TO: Mayor and City Council Members

FROM: Dan York, Assistant City Manager

SUBJECT: Adopt Public Right of Way Enhancement Program

STAFF REPORT

RECOMMENDATION:

Staff recommends that the City Council:

- 1. Adopt the Public Right of Way Enhancement Program; and,
- 2. Authorize the City Engineer to collect a \$2,500 deposit with the CFD Annexation Application.

BACKGROUND:

The City Council reviewed and discussed the Draft Public Right of Way Enhancement Program on August 12, 2020. The City Engineer was directed to finalize the Program and bring back to the City Council for adoption.

DISCUSSION SUMMARY:

A final Public Right of Way Enhancement Program is attached. Included in the final document is:

- A. Program Scoring Sheet.
- B. CFD Annexation Application.
- C. Rural Road standards.

City services associated with processing a CFD Annexation Application through district formation includes staff time and tax consultant expenditures. Typically, new Tract Map Subdivisions deposit \$10,000 to annex into CFD 2013 (services). Small Parcel Map Subdivisions subdivided by Wildomar residents deposit \$5,000. At project close out, the applicant either is reimbursed or invoiced based on the actual costs. For the Public Right of Way Enhancement Program, staff recommends the applicant(s) deposit \$2,500 to process the application through District Formation. Actual costs for staff time and tax consultant expenditures in excess of the \$2,500 deposit will be offset by line item budgets adopted with the Operating Budget.

FISCAL IMPACT:

There is no fiscal impact with adopting the Public Right of Way Enhancement Program. Fiscal impacts to HUTA Gas Tax, SB1 Gas Tax, Measure A Sales Tax, and Measure AA Sales Tax may be considered during review and appropriation of the Operating Budget for processing the CFD Annexation Application and/or offsetting the Improvement Costs.

Submitted by: Daniel A. York Assistant City Manager Director of Public Works/City Engineer Approved by: Gary Nordquist City Manager

ATTACHMENTS:

A. 2020 Final Public Right of Way Enhancement Program



CITY OF WILDOMAR

PUBLIC RIGHT OF WAY ENHANCEMENT PROGRAM

Policies and Procedures

Background:

According to the January 2019 Pavement Management Report presented to the City Council on May 8, 2019, the city has 175 centerline miles of public access roadways. The City's Roadway Maintenance System maintains 125 centerline miles of mostly paved streets. The city also maintains Cottonwood Canyon Road and Lost Road which are dirt roads. The remaining 50 centerline miles of streets that are not maintained are public access streets that are primarily dirt and were never accepted into the City's Roadway Maintenance System.

The County of Riverside established parameters for a street to be included into the Roadway Maintenance System which continues to be the guiding practice for the City.

- 1. The street right of way is to be offered to the City for public use;
- 2. The street is to be improved to a City Standard;
- 3. The City accepts the right of way and street improvements into the Roadway Maintenance System; and,
- 4. Since 2013, the costs associated with on-going maintenance of newly improved streets and public service elements (e.g. streetlights, street sweeping, walkways, drainage, landscape, etc.) are paid for annually by the benefitting property owners.

Policy:

Implement a Program to improve and maintain public access streets that are either private or public but have not been built to a City Standard nor accepted into the City's Roadway Maintenance System. The Program improves the street to a City Standard and requires the street to be within the Public Right of Way in order to be included in the Roadway Maintenance System.

Offer street maintenance and/or program element(s) that add public service(s) to be provided to a community and maintained by the city within improved and accepted public right of way and paid for by the community through a Maintenance District.

Establish a priority ranking system to assist the City during the annual operating budget process to determine the streets to be improved and maintained and become a part of the City's Roadway Maintenance System and/or add public service elements to the street facilities.

Procedure:

Improvements:

The City Engineer develops, adopts and updates City Standards for streets to be accepted and maintained into the Roadway Maintenance System. In addition to a Rural Road standard including subgrade preparation, aggregate base and asphalt structural sections, the City Standards will consider a graded dirt road section, an Asphalt Rubber Aggregate Membrane (ARAM)/chip seal section, and an engineered gravel road section. The frequency of maintenance services is dependent on the improved street section selected based on traffic type, number of residences, a soils report/determination and the type of street the community desires.

Public Service Elements:

Property owners submit a Petition Application to annex into a financing District for public service elements. Public service elements include street lighting, street sweeping, walkways, landscaping, drainage and specialty signage. Public service elements will be considered within dedicated public right of way. Street sweeping services require a paved road with curbing or raised berms.

