

Barnes' Stormin'



# And the Fight Goes on

By David H. Barnes

Well, even before we see our city council people tonight they will be in a closed session discussion about existing and anticipated litigation.

The exact wording on the agenda item reads: "with respect to pending litigation and potential initiation of litigation with respect to the Riverside Transmission Reliability project..."

That litigation talk includes the City of Riverside and Southern California Edison, everyone's favorite utility.

So that's the big question Mr. and Mrs. Jurupa. Do we get into a messy, costly, lengthy legal battle with the City of Riverside?

Some irony existed at Tuesday's Riverside City Council meeting where the leadership there is "all-in" to run transmission towers and lines through Jurupa. Immediately following endless testimony about the city's need to trample us and bring back-up power to themselves, the city council was to go into closed session to discuss a lawsuit it has filed against the Rubidoux Community Services District and Jurupa Community Services District.

Wow, one existing lawsuit against the neighbors and another one ready to surface.

What is this? War?

The current lawsuit is whether the two services districts should have to pay the City of Riverside for repairs and expansion to their third stage tertiary treatment plant they built as close to Pedley as you can get without being in Pedley.

The two services districts' custom-

ers were forced by the United States of America and the State of California to abandon their own wastewater treatment facilities in the mid 1970s and join forces with the evil City of Riverside to form a three partner agency to treat waste flowing into what the U.S. Congress terms a navigable Santa Ana River.

Whew.

The Rubidoux CSD at the time had a treatment plant at the end of Rio Road, a dead-end road off Riverview Drive.

The Jurupa CSD at the time (in the 1960s and 1970s) owned and operated a plant south of Limonite Avenue at Bain Street, and later a plant north of Limonite Avenue in Indian Hills.

The three plants have been abandoned, mothballed, destroyed. None can ever be used again.

Now we're stuck in a partnership with the City of Riverside who is suing us for more money to repair their plant. By the way, we helped pay for the plant and pay substantially for every ounce of crap it treats.

You'd think the City of Riverside would eventually get tired of trampling us. Even the new mayor, Rusty Bailey, a former friend of Jurupa, works tirelessly against us. Did he ever *really* care about Jurupa?

There is something good about all of this. It isn't going to be too long before one of those Riverside City people wants to move up. Maybe to county supervisor. Maybe to state assembly. State senate? Perhaps to U.S. Congress.

That's when the citizens of trampled valley can rise up and vote for

anyone running against any of them. At minimum we can make a candidacy from that realm miserable.

Put on a happy face.

I'm not sure if it is safe for a Jurupan to travel through the City of Riverside. We would be required, or at least asked, to show identification if there were a traffic stop. That could end up being dangerous for a 92509 or 91752 resident, considering our treatment in the past.

Damn! Where to shop, where to shop?

I suppose we could save all our legal fee funds for alternative uses. Such as luring restaurants or other businesses to Jurupa so we don't have to go to Riverside. Instead of spending a hundred grand to fight our neighbors, we could redirect the money toward bringing business here. After all, the businesses of the City of Riverside "applaud" the decision of the Riverside City Council.

We could use the litigation-earmarked-money to relocate homeless people and criminals to the City of Riverside. Get 'em some rooms at our neighbors hotels.

Just thinking.

Wouldn't you know Market Broiler is one of my favorite places to eat. Goodbye Galleria, hello Victoria Gardens.

Dear Greater Riverside Chamber of Commerce members, applaud that!

Or we could just go ahead and keep hiring lawyers and keep delaying their wastewater treatment plans and back-up electricity. You know, we could continue being a "bump" in

the road.

We'll learn more about that litigation tonight when our city council gets together.

By the way, *your city council* members did a really good job of representing you before the evil City of Riverside people. Laura, Verne and Frank made a good case for working together, but their pleas fell of deaf ears.

In fact, everyone who spoke on behalf of the people of Jurupa, including several people from the City of Riverside, did a good job. Yes, people from the City of Riverside spoke against the management team over there, and warned us from the podium "they've already made up their minds."

Clearly, Jurupa speakers (about 15) were much more educated about the Riverside Transmission Reliability Project than the city council of Riverside. Instead of examining the project, that city's council members relied on the city staff and were more of a "duh" and "huh" operation before eventually voting unanimously to approve what they didn't understand.

