

2
3 **RESOLUTION NO. 2007-086**

4 **RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF**
5 **RIVERSIDE DECLARING ITS INTENTION TO IDENTIFY ADDITIONAL FACILITIES**
6 **WHOSE COST OF CONSTRUCTION IS TO BE FUNDED BY THE SOUTHWEST AREA**
7 **ROAD AND BRIDGE BENEFIT DISTRICT, TO REMOVE SEVERAL FACILITIES FUNDED**
8 **BY OTHER PROGRAMS; TO ADJUST THE COST ESTIMATES OF IDENTIFIED**
9 **FACILITIES, AND TO ADJUST THE FEE SCHEDULES FOR SAID DISTRICT**
10 **(AMENDMENT NO. 2)**

11 WHEREAS, the Board of Supervisors (the "Board") of the County of Riverside (the "County")
12 pursuant to Section 66484 of the California Government Code and Chapter 16.28 of the Riverside County
13 Code ("Chapter 16.28") and at the conclusion of a noticed public hearing on August 28, 2001, which was
14 ratified by the adoption of Resolution No. 2001-317 on September 25, 2001, reestablished the Southwest
15 Area Road and Bridge Benefit District (the "Southwest District" or "District") and established a fee to
16 defray the actual or estimated costs for the construction of certain identified bridges and major
17 thoroughfares as a condition of approval of a final map or as a condition of issuing a building permit with
18 boundaries of said Southwest District; and

19 WHEREAS, the Board pursuant to Section 66484 of the California Government Code and Chapter
20 16.28 of the Riverside County Code ("Chapter 16.28") and at the conclusion of a noticed public hearing
21 on June 25, 2002, which was ratified by the adoption of Resolution No. 2002-238 on June 25, 2002,
22 amended the boundaries, identified facilities and fee schedule for Zone D of the Southwest District; and

23 WHEREAS, the "Rules and Regulations for the Administration of Road and Bridge Benefit
24 Districts," as adopted by Resolution No. 85-92 on April 2, 1985, and subsequently amended, provides that
25 the boundaries of a road and bridge benefit district may be adjusted from time to time in response to
26 changed conditions, that new improvements may be designated as improvements to be constructed by a
27 road and bridge benefit district to address changed conditions and that the County's Director of
28

1 Transportation, as administrator, shall review a road and bridge benefit district annually to determine if
2 any revisions to the geographical boundaries or modifications of the designated improvements should be
3 considered by the Board; and,

4 WHEREAS, on May 25, 2004 the Board established a “Policy Area” to accelerate construction of
5 the interchange improvements at Clinton Keith/Interstate 15 by providing early collection of the fee at
6 map recordation and will not be deferred to building permit issuance in Zone A of the District; and
7

8 WHEREAS, the Transportation Uniform Mitigation Fee (the “TUMF”) was adopted on December
9 10, 2002 through Ordinance No. 824, and subsequently amended, and establishes a fee for the
10 construction of certain transportation facilities that also funds portions of Southwest District included
11 facilities that resulted in issuance of a credit for overlapping facilities; and
12

13 WHEREAS, the Southwest Road and Bridge Benefit District seeks to find more than one fund
14 source to maximize facility funding opportunities for each facility and has identified the TUMF Program
15 to provide funding for several facilities herein, and furthermore it is the intent of the Board to identify the
16 funding needed to deliver facility expansions due to forecasting development and traffic growth; and
17

18 WHEREAS, cost estimates for facilities within the Southwest District will be updated to reflect
19 current construction cost, and to have improved cost estimates except where better engineering
20 information establishes a different cost estimate for facilities in the Southwest District; and
21

22 WHEREAS, the Board of Supervisors adopted the Riverside County Integrated Project and
23 updated the Southwest Area Land Use Plan to include new land use designations and included in the
24 Circulation Element that should be incorporated into the Southwest District; and
25

26 WHEREAS, the Director of Transportation has identified new facilities that should be
27 incorporated into the Southwest District that are supported by the Riverside County Circulation Element
28 of the General Plan; and

WHEREAS, Riverside County Transportation Department and the City of Murrieta have entered

1 into an agreement called "Agreement between the County of Riverside and the City of Murrieta on
2 Administering the Southwest Area Road and Bridge Benefit District" to fund facilities of regional
3 significance to add circulation capacity and to provide access to Interstate 15 and Interstate 215 of which
4 will be affected by this proposed amendment, and by which the City of Murrieta has been noticed and has
5 been informed of the proposed changes to the District as described herein; and,
6

7 WHEREAS, since the last amendment to the District, property owners within the Southwest
8 District are participating in the formation of CFD 07-2, that will provide funding towards the construction
9 of Clinton Keith Road including the bridges over Warm Springs Creek, to finance this facility within
10 Zone D; and that this amendment includes the additional cost of delivering these facilities spread among
11 the properties that benefit from it within Zone D, some of which are not participating in the CFD; and,
12