Rights-of-Way:

The City Engineer prepares and records with the County of Riverside Legal Description and Plats for properties to be dedicated as public access streets. In order for a street to be improved, maintained, accepted into the Roadway Maintenance System, and to provide public service elements, the street shall be within an accepted public right of way. Depending on existing encumbrances over the right of way to be dedicated and accepted, the City Engineer will determine whether the right of way will be by easement or grant deed.

Maintenance

The City will maintain streets and public service elements that the community petitions, votes and agrees to pay annual Maintenance District costs.

Budget Appropriation:

The City Engineer prepares annually as part of the 5-year Capital Improvement Program (CIP) a list of projects and preliminary budgets for streets to be considered for the Public Right of Way Enhancement Program. Due to funding availability; right of way disposition; and, size and complexity of improvements the line item budget recommendation for each project may include full funding or partial funding over subsequent years until adequate funds are appropriated to complete the project including surveying, engineering, plan preparation, right-ofway dedication, environmental clearance and, construction, as applicable.

The City Engineer prepares annually a Public Right of Way Enhancement Program line item budget as part of the Operating Budget (different than Project Specific CIP Budget) to be used for administration, Petition Application review and assistance, research, conceptual plans, property owner coordination and district formation. The revenue to offset the costs to the Operating Budget is from the Application Processing Fee.

Establishing Priorities

The City Engineer prepares and/or updates a standardized Priority Ranking Form. Annually, the City Engineer prepares a list of projects and ranks each project based on the current Priority Ranking Form. Projects may be prioritized for funding based on the following:

- 1. Public Right of Way has been dedicated to and accepted by the City;
- 2. All property owners along a public access agree to dedicate public right of way;
- Match-grade improvements are not required outside the public right of way;
- 4. Environmental constraints and/or Regulatory Permits are not required;
- 5. Installation of drainage infrastructure is not required;
- 6. The project is fully funded. Improvements that are paid through an "Improvement and Maintenance" district receive the highest rank for this Priority Ranking category;
- 7. A 2/3rd's majority of the property owners agree by petition and mail ballot to form or annex into an "Improvement and Maintenance" district.

Other factors that may be considered include improved Emergency Vehicle access, impacted postal service delivery, hard to service areas for solid waste collection, roadway network connectivity and number of residents or properties served.

The Priority Ranking of projects shall guide the City Engineer's recommendation on projects to be considered during the Budget Appropriation process.

Petition Application

The City Engineer prepares a Petition Application for property owners' execution. The Petition Application requires signatures of at least 2/3rds of the properties within the community. There are two types of Districts, an "Improvement and Maintenance" District or a "Maintenance" District. At a minimum, a 2/3rds majority of the property owners must agree to annexing into a Maintenance District to cover all annual costs.

Refer to Establishing Priorities, a community that agrees to join an "Improvement and Maintenance" District will be prioritized over those that do not. Joining an "Improvement and Maintenance" District agrees to pay for the costs for the Improvement annualized over a seven-year period.

The Petition Application shall include the following information:

- Description or street name and length of road segment
- Property owner's information with Assessor's Parcel Number (APN)
- Property owners of record signature (A renter's signature is not eligible)
- Application processing fee covering costs for administration, Petition Application review and assistance, research, conceptual plans, property owner coordination and district formation. Subject to district formation some of the costs may be deferred in seven equal annual payments to be included in the annual district tax.

<u>Forms</u>

- A. Priority Ranking Form
- B. CFD Application Package
- C. City of Wildomar Rural Road Standard
 - 138A Asphalt
 - 138B Engineered Gravel
 - 138C Chip Seal/ARAM
 - 138D Dirt

Implementation:

Month	Activity
March	Deadline to receive Petition Application for a Project to be
	considered in the ensuing Fiscal Year (FY) Budget
April	City Engineer conducts research, preliminary engineering, cost
	estimates on a short list of Roadway Enhancement Project(s)
May	City Engineer completes First Draft Priority Matrix of Projects.
	City Engineer prepares CFD Annexation Package and Draft Report
June	Conduct Property Owner Community Meeting #1.
	City Council consider Resolution setting a Public Hearing for CFD
	annexation.
	City Engineer updates Final Priority Matrix of Projects.
	City Council consider FY Budget Appropriation for Roadway
	Enhancement Projects and adds Projects to the 5-Year CIP
July	Public Hearing and Mail Ballot for CFD Annexation
August	City Engineer commences Survey, Right of Way, Geotechnical R-
	Value, Environmental and Engineering
September	Conduct Property Owner Community Meeting #2.
October	2 nd Quarter FY Budget review and adjustments based on 90%
	complete Engineering and Right of Way cost estimates.
November	City Engineer completes Right of Way Acquisition, Right of Entry
	Letters and Construction Documents
December -	Advertise for Construction Bids;
January	Bid Opening and review of Contractors documents
February	City Council Award Construction contract
	City Council accepts Right of Way dedication
March -	Conduct Property Owner Community Meeting #3 (Pre-Construction)
June	Construct Project Improvements
July	City Accepts Street into the Roadway Maintenance System