There is a last stand to be made and it doesn't involve lawyers, judges and courtrooms. It involves the commissioners of the California Public Utilities Commission. If a lot of Jurupa people (a lot, not a few) show up to that future hearing and complain, there's a chance of defeating Darth Bailey and the storm troopers.

That'd be fun for a change.

## If State PUC Says Okay, City Must Buy City Land from Jurupa Control

*Group headed by Chuck Cox owns land in City of Riverside where towers must locate*

JURUPA VALLEY -- If the California Public Utilities Commission (CPUC) agrees with the City of Riverside on its route for the Riverside Transmission Reliability Project, Riverside city fathers may have to buy right-a-way land from a Jurupa controlled partnership that owns most of the land the city needs on the southern banks of the Santa Ana River in the City of Riverside.

That won't be easy, and it's a long story.

Chuck Cox, John L. West, Don Galleano and Eddie Fischer of Orange County are involved in a partnership, or partnerships, which bought more than 600 acres of land in the City of Riverside more than 30 years ago. The original intention was to build homes overlooking the Santa Ana River.

The City of Riverside, however, blocked all building efforts by the partnerships over the past three decades leaving the partnerships with a property tax burden and little ability to build anything.

The partnerships about 20 years ago tried to overturn the city's voter approved Proposition R growth control initiative -- but failed at the polls after an expensive campaign.

A lot of the empty land owned by the Jurupa controlled partnerships was sold to William Davis, and now it gets messy.

The Jurupa owned partnerships holds notes on the land, Davis hasn't paid, lawsuits have been filed, and resolution of the land's status and notes may have to be determined in court.

To eventually acquire the land, and from whom, the City of Riverside will have to do a precise alignment, identify the parcels it needs, and make an offer to each property owner.

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The property owner(s) are allowed to get their own appraisals and make a counter-offer. If a price can't be agreed upon, the city can use eminent domain, and a judge can determine the fair price of the land.

Meanwhile, the City of Riverside also has to acquire portions of the land to construct its 230 kv towers to run its transmission lines from Vernola Marketplace to the west into the City of Riverside across Van Buren to the east.

There has been no opposition from Cox or the people involved in the partnerships to thwart the city's plans to use the land, which, technically, is owned by Davis -- as of today.

The land needed for the other south to north stretch from Vernola Marketplace to the Mira Loma Substation on Hamner Avenue is owned by Anthony Vernola.

Home builders and developers interested in commercial development alongside the I-15 from Limonite Avenue to Bellegrave are vehemently opposed to the route of the towers which, if approved by the CPUC, will run alongside the freeway the entire length of it from Limonite to Bellegrave.

There's a lot going on concerning the project, which may take another year, or more:

- It has not been determined when the CPUC will hear the proposal from Riverside City.
- Jurupa Valley City officials have not decided whether to file a lawsuit challenging the project.
- The City of Riverside, eventually, needs to acquire land of which some may be involved in lawsuits to determine ownership.

# Power Lines, Towers to PUC

**JURUPA VALLEY** -- The final decision whether the City of Riverside will be allowed to construct 230kv towers and transmission lines on City of Jurupa Valley land now rests in the laps of the members of the California Public Utilities Commission (CPUC).

After a day of debate, City of Riverside Council members brushed aside Jurupa Valley officials and voted unanimously to build its Riverside Transmission Reliability Project on Jurupa Valley's most prime commercial I-15 corridor property all through Mira Loma.

Jurupa Valley Mayor Verne Lauritzen told the neighboring council members he wasn't going to stand by and let them "step on my face."

Lauritzen and council members Laura Roughton and Frank Johnston joined a host of other community officials and leaders to urge a no vote - to no avail.

Jurupa School trustee Brian Schaffer said the city's plan was a rehash of a 1973 effort turned away by the CPUC. Superintendent of Jurupa Schools Elliott Duchon said the project puts towers and power lines on land where three new schools will be required.

The City of Jurupa Valley contingency said they were willing to work with Riverside for another route to avoid a costly and time-consuming lawsuit.

