977 per T.S.	E
5	Rice Road Bridge @ Salt Creek	4	Bridge	9,934,532	9,934,532	9,934,532	-496,727	9,437,805	22.5%		N/A	E
5a	Rice Road (Olive Ave to Newport Rd/Domenigoni Pkwy, excluding the bridge)	4	Road	7,266,808	7,266,808	7,266,808	-363,340	6,903,468	16.5%	4 Lanes @ 1,920'=7,680'	\$899	E
5b	Rice Road Traffic Signal @ Newport Rd/Domenigoni Pkwy		Traffic Signal	249,253	249,253	249,253	-12,463	236,790	0.6%		\$236,790 per T.S.	E
	<b>Totals</b>			<b>120,869,623</b>	<b>55,749,096</b>	<b>44,124,384</b>	<b>-2,206,219</b>	<b>41,918,165</b>	<b>100%</b>			
	Total Revenues Received					-1,473,848						
	<b>Total Revenues Needed</b>					<b>42,650,536</b>						

# EXHIBIT C

## DISTRICT FACILITIES AND COMPARISONS BY ZONE E

	Facility	Proposed Zone E Share	Existing Zone E Share
1	Newport Road Interchange @ I -215 (Zone E Share)	1,782,672	4,456,720
2	Holland Road Overpass @ I-215 (Zone E Share)	1,900,000	1,900,000
3	Newport Rd (Menifee Rd. to SR-79) (Zone E1/E3 Share)	1,504,260	3,888,616
4	Leon Road Bridge @ Salt Creek	21,486,859	16,241,630
5	Rice Road Bridge @ Salt Creek	17,450,593	12,258,370
<b>Total Zone E Share Cost Estimate</b>		<b>44,124,384</b>	<b>38,745,336</b>
Total Revenues Received		(1,473,848)	
<b>Remaining Zone E Needs Cost Estimate</b>		<b>42,650,536</b>	

### DETAILS

1	Newport Road Interchange @ I-215	Total Estimate	Zone E Share
	Zone B 14.4%; Zone C 29.9%; Zone D 30.9% Shares	5,413,328	
	Zone E Share 24.8%	1,782,672	1,782,672
	Total RBBB Share (Zones: B, C, D, E)	7,196,000	
	Developer Contributions	435,000	
	TUMF Budget	8,278,000	
	Measure A	51,000	
	Surface Transportation Program (STP)	14,625,000	
	Utility Companies	848,000	
	City of Menifee	17,875,000	
	City of Menifee (Additional Funding for 15% Contingency)	400,000	
	<b>Totals</b>	<b>49,708,000</b>	<b>1,782,672</b>

2	Holland Road Overpass @ I-215	Total Estimate	Zone E Share
	Zone B Share 21%	1,050,000	
	Zone C Share 41%	2,050,000	
	Zone E Share 38%	1,900,000	1,900,000
	<b>Totals</b>	<b>5,000,000</b>	<b>1,900,000</b>

3	Newport Road Extension (Menifee Rd to SR-79) (6 Lanes)	Total Estimate	Zone E Share
	CFD 03-1 Contribution	17,608,527	
	RBBB Contribution (Zones D & E)	4,615,644	
	Zone D share = 14% of Total Estimate = \$3,111,384		
	Zone E share = 86% of Total Est - CFD Contribution = \$1,504,260		1,504,260
	<b>Totals</b>	<b>22,224,171</b>	<b>1,504,260</b>

4	Leon Road Bridge @ Salt Creek	Total Estimate	Zone E Share
	6-Lane Bridge and Roadway	21,486,859	21,486,859
	DIF Share	341,000	
	<b>Totals</b>	<b>21,827,859</b>	<b>21,486,859</b>

5	Rice Road Bridge @ Salt Creek	Total Estimate	Zone E Share
	4-Lane Bridge and Roadway	17,450,593	17,450,593
	DIF Share	341,000	
	<b>Totals</b>	<b>17,791,593</b>	<b>17,450,593</b>