The above Activity Schedule is a guiding plan based on a simple project that is fully funded prior to start of construction; that qualifies for a CEQA Exemption; that does not require Regulatory Permits; that does not require eminent domain of rights-of-way; that has received all rights of entry letters from the property owners and that can be designed in-house by the City' Engineering Department. More complex projects will delay when a project is ready to advertise for construction bids. The Activity Schedule includes steps for a CFD Annexation. In the event a project listed on the Priority Matrix is not fully funded, the project will be placed in the 5-Year CIP Program in future years and reviewed annually during the FY Budget process.

FORM

Α

Scoring Sheet

Adopted December 9, 2020

Segment		Right of Way			Engineering			Fiscal		
Street Name	Main Cross Street	End Cross Street	Dedicated ¹	Owners Agree to Dedicate ²	Match Grade ³	Environment Constraints ⁴	Drainage ⁵	Soils ⁶	Improvements ⁷	Maintenance ⁸
	Total	Points per Category	15	15	5	5	5	5	25	25
			······································							
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Public Right of Way Enhancement Program Scoring Sheet

Notes:

1. Fully Dedicated R/W receives full points; Dedicated but not accepted receives 1/2 points; No Dedication receives zero points.

2. Full points if R/W has been dedicated; dedicated not accepted; or, Agreed by Petition of all owners to dedicate; Partial points if only a portion of Owners agree to dedicate

3. Full points if there are No match grade improvements outside the R/W; Partial Points if improvements outside R/W with Owner's Authorization for Right of Entry

4. Full points if there are No Environmental Constraints requiring detailed CEQA studies or Regulatory Permits; Partial Points based on Environmental/Permit requirements

5. Full points if no Offsite Drainage pipes or infrastructure required; Partial points if localized drainage improvements are required in addition to berms or swales

6. Full points if the Geotechnical Report Findings and Recommendations do not require subgrade preparation; Partial points based on degree of subgrade preparation.

7. Full points if the improvements are fully funded by the Owners through a Community Facilities District; Pro-rated points based on secured costs over total cost

7. cont. If other funds are appropriated in prior fiscal years for a top ranked underfunded projects those appropriations are included in secured costs

8. Full points if the maintenance is fully funded by the Owners through a Community Facilities District; Partial points pro-rated on secured costs over total cost

7, 8. It is possible that the property owners request a cap on the proposed Community Facilities District annual cost resulting in secured costs being less than total cost

FORM

В

CFD Annexation Application

Adopted December 9, 2020

Wildomar Roads CFD Annexation Application



CITY OF WILDOMAR

23873 Clinton Keith Road, Suite 201 Wildomar, CA 92595 (951) 677-7751 www.cityofwildomar.org

In order to annex territory into the Wildomar Roads Community Facilities District, the following steps and information must be provided.

PLEASE SUBMIT THE FOLLOWING INFORMATION LISTED BELOW:

- Cover Letter
- CFD Annexation Application
- Development Quantities Form
- Road Improvement Form
- □ Signed Petition / Waiver Form
- Acknowledgement Form
- Approved Tract Map or Parcel Map for Project
- □ Conditions of Approval for the Project
- □ Legal Description
- □ Maintenance Exhibit identifying CFD and HOA Maintained Areas
- □ Title Report prepared within three months of the submittal date
- Check Payable to the City of Wildomar; For the fee requirement amount, please contact Public Work Department Phone: (951) 677-7751 x246 Email: tabercrombie@cityofwildomar.org
- □ Include a CD or digital copy of the application

In order to process your application, all documents need to be completed accompanied with a check payable to the City of Wildomar. Failure to complete these steps will result in a determination of incomplete application and will delay the processing of your application.

If you have questions please contact our Special Tax Consultant, Spicer Consulting Group at (866) 504-2067.