13 WHEREAS, the Transportation Department has determined that: the boundaries of the Southwest
14 District do not require any changes at this time; two(2) new facilities should be included in the District;
15 nine(9) facilities within the District have been completed and/or fully funded by other programs and need
16 to be removed from the District; funding for Winchester Road(Auld to Keller Rd.) and Bundy Canyon
17 Road(Mission Trail to Sunset) expand to include funding for the number one(1), two(2), three(3), four(4),
18 five(5), and six(6) lanes; the cost estimates for several facilities should be increased and/or decreased to
19 reflect additional design and engineering information; the land use assumptions used to determine the fee
20 schedule for the District should be updated to reflect the Riverside County Integrated Project and
21 annexations; and the fees need to be adjusted to be consistent with the aforementioned changes, and
22

23 WHEREAS, the Transportation Department has prepared a report entitled "Report for Amendment
24 No. 2 to the Southwest Area Road and Bridge Benefit District" that is dated June 2007 (the "Report") that
25 proposes to: add Keller Road(from State Route 79 to Washington) and La Estrella Bridge; remove Baxter
26 Road at Interstate 15(I-15), Bundy Canyon Interchange I-15, Clinton Keith Road Interchange at I-215,
27 Los Alamos Road Interchange at I-215, Central Street(from Palomar to I-15), Baxter Road(I-15 to 6,000
28

1 feet Easterly of I-15), Palomar(from Mission Trail to City of Murrieta), Washington(from City of
2 Murrieta to Keller), and Clinton Keith Bridge over Murrieta Creek; expand existing facilities to include
3 funding for 6 lanes on Winchester and Bundy Canyon(Mission Trail to Sunset Avenue); adjust the
4 estimated construction costs for those identified facilities to be funded by the Southwest District; revise
5 land use assumptions to determine the fee schedule for the District that should be updated to reflect the
6 Riverside County Integrated Project and annexations; and adjust the fees to be consistent with the
7 aforementioned changes which are to be charged as a condition of a final map or as a condition of issuing
8 a building permit; and
9

10 WHEREAS, the Transportation Department has prepared an initial study for the project (the
11 "Project") as identified in the Report for the Southwest District as described in Environmental Assessment
12 No. 41164 and recommends the adoption of a Negative Declaration based upon the finding that there is no
13 substantial evidence that the Project will have a significant effect on the environment, and the adoption of
14 a Mitigation Monitoring and Reporting Program; and
15

16 WHEREAS, the Board pursuant to Section Nos. 21091(b) and 21092 of the Public Resources
17 Code of the State of California (the "Public Resources Code") will notice a public hearing at which it will
18 consider adoption of a Negative Declaration for Environmental Assessment No. 41164 and, by a separate
19 published notice, the Board, pursuant to Chapter 16.28, will notice a public hearing at which it will
20 consider protests to: the addition of two(2) new facilities; the removal of nine(9) facilities; the expansion
21 of existing facilities to include funding for 6 lanes on Winchester Rd. and Bundy Canyon(Mission Trail
22 to Sunset Avenue); proposed adjustments to the estimated construction costs for those identified facilities
23 to be funded by the Southwest District; revise land use assumptions used to determine the fee schedule for
24 the District that should be updated to reflect the Riverside County Integrated Project and annexations; and
25 the adjustment of fees to be consistent with the aforementioned changes which are to be charged as a
26 condition of a final map or as a condition of issuing a building permit;
27
28

1 NOW, THEREFORE, BE IT RESOLVED, DETERMINED, FOUND AND ORDERED by the
2 Board of Supervisors of the County of Riverside, State of California, in regular session assembled on July
3 17, 2007, as follows:

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

5 **Section 2.** The area of benefit that is to be modified is identified as Zone A, Zone C and Zone D
6 of the Southwest Road and Bridge Benefit District as depicted in the attached Exhibit "A," and by this
7 reference incorporated herein. The amendment proposal will result in an adjustment of the established fee
8 schedules for all the zones in the Southwest District.

9 **Section 3.** The Director of Transportation has caused the Report to be prepared. The Report
10 provides a description of the changes proposed to be made to the Southwest District, including a listing of
11 the major thoroughfares and bridges that are to be constructed that benefit the territory within the
12 Southwest District, the estimated construction cost of each, and a fair basis for allocating the costs and
13 apportioning the fee to be collected as a condition of approval of a final map or as a condition of issuing a
14 building permit within the Southwest District. The Clerk of the Board of Supervisors (the "Clerk of the
15 Board") is directed to accept and file the Report.

16 The Transportation Department is directed to cause one copy of the Report to be placed at each of
17 the following sites for examination by the public:

18 Temecula Public Library
19 30600 Pauba Rd.
20 Temecula, CA 92592

Riverside Public Library
3581 Mission Inn Blvd.
Riverside, CA 92501

21 Riverside County
22 Transportation Department
23 4080 Lemon Street, 8th Floor
24 Riverside, CA 92501-3655

Clerk of the Board
of Supervisors
4080 Lemon Street, 1st Floor
Riverside, CA 92501-3655

25 Mission Trail Library
26 34303 Mission Trail
Wildomar, CA 92595

Murrieta Public Library
24700 Adams Avenue
Murrieta CA 92562

27 Copies of the Report are to be placed at said addresses for public examination for the period extending
28

1 from July 17, 2007 through and including July 31, 2007.