If approved by the CPUC, the towers, described by local officials as unsightly, would run alongside the I-15 corridor north and south, from the Santa Ana River to the SCE Mira Loma substation on Hammer Avenue just short of the Pomona 60 freeway.

Local officials fear the towers and lines will be a detriment to future commercial and residential development on more than 600 acres between Limonite and Bellegrave Avenues, land considered as Jurupa Valley's best chance of getting retail development and badly needed sales tax receipts.

The mayor of Jurupa Valley is not pleased and questioned Riverside City's conclusions.

"We have tried very hard to help provide feasible and workable solutions to this problem. But I am concerned you are not getting complete, comprehensive, and accurate information from your staff," Mayor Lauritzen said.

Jurupa's mayor specifically pointed to the city's public utilities manager, David Wright.

"Mr. Wright's recent comments are typical of the misleading information you have been provided to date. Dave, you are a very nice guy, and with all due respect, I'd really like to know which of the alternative routes we have proposed would quote, "change the flow of the Santa Ana, kill species, and put transmission lines in the river," Jurupa's mayor said.

Lauritzen noted there are numerous lines crossing the river now.

"Current transmission lines cross over the river in multiple locations, in fact, as you know, the very high

voltage line that goes from the Vista substation to the Mira Loma station, to which you plan to connect, crosses over the river, and at the southern end of your proposed route it crosses over the river again."

Jurupa's mayor said the city's staff sacrificed truth for sound bites.

"These comments make for great sound bites, but don't provide complete, comprehensive, nor accurate information for your council to make an informed decision," Lauritzen said. "Your proposed I-15 route would connect to a line from the Vista substation, where your current connections come from, so when the earthquake, fire, or whatever catastrophic event takes place, and takes down the Vista station, it also takes out your newly installed alternate line. How reliable is that?"

Jurupa Valley's contingency has argued for another route, and all of the speakers said they support the city's efforts to obtain back-up power. But they challenged the route and question whether it is actually reliable.

"If you are genuine in your desire to have a true alternative source that would be reliable, then you come from a completely independent source that would not be vulnerable to the same catastrophic event that would take out Vista, as we propose in alternative 6," the mayor said.

"We are not asking you to deny or dismiss this project. We get it that the need, even regionally, is valid. We merely ask that before you proceed with a decision that would heap significant economic damage on our fledgling, vulnerable city, you would give sincere and honest consideration and study to the very feasible alternatives we have offered."

The Riverside City Council weren't buying and voted unanimously to approve the project, stating the city's staff had done an excellent job researching the alternative routes.

Laura Roughton, former Jurupa

City Mayor, and now a councilwoman, has been involved in the fight to block the project since before Jurupa Valley became an incorporated city.

"Let me make it clear I acknowledge the need of Riverside for additional reliable power," Roughton said. "For six years, our community has heard about that need and received information on the proposed routes. Although ongoing, our most involved opposition has occurred by virtue of our incorporation 1½ years ago on July 1, 2011. By design as a city, we have access to more resources such as consultants, staff and legal services than were available to us in the past as an unincorporated community. We did not purposefully come late to the game as some might think nor do we come with the intention of trying to drag this out."

Roughton said the City of Riverside will bring devastating consequences to the new City of Jurupa Valley.

"Through the process, the I-15 corridor became the preferred route for the RTRP to bring power to your city. We have provided clear information detailing the devastating consequences that will befall our city if this project is positioned on the I-15 route," she said.

Roughton said she didn't understand how the council in Riverside

could vote on the route through Jurupa when other, more viable routes were available.

"I don't understand how there can be a vote to move forward with the approval of this EIR when it has been presented there are viable possible alternatives that would not place this damaging burden on your neighbor, our City of Jurupa Valley, or hopefully any other area for that matter," she argued.

She recommended setting the issue aside to meet and discuss the routes. Roughton said it wouldn't involve as much time as a legal battle might involve.

"Even if you set aside all the discussion of challenges to the EIR, isn't it worth the extra time to study the additional presented routes and hopefully come back with an agreeable compromise instead of approving this today and setting the course for a protracted process involving legal fees, lengthy time frames, and hard feelings?" she asked. "Jurupa Valley cannot accept this project as presented."