Thank you,

City of Wildomar Public Works Department Mr. Daniel A. York Assistant City Manager Public Works Director / City Engineer City of Wildomar 23873 Clinton Keith Road, Suite 201 Wildomar, CA 92595

RE:	Roads Community Facilities District Annexation
	Tract No. / Project No.
	Assessor's Parcel Number (APN)

Dear Mr. York,

We are submitting the attached Application Form and supporting materials in connection with our request to annex territory into the City's Road Community Facilities District. This would provide the following services including but not limited to: road improvements and maintenance of roads as permitted in the area surrounding the subject project.

Enclosed with this letter are the following documents required to initiate the annexation process:

- Annexation Application
- Development Quantities Form
- Road Improvement Form
- Signed Petition / Waiver Form
- Approved Tract Map or Parcel Map for Project
- Conditions of Approval for the Project
- Legal Description
- Maintenance Exhibit identifying Maintained Areas
- Title Report prepared within three months of the submittal date (as applicable)
- Check Payable to the City of Wildomar

We appreciate your consideration of our application and look forward to proceeding with the proposed CFD Annexation with the City of Wildomar. In the meantime, if you have any questions or need additional information, please do not hesitate to contact me at (XXX) XXX-XXXX ext. XXX.

Sincerely,

John Doe

John Doe Project Manager

ANNEXATION APPLICATION



Proposed Name of Project:

SPICER CONSULTING GROUP USE ONLY

Amount: _____

Proposed Special District Number:

Date Received:

DEPOSIT REQUIREMENT

For the fee requirement amount please contact Public Works Department Email: tabercrombie@cityofwildomar.org Phone: (951) 677-7751; x246

1. IDENTIFICATION OF SUBJECT PROPERTY

Description of Property (include N, S, E &/or W, borders, acreage & tract number)

Α.	APN(s) and/or Master Parcel Number Attach Backup (if needed)		I Assessor Parcel Numbers to be included i itirety (XXX-XXX-XXX-X)	in the Special District
В.	Tract/Tentative Tract Map Number Enclose copy of map			
C.	Recorded Lot Line Adjustments Enclose copy of document(s)			
D.	Mapping Status	□ Approved	Tentative	
Ε.	Environmental Permits Required	🗆 Yes	🗆 No	
F.	Status of Permits	□ Application in	n Process	
G.	Conditions of Approval Required	□ Yes	□ No	
	By Whom			
н.	Status of Conditions	In Process	Completed	

2. PROPERTY OWNER INFORMATION (Attach Grant Deed)

3.

4.

5.

Α.	Landowner Name(s) Attach Backup (if needed)		
В.	Contact Name		
C.	Title		
D.	Mailing Information		
E.	Phone		
F.	Fax		
G.	E-Mail		
CON	SULTANT/APPLICANT INFORMATION		
Α.	Company Name		
В.	Contact Name		
C.	Title		
D.	Mailing Information		
E.	Phone		
F.	Fax		
G.	E-Mail		
ENG	INEERING INFORMATION		
Α.	Company Name		
В.	Contact Name		
C.	Title		
D.	Mailing Information		
E.	Phone		
F.	Fax		
G.	E-Mail		
PRO	JECT LAND USE (Per Improvement Area or Zone,	When Applicable)	
Α.	Number of Taxable Units		
В.	Proposed Product Mix	See below	
C.	Base Sale Price Information	See below	
D.	Number of Taxable Acres Attach Backup		
E.	Number of Exempt Acres Attach Backup		
F.	Desired Tax Rate Burden	%	
G.	Anticipated Absorption		_ per month

6. COMPOSITION OF DEVELOPABLE ACREAGE

Attach Additional Backup (if needed)	Acreage	Commence Occupancy (Quarter & Year)
Residential		
Commercial-Retail		
Business Park		
School Site		

PROPOSED RESIDENTIAL PRODUCT MIX

Plan Number	1	2	3	4
Apartment, Attached, or Detached				
Number of Units				
Average Lot Size per Tract		sq. ft.		
Prices				
Square Footage of Living Area				

Occupancies (See Table Below)

Quarter & Year	Plan 1	Plan 2	Plan 3	Plan 4

Questions? Contact our Special Tax Consultant, Spicer Consulting Group at 866-504-2067. Thank you.

^{*}Attach backup as needed

CITY OF WILDOMAR

Roads CFD Annexation

Quantities Worksheet - Roads Improvement Form

Applicant	Development Name	Tract No.	Res/Comm	Date
	Gross Acres	Net Acres	Units	Annex No.