2 **Section 4.** The Transportation Department has caused to be prepared an initial study for the
3 proposed amendments to the Southwest District (the "Initial Study"). The Initial Study provides the
4 necessary environmental assessment of the proposed amendments to the District. The initial study has
5 been circulated in the Press Enterprise from December 21, 2006 to January 9, 2007. One comment
6 concerning the Initial Study was received from the Riverside County Flood Control District and will be
7 placed in the project file, and requires no response at this time. The initial study also included additional
8 facilities that will not become part of the ultimate proposal for inclusion into this amendment. The
9 proposed adoption of this Resolution and Initial Study will be set for public hearing as specified in
10 Section 7 of this Resolution.
11

12 **Section 5.** Under the proposal to amend the list of designated facilities whose estimated
13 construction costs are to be funded by the Southwest District and the fees to be charged within each zone
14 to fund the actual or estimated construction costs of each facility at the percentages stated, consistent with
15 the County's current construction standards and current land use projections, as attached as Exhibit B and
16 by this reference incorporated herein, and are as follows:
17

18 **ZONE A**

19 **ZONE A FACILITIES**

	<u>ORIGINAL</u>	<u>PROPOSED</u>
20 1. Baxter Road Interchange @ I-15	\$ 9,759,960	Delete
21 2. Bundy Canyon Road Interchange @ I-15	\$ 9,759,960	Delete
22 3. Clinton Keith Road Interchange @ I-15 (97.5%)	\$ 6,470,854	\$ 15,892,500
23 4. Bundy Canyon Road (100%)	\$ 8,077,413	\$ 20,000,000
24 5. Central Street	\$ 1,206,900	Delete
25 6. Baxter Road	\$ 1,830,600	Delete
26 7. Palomar Street	\$ 3,982,770	Delete
27 8. Bundy Canyon(Mission Trail to Corydon) (100%)	\$ 1,182,912	\$1,000,000
28 9. La Estrella Bridge(100%)	New	\$ 5,000,000
10. Clinton Keith Rd Bridge @ Murrieta Creek	\$ 287,469	Delete
Zone A Subtotal Cost:	\$ 42,558,838	\$ 41,892,500
<i>Fees Collected/Interest Earned</i>	<i>(\$ 1,309,595)</i>	<i>(\$ 11,735,419)</i>
ZONE A TOTAL COST:	\$ 41,249,243	\$ 30,157,081

///

/

Zone A - Proposed Fee and Revenue Projection

<u>LAND USE</u>	<u>LAND USE PROJECTIONS</u>	<u>PROPOSED FEE</u>	<u>REVENUE PROJECTION</u>
Residential	8,241 du	\$1,447/du	\$11,924,730
Commercial	563 ac	\$21,705/ac	\$12,219,920
Office Commercial	92 ac	\$14,470/ac	\$ 1,447,000
Industrial	369 ac	\$ 8,682/ac	\$ 4,560,000
TOTAL PROJECTED REVENUE:			\$30,151,650

ZONE C

ZONE C FACILITIES

	<u>ORIGINAL</u>	<u>PROPOSED</u>
1. Clinton Keith Road Interchange @ I-15 (2.5%)	\$ 165,919	\$ 407,500
2. Clinton Keith Road (100%)	\$ 1,206,900	\$ 2,000,000
3. Clinton Keith Rd Bridge @ Murrieta Creek	\$ 7,371	Delete
Zone C Subtotal Cost:	\$ 1,380,190	\$ 2,407,500
<i>Fees Collected/Interest Earned</i>	<i>(\$ 10,720)</i>	<i>(\$ 208,878)</i>
ZONE C TOTAL COST:	\$ 1,369,470	\$ 2,198,622

Zone C - Proposed Fee and Revenue Projection

<u>LAND USE</u>	<u>LAND USE PROJECTIONS</u>	<u>PROPOSED FEE</u>	<u>REVENUE PROJECTION</u>
Residential	1,711/du	\$ 1,284/du	\$ 2,196,924
Commercial	0/ac	\$ 19,260/ac	\$ 0
Office Commercial	0/ac	\$ 12,840/ac	\$ 0
Industrial	0/ac	\$ 7,704/ac	\$ 0
TOTAL PROJECTED REVENUE:			\$ 2,196,924

ZONE D

ZONE D FACILITIES

	<u>ORIGINAL</u>	<u>PROPOSED</u>
1. Clinton Keith Road Interchange @ I-215 (23.5%)	\$ 2,293,591	Delete
2. Los Alamos Road Interchange @ I-215 (27.2%)	\$ 2,654,709	Delete
3. Murrieta Hot Springs Rd Interchange @ I-215 (27.2%)	\$ 2,654,709	\$ 2,010,690
4. Winchester Road (100%)	\$ 4,682,470	\$10,576,000
5. Clinton Keith Rd (100%)	\$ 19,282,370	\$22,800,000
6. Benton Road (100%)	Included #5	\$ 3,000,000
7. Washington Street (100%)	\$ 13,891,150	Delete
8. Keller Rd. (100%)	New	\$ 3,362,688
9. Clinton Keith Rd Bridge @ Warm Spgs Crk W (100%)	Included #5	Included #5
10. Clinton Keith Rd Bridge @ Warm Spgs Crk E (100%)	Included #5	Included #5
11. Clinton Keith Rd Wildlife Overcrossing (100%)		Included #5
12. Washington St Bridge @ French Valley Stream (100%)	\$ 3,000,000	\$ 3,000,000
13. Clinton Keith/Benton Landscaped Median(100%)		\$ 1,043,561
Zone D Subtotal Cost:	\$ 48,459,000	\$45,792,939
<i>Fees Collected/Interest Earned</i>	<i>(\$ 1,560,973)</i>	<i>(\$14,682,506)</i>
ZONE D TOTAL COST:	\$ 46,898,026	\$ 31,110,433