The subject of the Riverside City project is certain to come up tonight when the Jurupa Valley City Council meets at its new quarters at the former Sam's Western Wear building, 8930 Limonite Avenue.

The council meets at 7 p.m.

Members of the public are welcome.

## Up Yours, Jurupa Valley!

*"The Chamber applauds Riverside City Council's unanimous decision to approve plans for the Riverside Transmission Reliability Project (RTRP). RTRP will provide a secondary access point to the state power grid to establish a back-up system if the community's primary access to power should be interrupted and is particularly important as it will greatly reduce the potential for a blackout during a natural disaster or other disruption."*

Statement sent electronically to business members of the Greater Riverside Chamber of Commerce immediately following vote of Riverside City Council to approve 230kv towers and transmission lines through Jurupa Valley.

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# Win-Win Solutions Available for Riverside and Jurupa Valley

Mayor Bailey, City Council members:

You need more electrical power and you want a secure backup system in the event the basic power system fails. The citizens and the City Council of Jurupa Valley support these targets, although we will not be significant beneficiaries.

We have come to an undeclared impasse over transmission line routes. Where CEQA guidelines call for opening communications widely with neighbors and seeking and evaluating all alternatives with others, you went alone. You saw the place for additional electrical facilities on isolated space available by your sewage treatment plant. By itself, that was logical. You looked for a big power source and found the Vista-Mira Loma line.

You planned a drop connection near Mira Loma substation with a straight line run to your target. This would be a combination of lattice and tubular towers carrying 230kv power. These 120 and 125 foot giants are much more formidable than the 75 foot small poles carrying 69kv.

When the railroad refused use of its property, you chose the parallel Freeway Corridor. Unfortunately, going through our densest population, the three close parallel alternates hit a buzz saw.

Our potential for commercial development and tax income along the Freeway Corridor added to the intensity. We dug in.

Jurupa Valley en masse urged Route 4 through sparsely populated Agua Mansa, crossing the river to Riverside at Main Street, and you would take it from there. You can have the towers, or go underground, or put a reduction station in, or use other solutions.

You cited potential environment issues on both land and in the water, and a tower in the river.

I still wonder why the line could not be attached to the side of the bridge. Anyway, you dug in. We need to work our way out of the impasse.

The Freeway Corridor also is a poor emergency backup because it is supplied from the same basic line as Vista, the current supply source. If the Vista-Mira Loma main line goes down, the Freeway Corridor should have problems similar to Vista supply.

Your "Transmission Reliability" target will not be well met using the Freeway Corridor

In the meantime an electrician who is familiar with the grid, and has worked at some of the area substations, came to me for help in seeking

## Statement of Ed Hawkins at City Council Meeting

### RIVERSIDE CITY COUNCIL HEARING FEBRUARY 5, 2013

From: Dr. Ed Hawkins, Retired Superintendent Jurupa Schools and  
Chuck Hughes, Electrician from Glen Avon in Jurupa Valley

wider information and publicizing other concepts. We joined forces.

We numbered all the routes clockwise starting with the Freeway Corridor as #1. Bain Street and the Railroad were #2 and #3. #4 Agua Mansa was already under attack.

We found a Route 5 which could be used without giant towers for anyone. There was no river problem, no land or water environment problem and it was outside Jurupa. It was an established Riverside right of way coming off the hills from Vista substation and running along the east shore of the river.

Our Route 5 was the Mountain substation line. It turned out to be fed from Vista Substation in Grand Terrace which was the source of power for all of Riverside. It could not be a primary power source and serve as emergency backup. If the CEQA review had been complete, that would have been evident at the get-go.

Then we looked at Route 6 Romoland. RPU General Manager David Wright completed his study and dismissal of that route when he waved his hand at the Planning Commission Hearing and declared the Romoland line operates at a different voltage than Riverside.

Of course all the power supply voltages are high and are going to be reduced to 69kv in Riverside's Transformer Reduction Substation. Transformers match almost any voltages desired.

Distance was cited as about 24 miles. That measured clear across the city to the Sewage Treatment Plant.

Now if you step out of the box, recall that you are going to construct a new Transformer Reduction Substation and a new Distribution Center which could be located 12 miles from Romoland at the southeast end of your city. Your Distribution System is going to be remodeled and could be connected here as well as at the northwest end.