	Description	Measure	Qty	City	НОА	Note
	Standard Paved Street					
	Number of Lanes	Ct				
	Length	LF				
	Width	Feet				
	Area	SF				
	ARAM/Chip Seal Street					
	Number of Lanes	Ct				
	Longth	LF				
ЭС	Width	Feet				
Road Type	Area	SF				
oad	Engineered Gravel Street					
Ř	Number of Lanes	Ct				
	Length	LF				
	Width	Feet				
	Area	SF				
	Dirt Road					
	Number of Lanes	Ct				
	Length	LF				
	Width	Feet				
	Area	SF				
Ъ	Traffic Signal	Ct				
Lighting	Streetlights	Type-Qty				
Ē	Other					
	Service					
Maintenance	Street Sweeping- Interior	LF				
nai	Street Sweeping- Perimeter	LF				
nte	Sidewalk	SF				
lai	Interim Striping	LF				
-	Concrete	SF				

PETITION TO THE CITY COUNCIL OF THE CITY OF WILDOMAR REQUESTING ANNEXING TERRITORY INTO A COMMUNITY FACILITIES DISTRICT OF THE CITY OF WILDOMAR AND A WAIVER WITH RESPECTS TO CERTAIN PROCEDURAL MATTERS UNDER THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982 AND CONSENTING TO THE LEVY OF SPECIAL TAXES THEREON TO PAY THE COSTS OF IMPROVEMENTS AND SERVICES TO BE PROVIDED BY THE COMMUNITY FACILITIES DISTRICT

1. The undersigned requests that the City Council of the City of Wildomar, initiate and conduct proceedings pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act") (Government Code Section 53311 et seq.), to annex territory into a Community Facilities District No. ______ (the "Community Facilities District") of the property described below and consents to the annual levy of special taxes on such property to pay the costs of services to be provided by the community facilities district.

2. The undersigned requests that the community facilities district provide any improvements and services that are permitted under the Act including, but not limited to, all necessary improvements and service, operations, administration and maintenance required to keep the streets, curbs, gutters, sidewalks, drainage, traffic signals, street lighting, traffic signals, and associated appurtenant facilities within the district in a healthy, vigorous and satisfactory working condition.

3. The undersigned hereby certifies that as of the date indicated opposite its signature, it is the owner of all the property within the proposed boundaries of the Community Facilities District as described in Exhibit A hereto and as shown on the map Exhibit B hereto.

4. The undersigned requests that a special election be held under the Act to authorize the special taxes for the proposed community facilities district. The undersigned waives any requirement for the mailing of the ballot for the special election and expressly agrees that said election may be conducted by mailed or hand-delivered ballot to be returned as quickly as possible to the designated election official, being the office of the City Clerk and the undersigned request that the results of said election be canvassed and reported to the City Council at the same meeting of the City Council as the public hearing on the creation of the Community Facilities District or at the next available meeting.

5. Pursuant to Sections 53326(a) and 53327(b) of the Act, the undersigned expressly waives all applicable waiting periods for the election and waives the requirement for analysis and arguments relating to the special election, and consents to not having such materials provided to the landowner in the ballot packet, and expressly waives any requirements as to the form of the ballot. The undersigned expressly waives all notice requirements relating to hearings and special elections (except for published notices required by the Act), and whether such requirements are found in the California Elections Code, the California Government Code or other laws or procedures, including but not limited to any notice provided for by compliance with the provisions of Section 4101 of the California Elections Code.

6. The undersigned hereby consents to and expressly waives any and all claims based on any irregularity, error, mistake or departure from the provisions of the Act or other laws of the State and any and all laws and requirements incorporated therein, and no step or action in any proceeding relative to annexing territory into Community Facilities District No._____ of the portion of the incorporated area of the City of Wildomar or the special election therein shall be invalidated or affected by any such irregularity, error mistake or departure.

IN WITNESS WHEREOF, I hereunto set my hand this _____ day of _____, 20___.

[NAME OF LANDOWNER]

By: ______ Name: Title:

OWNER'S PROPERTY:

TRACT MAP OR PARCEL MAP NO. or PROJECT NO.

OWNER'S MAILING ADDRESS:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY COUNCIL OF THE CITY OF WILDOMAR THIS ____ DAY OF _____, 20___.

City Clerk of the City Council of the City of Wildomar

INSERT EXHIBIT A: BOUNDARY DESCRIPTION

INSERT EXHIBIT B: TRACT/PARCEL/SUBDIVISION MAP

City of Wildomar

Rural Road Standard 138

- 138A Residential Rural Road Asphalt/Aggregate
- 138B Residential Rural Road Engineered Gravel
- 138C Residential Rural Road Chip Seal/ARAM
- 138D Residential Rural Road Dirt Roadway