Zone D - Proposed Fee and Revenue Projection

<u>LAND USE</u>	<u>LAND USE PROJECTIONS</u>	<u>PROPOSED FEE</u>	<u>REVENUE PROJECTION</u>
Residential	5,462/du	\$ 2,197/du	\$12,000,014
Commercial	287/ac	\$32,955/ac	\$ 9,448,528
Office Commercial	110/ac	\$21,970/ac	\$ 2,416,700
Industrial	543/ac	\$13,182/ac	\$ 7,157,826
Airport	6/ac	\$13,182/ac	<u>\$ 75,553</u>
TOTAL PROJECTED REVENUE:			\$ 31,098,601

The above proposed Fee and Revenue Projection Schedules are intended to succeed and replace the following Fee and Revenue Projection Schedules that were approved by the Board on August 28, 2001 for Zones A and C and on June 25, 2002 for Zone D:

Zone A – Original Fee (Original Land Use Projections)

<u>LAND USE</u>	<u>ORIGINAL USE PROJECTIONS</u>	<u>ORIGINAL FEE</u>	<u>REVENUE PROJECTION</u>
Residential	10,359 du	\$ 1,743/du	\$ 18,055,737
Commercial	658 ac	\$26,145/ac	\$ 17,203,410
Office Commercial	83 ac	\$17,430/ac	\$ 1,446,690
Industrial	436 ac	\$10,458/ac	\$ 4,559,688
TOTAL PROJECTED REVENUE:			\$ 41,265,525

Zone C – Original Fee (Original Land Use Projections)

<u>LAND USE</u>	<u>ORIGINAL USE PROJECTIONS</u>	<u>ORIGINAL FEE</u>	<u>REVENUE PROJECTION</u>
Residential	2,813 du	\$ 487/du	\$ 1,369,931
Commercial	0 ac	\$ 7,305/ac	\$ 0
Office Commercial	0 ac	\$ 4,870/ac	\$ 0
Industrial	0 ac	\$ 2,922/ac	\$ 0
Airport	0 ac	\$ 2,922/ac	<u>\$ 0</u>
TOTAL PROJECTED REVENUE:			\$ 1,369,931

Zone D – Original Fee (Original Land Use Projections)

<u>LAND USE</u>	<u>ORIGINAL USE PROJECTIONS</u>	<u>ORIGINAL FEE</u>	<u>REVENUE PROJECTION</u>
Residential	10,969 /du	\$ 2,215/du	\$ 24,296,335
Commercial	283 /ac	\$33,225/ac	\$ 9,402,675
Office Commercial	139 /ac	\$22,150/ac	\$ 3,078,850
Industrial	753 /ac	\$13,290/ac	\$ 10,007,370
Airport	9 /ac	\$13,290/ac	<u>\$ 119,610</u>
TOTAL PROJECTED REVENUE:			\$ 46,904,840

Section 6. It is the intent of the Board to identify fund sources that will best accommodate project

1 delivery schedules, and optimize the use of funds for all the projects within its jurisdiction. Furthermore,
 2 TUMF has been identified for the funding of several facilities within the Southwest District. The Board
 3 proposes that the facilities mentioned in Table 1 below will be built and funded by the TUMF instead of
 4 the fees collected from the Southwest District. This will eliminate the need to provide credits for TUMF
 5 and removes overlapping facilities. These facilities will no longer be funded with the Southwest District
 6 and will continue to be programmed to be constructed with funds coming from TUMF. Therefore, the
 7 Board proposes the removal of the facilities listed as follows:

9 **Table 1**

	FACILITIES TO BE REMOVED	Proposed RBBB Budgets	Current RBBB Budgets	Zone
	Name of Facility			
1	Baxter Road Interchange @ I-15	DELETE	9,759,960	A
2	Bundy Canyon Interchange @ I -15	DELETE	9,759,960	A
3	Clinton Keith Road Interchange @I-215	DELETE	2,293,591	D
4	Los Alamos Road Interchange	DELETE	2,654,709	D
5	Central Street(Palomar to I-15)	DELETE	1,206,900	A
6	Baxter Road(I-15 to 6,000' E'ly of I-15)	DELETE	1,830,600	A
7	Palomar(Mission Tr to City of Murrieta)	DELETE	3,982,770	A
8	Washington(City of Murrieta to Keller Rd)	DELETE	13,891,150	D
9	Clinton Keith Bridge(Completed)	DELETE	294,840	A, C
	TOTAL		45,674,480	

18 Clinton Keith Bridge has been completed and is included in this table for removal.

19 Finally, the Board proposes to amend the land use projections for all three(3) zones of the
 20 Southwest District to reflect the update to the Southwest Area Land Use Plan designations adopted as part
 21 of the Riverside County Integrated Project that continues to indicate the need to construct included
 22 facilities in the District along with the proposed addition of:

	NEW PROPOSED FACILITIES	Proposed RBBB Budgets	Zone
	A. Roads/Drainage Improvements		
1	Keller(Rte. 79 to Washington)	3,362,688	D
	B. Bridges		
2	La Estrella Bridge	5,000,000	A
	TOTAL	8,362,688	