## EXHIBIT D

### PROPOSED RATES

#### Menifee Valley RBBB (Zone E)

TYPE	ZONE E1 <sup>(2)</sup> (No CFD)	ZONE E2 <sup>(2)</sup> (CFD 03-1)	ZONE E3 (No CFD)	ZONE E4 (CFD 03-1)
<b>Residential RBBB Fee (per du)<sup>(1)</sup></b>	<b>\$4,656</b>	<b>\$4,016</b>	<b>\$4,656</b>	<b>\$4,016</b>
<i>Residential TUMF Credit (per du)<sup>(3)</sup></i>	<i>\$0</i>	<i>(\$1,775)</i>	<i>\$0</i>	<i>(\$1,775)</i>
<b>Retail Commercial, Service, Office, Industrial RBBB Fee (per gross ac)<sup>(1)</sup></b>	<b>\$5,497</b>	<b>\$5,497</b>	<b>\$5,497</b>	<b>\$5,497</b>
<i>Retail Commercial TUMF Credit (per SF GFA)<sup>(3)</sup></i>	<i>\$0</i>	<i>(\$2.10)</i>	<i>\$0</i>	<i>(\$2.10)</i>

**Notes:**

1. Zones B, C, D and F are no longer shown, since they have been incorporated within the City of Menifee and the City collects the RBBB fees within those zones.
2. Portions of Zone E fall within both the County of Riverside and the City of Menifee. Each jurisdiction collects RBBB fees within their respective portion of Zone E.
3. Residential developments within the Newport Road Extension CFD 03-1 are eligible for TUMF credits in accordance with the Memorandum of Understanding between WRCOG and the County of Riverside for CFD 03-1, dated 10-28-2014.

**Community Facilities District (CFD):**

CFD 03-1 – Newport Road Extension (Domenigoni Parkway)

# EXHIBIT E

## EXISTING RATES

### Menifee Valley RBBB

Resolution No. 2006-359 (9/12/06)

Effective 12/6/2016 (In conjunction with Ordinances 933 and 867.1)<sup>(6)</sup>

TYPE	ZONE E1 <sup>(2)</sup> (No CFD)	ZONE E2 <sup>(2)</sup> (CFD 03-1)	ZONE E3 <sup>(4)</sup> (No CFD)	ZONE E4 <sup>(4)</sup> (CFD 03-1)
<b>Residential RBBB Fee (per du)<sup>(1)</sup></b>	<b>\$5,074</b>	<b>\$2,918</b>	<b>\$5,074<sup>(5)</sup></b>	<b>\$2,918<sup>(5)</sup></b>
<i>Residential TUMF Credit (per du)<sup>(3)</sup></i>	<i>\$0</i>	<i>(\$1,775)</i>	<i>\$0</i>	<i>(\$1,775)</i>
<b>Retail Commercial, Service, Office, Industrial RBBB Fee (per gross ac)<sup>(1)</sup></b>	<b>\$6,945</b>	<b>\$6,945</b>	<b>\$6,945</b>	<b>\$6,945</b>
<i>Retail Commercial TUMF Credit (per SF GFA)<sup>(3)</sup></i>	<i>\$0</i>	<i>(\$2.10)</i>	<i>\$0</i>	<i>(\$2.10)</i>

**Notes:**

1. Zones B, C, D and F are no longer shown, since they have been incorporated within the City of Menifee and the City collects the RBBB fees within those zones.
2. Portions of Zone E fall within both the County of Riverside and the City of Menifee. Each jurisdiction collects RBBB fees within their respective portion of Zone E.
3. Residential developments within the Newport Road Extension CFD 03-1 are eligible for TUMF credits in accordance with the Memorandum of Understanding between WRCOG and the County of Riverside for CFD 03-1, dated 10-28-2014.
4. Zones E3 and E4 formerly included CFD 05-1, which was dissolved by the County on December 6, 2016 (Ordinances 933 and 867.1).
5. The residential rates for Zones E3 and E4 reflect the cessation of CFD 05-1.
6. Rates are pending future adjustments to include the Salt Creek Bridges costs that were formerly covered by CFD 05-1.

**Community Facilities Districts (CFD):**

CFD 03-1 – Newport Road Extension (Domenigoni Parkway)

CFD 05-1 – Salt Creek Bridges (at Leon Rd and Rice Rd) (Dissolved)