Current flows both ways. Although growth is moving east, there is still open land such as the huge field from Barton Road to the Olds Golf Course along Van Buren.

But the cherry is not yet on the milkshake. Your project title includes, "Transmission Reliability."

Romoland is supplied by a different section of the grid than all the other routes discussed. Emergency power should be as remote as possible from basic power sources. Why

not settle for the most reliable?

Chuck Hughes and I believe Route 6 Romoland is the best route and the best alternate is Route 4, Agua Mansa. Both need in-depth study to complete your EIR.

Cost and time are obvious elements to consider. Building your new facilities in the city by the Sewage Treatment Plant would traditionally call for Riverside ratepayers to pay, although your plan hopes Edison will pay. If you build just outside the city in the southeast end, Edison ratepayers would traditionally cover the costs.

Any extra time required to complete your CEQA study and any added financial costs involved should be offset by savings in litigation with Freeway Corridor property owners and the City of Jurupa Valley. And we all need to end the rancor.

Win-win solutions are available.

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## Boycott Riverside

**SHEILA ERHLICH**, a businesswoman in Glen Avon, urged members of the Jurupa Valley City Council to boycott Riverside City businesses following that city's vote to build a electrical transmission route through Jurupa. Two council members immediately agreed. Councilman Brad Hancock said he has already penned a letter to businesses he used in Riverside explaining he will go somewhere else. Numerous citizens and elected officials are boycotting Riverside businesses because of a communique from the Greater Riverside Chambers of Commerce "applauding" Riverside council members for approving a electrical transmission route through Jurupa.

# Mayor Leary of Boycotts, But He's 'Not Anxious to Spend in Riverside'

**JURUPA VALLEY** -- Mayor Verne Lauritzen today said while he does gets nervous about any kind of boycotts, he's "not anxious to spend money in Riverside City."

Lauritzen was responding to a question from the newspaper concerning announcements by city council members, a businesswoman, and an elected park board director who are advocating boycotting businesses in the city of Riverside for "applauding" the council's decision to run its electrical transmission lines and towers through Jurupa Valley ins spite of universal opposition from all walks of life here.

Council member Brad Hancock was much more specific about his intentions during council member comments last week.

"I've written letters to companies I do business with notifying them I won't be back," Hancock said.

Hancock, Frank Johnston and a local businesswoman advocated, in fact, doing business in Norco, Corona and Eastvale instead of the City of Riverside.

Stephen Anderson, and elected

member of the board of directors of the Jurupa Area Recreation and Park District (JARPD) is urging citizens to boycott City of Riverside businesses.

"This is a necessary and reasonable response to Riverside City Council's unanimously voting to take commercial income property away from Jurupa Valley for their transmission lines," Anderson said.

Sheila Erlich, owner of a small dog rescue company in Glen Avon, took to the podium at the council meeting last week and urged citizens to "boycott Riverside City

businesses."

Promoters of the boycott recommended buying new vehicles in Norco instead of Riverside City. Advocates, including councilwoman Laura Roughton, recommended supporting Eastvale businesses who "supported Jurupa" in opposition to the electrical transmission plan.

Minutes after the City of Riverside council vote, the Greater Riverside Chambers of Commerce emailed its business members that it "applauds" Riverside's unanimous vote to run the route through Jurupa Valley.

## Letters to The Editor

### Boycott Riverside Businesses

#### Editor, The Record:

Sir - We need to boycott using Riverside's commercial establishments as much as possible. This is a necessary and reasonable response to Riverside City Council's unanimously voting to take commercial income property away from Jurupa Valley for their transmission lines.

When our businesses cannot provide our commercial needs we can look to Eastvale who publicly supported us in our attempt to locate an unprejudiced transmission line route. For many of us it is just as close to use the surrounding commercial establishments as it is to visit Riverside.

I believe Riverside prefers this approach, rather than fulfilling their fiduciary responsibility as the "Lead Agency" to listen and respond to our complaints.

No council member, rejected my saying that "turn around was fair play." "Anchor-Hearing" Councilwoman Nancy Hart, quite to the contrary ended her comments by indicating Riverside voters would hold their feet to the fire if they did not vote for the current transmission route.