1 **Section 7.** The Department has noticed the City of Murrieta of proposed changes pursuant to the
2 “Agreement between the County of Riverside and the City of Murrieta on Administering the Southwest
3 Area Road and Bridge Benefit District.” The agreement provides for a listing of common facilities that
4 are mutually beneficial for both Agencies requiring mutual consent to effectuate changes. This District
5 Amendment proposes to increase the funding for Clinton Keith Road from Menifee to Highway 79 and
6 Clinton Keith Interchange at I-15, and the removal of: Clinton Keith Road Interchange at I-215, Los
7 Alamos Interchange at I-215, and Clinton Keith Rd. Bridge at Murrieta Creek. These changes will
8 provide needed funding to build Clinton Keith Road and construct the Clinton Keith Interchange at I-15.
9 Clinton Keith Rd. Bridge at Murrieta Creek has been completed and it is no longer necessary to collect a
10 fee for this project.

11 **Section 8.** There is a need to move forward with construction of the interchange improvements at
12 Clinton Keith/I-15 in order to serve the existing traffic demands and expected continued growth in the
13 County and City of Murrieta. On May 25, 2004 the Board of Supervisors adopted an aggressive strategy
14 and the use of fees from development revenues to help fund this activity. This project is partially funded
15 by Zone A of the District and fees collected from this district will be required at final map recordation,
16 and will not be deferred to building permit issuance. Collection of the fees at the time of map recordation,
17 rather than upon building permit issuance will provide for an earlier accumulation of revenues needed to
18 construct this facility.

19 **Section 9.** The fee schedule for the Southwest District is calculated by distributing the estimated
20 construction cost of all facilities identified for a Zone among all land use designations within each Zone.
21 Revenues received by the District are applied against the revenues needed to cover estimated project cost.
22 Revenues and land use projections were calculated through March 31, 2007.

24 A credit will need to be developed for participants in CFD 07-2 to apportion costs and credits for
25 contributions made to fund Clinton Keith Road. Fee schedules will need to reflect the contribution to be
26 provided by this CFD in a form of a credit that will be established after final approval of the CFD. The
27 Department will administratively determine the credit amount to provide an equitable fee rate to those
28

1 participants that provided funding for this important project after approval of the CFD.

2 **Section 10.** A public hearing (the "Hearing") to consider: the adoption of a Negative Declaration
3 for Environmental Assessment No. 41164; the addition of two(2) facilities whose actual or estimated cost
4 of construction are to be funded by said District; the removal of nine(9) facilities; the adjustment of actual
5 or estimated cost of construction of identified facilities; revised land use assumptions to be used to
6 determine the fee schedule for the District that should be updated to reflect the Riverside County
7 Integrated Project and annexations, and the adjustment of fees as reflected in the amended fee schedule
8 for each zone to be charged as a condition of approval of a final map or as a condition of issuing a
9 building permit shall be held at **9:30 a.m.**, or as soon thereafter as practicable, on **July 31, 2007** at the
10 **Board of Supervisors' Chambers, 1st Floor, 4080 Lemon Street, Riverside, California, 92501.**

11 At the time and place set forth above for the Hearing, the Board will consider testimony from all
12 interested persons, including all persons owning undeveloped property within the existing Southwest Area
13 District for which a building permit has not been issued and from which said District's fee have not been
14 collected, written protests and all relevant evidence submitted.

15
16 **Section 11.** All protests regarding the proposed amendments of: adding two(2) facilities;
17 removing nine(9) facilities; adjusting the actual or estimated cost of construction of identified facilities;
18 the expansion of Winchester and Bundy Canyon(Mission Trail to Sunset Avenue) to include funding for
19 six(6) lanes; updating land use projections to include the revised area plan and annexations; or the
20 resulting changes in the fees to be charged in each zone shall be in writing and filed with the Clerk of the
21 Board at any time prior to the close of the Hearing. Each protest must be filed by a person or entity
22 owning undeveloped property within the existing boundaries of Zone A, Zone C or Zone D of the
23 Southwest District for which no building permit has been issued and from which the District fee has not
24 been collected and describe the property with sufficient specificity that the parcel may be identified. If
25 the person or entity filing the protest is not shown on the last equalized tax roll as the owner of the parcel,
26 the protest must contain or be accompanied by documentary evidence establishing ownership. A protest
27
28

1 may be withdrawn in writing at anytime prior to the conclusion of the Hearing.

2 If written protests are filed with the Clerk of the Board from persons or entities owning more than
3 50 percent of the undeveloped property within any zone of the Southwest District for which no building
4 permit has been issued and from which the District's fee has not been collected, and by the conclusion of
5 the Hearing a sufficient number of said protests have not been withdrawn so as to reduce the land area
6 whose owners are protesting to less than 50.0 percent of said property, then all proceedings with regard to
7 the: adding of two(2) new facilities; removal of nine(9) facilities, expansion of two(2) included facilities
8 for funding of six(6) lanes; updating of land use projections consistent with the updated area plan and
9 annexations; adjustment of actual or estimated cost of construction of identified facilities; or resulting
10 changes in the fees to be charged in each zone shall be abandoned and the Board shall not, for one year
11 from the date of the Hearing, commence or carry on any proceeding for said facilities.
12

13 If any majority protest is directed against only a portion of the designated facilities, then all further
14 proceedings to construct that portion of the designated facilities so protested against shall be barred for a
15 period of one year, but the Board shall not be barred from commencing new proceedings not including
16 any part of the designated facilities so protested against. The Board may, within an one year period
17 following a majority protest, commence new proceedings for the construction of the portion of the
18 designated improvements so protested against, if it by an affirmative vote of four-fifths of its members,
19 determines and finds that the owners of more than one-half of the property to be benefited are in favor of
20 going forward with such portion of the designated facilities.
21

22 At the conclusion of the Hearing, if the Board determines to approve the: addition of two(2) new
23 facilities; removal of nine(9) facilities; expansion of two(2) included roads to fund six(6) lanes; revised
24 land use projections to be consistent with the Southwest Area Land Use Plan and annexations; the
25 adjustment of actual or estimated costs of construction of identified facilities, and resulting changes in the
26 fees to be charged in each zone as a condition of approving a final map or as a condition to issuing a
27
28

1 building permit, it shall adopt a resolution amending said designated facilities of the District.

2 **Section 12.** At the conclusion of the Hearing, if the Board determines to amend the Southwest
3 District, it shall also consider all written and oral testimony concerning whether the Project will, or will
4 not, have a significant effect on the environment before taking an action on the Negative Declaration.

5 **Section 13.** The number of owners of parcels of real property within the existing boundaries of
6 the Southwest District and within 300 feet of the existing boundaries of said District exceeds 1,000. The
7 Board elects, consistent with Chapter 16.28 and Section 65091(a)(3) of California Government Code, to
8 provide notice of the Hearing by publication in a newspaper of general circulation.

9 **Section 14.** The Clerk of the Board is hereby directed to publish a notice (the "Notice") of the
10 Hearing pursuant to Sections 65091(a)(3) and 65094 of the California Government Code in a newspaper
11 of general circulation published in the area of the Southwest District, being **The Press Enterprise**. The
12 Notice shall be a display advertisement of at least one-eighth of a page or larger and shall contain the date,
13 time, and place of the Hearing and portions of text of this Resolution. Such publication is to appear once
14 at least ten (10) days prior to the date of the Hearing. The Department of Transportation shall post said
15 Notice consistent with Section 65091(a)(4)(B) of the Government Code in at least three (3) public places
16 within the County, one of which will be within the boundaries of the Road and Bridge Benefit District at
17 least ten (10) days prior to the date of the Hearing.

18 **Section 15.** The Transportation Department has published a notice of the Board's intention to
19 adopt a Mitigated Negative Declaration for the initial study contained in Environmental Assessment No.
20 41164 (the "Notice of Intent to Adopt a Negative Declaration") pursuant to Section Nos. 21091(b) and
21 21092 of the Public Resources Code in a newspaper of General Circulation published in the area of the
22 Southwest District, being ***The Press Enterprise***. The Notice of Intent to Adopt a Negative Declaration
23 was displayed in an advertisement of at least one-eighth of a page or larger. Such publication did appear
24 at least twenty-one (21) days prior to the date of the Hearing. The Transportation Department posted said
25
26
27
28

1 Notice of Intent to Adopt a Negative Declaration consistent with Section 21092 of the Public Resources
2 Code at least 10 days prior to the date of the Hearing.

3 STATE OF CALIFORNIA)
4) ss.
5 COUNTY OF RIVERSIDE)
6

7
8 I, Nancy Romero, Clerk of the Board of Supervisors of the County of Riverside, California, do
9 hereby certify that the foregoing Resolution No. 2007-086 was duly adopted by the Board of Supervisors
10 of said County at a meeting of said Board held on the 17th day of July, 2007, and that it was so adopted
11 by the following vote:

12 AYES:

13 NOES:

14 ABSTAIN:

15 ABSENT:
16
17
18
19
20

21 _____, Deputy
22 Clerk of the Board of Supervisors of the
23 County of Riverside
24
25
26
27
28

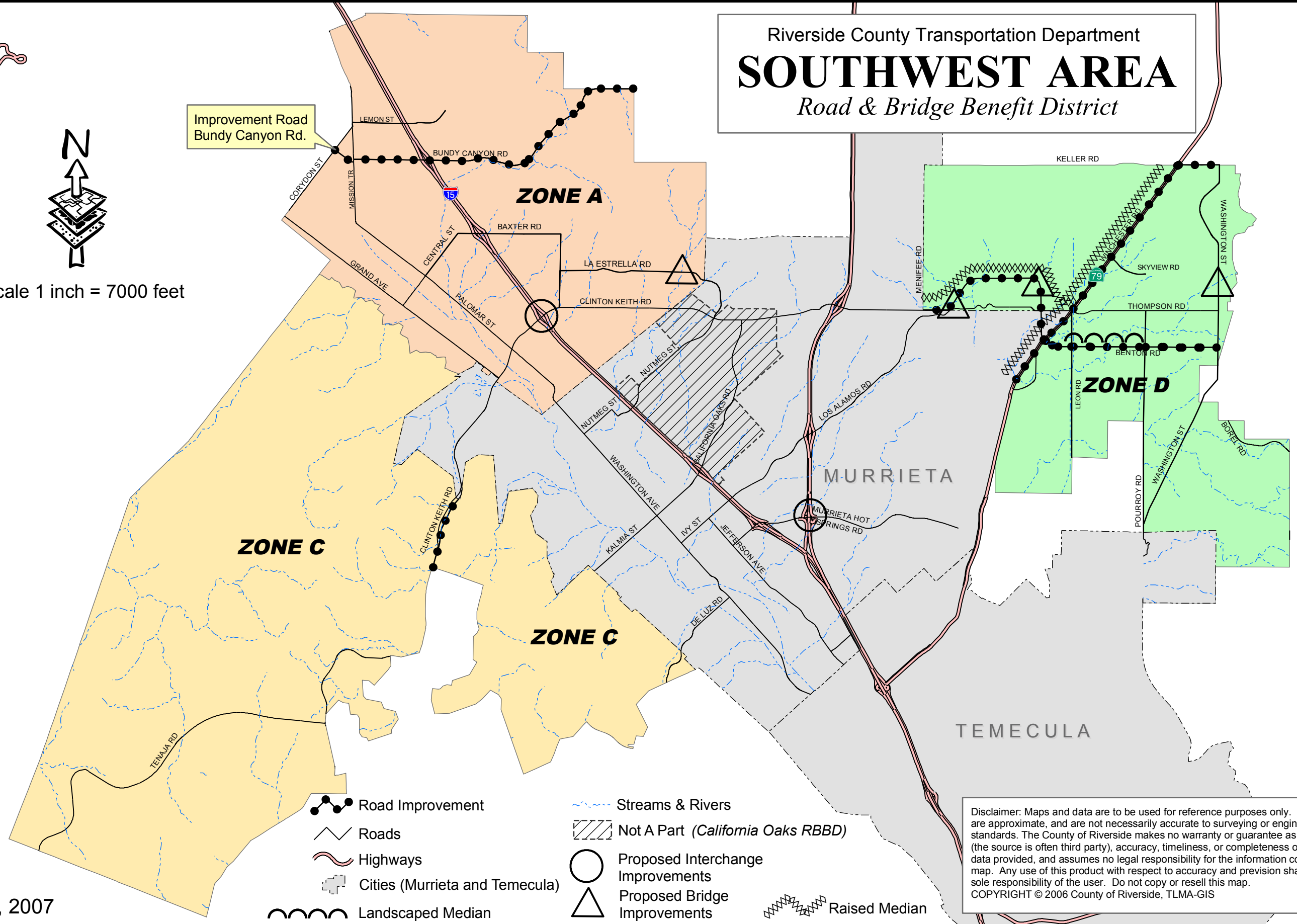
EXHIBIT A

Riverside County Transportation Department
SOUTHWEST AREA
Road & Bridge Benefit District



Scale 1 inch = 7000 feet

Improvement Road
 Bundy Canyon Rd.



- Road Improvement
- Roads
- Highways
- Cities (Murrieta and Temecula)
- Landscaped Median
- Streams & Rivers
- Not A Part (California Oaks RBBB)
- Proposed Interchange Improvements
- Proposed Bridge Improvements
- Raised Median

Disclaimer: Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and prevision shall be the sole responsibility of the user. Do not copy or resell this map.
 COPYRIGHT © 2006 County of Riverside, TLMA-GIS

June 11, 2007

EXHIBIT B

SOUTHWEST FACILITY SUMMARY TOTAL												
Name of Facility	Increase of Lanes	Program Lanes	Construction	Admin/Design/ Eng	Total RBBB Share	Admin Fee 5%	Adj. Total RBBB Share	Average Total	Length (Linear F)	Reimbursement Per Linear	Zone(s)	
A. Interchanges												
1 Clinton Keith Road Interchange @ I-15			11,241,379	5,058,621	16,300,000	-815,000	15,485,000	18%			A, C	
2 Murrieta Hot Springs Rd @ I-215 Interchange			1,386,683	624,007	2,010,690	-100,535	1,910,156	2%			D	
B. Roads/Drainage Improvements												
3 Bundy Canyon Road (Mission Tr to Sunset Ave)	6	1, 2, 3, 4, 5, 6	13,793,103	6,206,897	20,000,000	-1,000,000	19,000,000	22%	23,600	\$ 134	A	
4 Bundy Canyon(Mission Trail to Corydon)	4	1, 2, 3, 4	689,655	310,345	1,000,000	-50,000	950,000	1%	1,900	\$ 125	A	
5 Clinton Keith Road (City of Murrieta to Zone C Boundary)	2	3, 4	1,379,310	620,690	2,000,000	-100,000	1,900,000	2%	6,000	\$ 158	C	
6 Winchester Road/State Highway 79(Auld to Keller Rd.)	6	1, 2, 3, 4, 5, 6	7,293,793	3,282,207	10,576,000	-528,800	10,047,200	12%	19,900	\$ 84	D	
7 Clinton Keith Rd.(Menifee Rd to Hwy 79)	6	1, 2, 3, 4, 5, 6	15,724,138	7,075,862	22,800,000	-1,140,000	21,660,000	25%	13,100	Note 2	D	
8 Benton Rd.(Hwy 79 to Washington)	2	1, 2	2,068,966	931,034	3,000,000	-150,000	2,850,000	3%	13,500	\$ 106	D	
9 Keller(Rte. 79 to Washington)	4	1, 2, 3, 4	2,319,095	1,043,593	3,362,688	-168,134	3,194,554	4%	3,024	\$ 264	D	
C. Bridges												
10 La Estrella Bridge		Bridge	3,448,276	1,551,724	5,000,000	-250,000	4,750,000	6%			A	
11 Clinton Keith Road Bridge @ Warm Springs Creek East		Bridge	Included in #7					0%		Note 2	D	
12 Clinton Keith Road Bridge @ Warm Springs Creek West		Bridge	Included in #7					0%		Note 2	D	
13 Washington St at French Valley Stream		Bridge	2,068,966	931,034	3,000,000	-150,000	2,850,000	3%			D	
D. Landscaped Medians												
14 Benton Rd. Landscaped Median(SR79 to Pourroy Road)		Median	719,697	323,864	1,043,561	-52,178	991,383	1%	9,500	\$ 104	D	
TOTAL			62,133,061	27,959,877	90,092,939	-4,504,647	85,588,292	100%				
TOTAL REVENUES RECEIVED					26,626,803							
TOTAL REVENUES NEEDED					63,466,136							
NOTES:												
1 Cost assumptions for Clinton Keith(Menifee Rd to Hwy79) include Right-Of-Way acquisition.												
2 Clinton Keith Rd.(Menifee Rd to Hwy 79) will be constructed by the Department and includes funding for the East and West Bridges over Warm Springs, the Wildlife Overcrossing.												

EXHIBIT C

TUMF PROGRAM and DISTRICT FEE RATE COMPARISONS

ZONE A - SOUTHWEST																
	Existing	Proposed		Existing	Proposed		Fee Rate	Variance	Projected	Existing		RBB & TUMF		RBB & TUMF Comparison		
	Qty.	Qty.	Variance	Fee	Fee		Incr/Decr	%	Revenue	TUMF CREDIT	TUMF FEE	Current	Proposed	Variance	Variance %	
Residential	10,359	8,241	-2,118	1,743	1,447	/DU	-296	-17%	\$11,924,730	1,634	10,046	10,155	11,493	1,338	13.18%	
Commercial	658	563	-95	26,145	21,705	/AC	-4,440	-17%	\$12,219,920	16,340	87,033	96,838	108,738	11,900	12.29%	
Office Comm.	83	92	9	17,430	14,470	/AC	-2,960	-17%	\$1,447,000	10,893	49,746	56,283	64,216	7,933	14.09%	
Industrial	436	369	-67	10,458	8,682	/AC	-1,776	-17%	\$4,560,000	6,536	24,045	27,967	32,727	4,760	17.02%	
									TOTAL	\$30,151,650						
									NEEDED REVENUES	\$30,157,081						
ZONE C - SOUTHWEST																
	Existing	Proposed		Existing	Proposed		Fee Rate	Variance	Projected	Existing		RBB & TUMF		RBB & TUMF Comparison		
	Qty.	Qty.	Variance	Fee	Fee		Incr/Decr	%	Revenue	TUMF CREDIT	TUMF FEE	Current	Proposed	Variance	Variance %	
Residential	2,813	1,711	-1,102	487	1,284	/DU	\$797	164%	2,196,924	59	10,046	10,474	11,330	856	8.17%	
Commercial	0	0	0	7,305	19,260	/AC	\$11,955	164%	0	590	87,033	93,748	106,293	12,545	13.38%	
Office Comm.	0	0	0	4,870	12,840	/AC	\$7,970	164%	0	393	49,746	54,223	62,586	8,363	15.42%	
Industrial	0	0	0	2,922	7,704	/AC	\$4,782	164%	0	236	24,045	26,731	31,749	5,018	18.77%	
									TOTAL	2,196,924						
									NEEDED REVENUES	2,198,622						
ZONE D -SOUTHWEST																
	Existing	Proposed		Existing	Proposed		Fee Rate	Variance	Projected	Existing		RBB & TUMF		RBB & TUMF Comparison		
	Qty.	Qty.	Variance	Fee	Fee		Incr/Decr	%	Revenue	TUMF CREDIT	TUMF FEE	Current	Proposed	Variance	Variance %	
Residential	10,969	5,462	-5,507	2,215	2,197	/DU	-\$18	-1%	12,000,014	1,756	10,046	10,505	12,243	1,738	16.54%	
Commercial	283	287	4	33,225	32,955	/AC	-\$270	-1%	9,448,528	17,560	87,033	102,698	119,988	17,290	16.84%	
Office Comm.	139	110	-29	22,150	21,970	/AC	-\$180	-1%	2,416,700	11,707	49,746	60,189	71,716	11,527	19.15%	
Industrial	753	543	-210	13,290	13,182	/AC	-\$108	-1%	7,157,826	7,024	24,045	30,311	37,227	6,916	22.82%	
Airport	9	6	-3	13,290	13,182	/AC	-\$108	-1%	75,533	-	0	13,290	13,182	-108	-0.81%	
									TOTAL	31,098,601						
									NEEDED REVENUES	31,110,433						
NOTE																
1. Revenue collected as of 3/31/07.																
2. Land Use Projections through 3/31/07.																
3. Proposed amendment will remove TUMF Credit.																