It would be nice to exemplify the same support for all of those that are working for a just transmission route for Jurupa Valley by impacting Riverside's commercial income, as well.

*Stephen Anderson*

# New Home Builder Threatens Lawsuit Against SCE, Riverside

*CV Communities threatens the City of Riverside and SCE; Says transmission towers puts \$72.8 million project at risk*

By DAVID H. BARNES  
Publisher/Editor

JURUPA VALLEY -- There's nothing better than having friends in high places. And as of October 9, the City of Jurupa Valley does have some friends in high places: the law firm of Allen Matkins, Leck Gamble Mallory & Natsis, LLP of Irvine.

The law firm represents CV Inland Investments I L.P., the developer of the Riverbend project, a proposed master planned residential community on 68th Street in this city's farthest southwest corner.

The law firm has sent a threatening seven page letter to the City of Riverside and Southern California Edison (SCE) warning it will seek damages of \$72.8 million if the two-some moves forward with its Riverside Transmission Reliability Project (RTRP).

The towers and transmission lines propose to cross CV Inland Investments 464 home master planned community on 68th Street and adjacent to the championship Goose Creek Golf Course.

Attorney K. Erik Friess tells SCE and Riverside City Manager Scott C. Barbe "CV Inland Investments demands the city cease its illegal campaign to stop CV Inland Investments' development. And CV Inland Investments expressly reserves all rights it has against the city with respect to the Riverbend project and its property, including in any eminent domain action or inverse condemnation action."

The City of Riverside needs to use eminent domain to condemn CV Investments property, primarily to gain access so it can build transmission towers. The City of Riverside and SCE for years have plotted to cross all City of Jurupa Valley property with power lines to give its city a backup source of electricity.

None of the electrical power will benefit Jurupa Valley. The towers and lines would begin on Hamner Avenue near the 60 FWY and move south to cross the Santa Ana River before moving easterly to a proposed substation directly across from Pedley at the Van Buren Bridge.

CV Investments and its lawyers are now challenging the City of Riverside and SCE, alleging both

are interfering with the Riverbend project.

"Our office has reviewed your (Riverside City and SCE) September 20 letter to the City of Jurupa Valley regarding the Proposed Initial Study/Mitigated Negative Declaration and related approvals for the Riverbend project," says Friess. "Your letter purports to raise challenges to the Riverbend approvals, including under the California Environmental Quality Act, based on the alleged failure of the CEQA document for the Riverbend project to evaluate supposed potential impacts of the proposed RTRP."

The City of Jurupa Valley is moving forward with the Riverbend project and tonight at 7 p.m. at council chambers at 8930 Limonite Avenue will vote on a series of resolutions advancing the development.

The lawyers say Riverside City is interfering with its multi-million dollar project.

"... the city's efforts to interfere with the Riverbend project are baseless from a CEQA perspective and are an obvious attempt to obstruct or delay the Riverbend project, with the goal of lowering the value of that property so the city and/or SCE can ultimately condemn it at a lower price," says Friess. "Such actions are unlawful, and will result in the city's being liable for a de facto taking if the city succeeds in impairing CV Inland Investments' anticipated development approvals. And,

at a minimum, the city's efforts to interfere will certainly cause huge precondemnation damages to CV Inland Investments. The city's illegal efforts are already putting at risk a deal CV Inland Investments has negotiated to sell its property to Lennar Homes of California for approximately \$72.8 million. That deal is fully executed and is currently in escrow."

Friess says the law firm now "specifically puts the City of Riverside and SC Edison on notice."

"We demand the city cease these illegal actions and inappropriate actions, and we specifically put the city on notice CV Investments will sue the city to recover all damages the city causes to CV Inland Investments."

Jurupa Valley has argued and debated with Riverside City and SCE for years to choose an alternate

route for its project. The route chosen by the City of Riverside gives Jurupa Valley all of the lines and towers and none in Riverside City proper. Land on the south side of the Santa Ana River, where towers would be built, is vacant and only viewed by Jurupa Valley residents.

The route alongside the I-15 would damage the value of 600 acres owned by the Vernola Trust and now being developed for homes and commercial enterprises.

The Irvine law firm representing the home builders believes it will win if the city and SCE push forward.

"SCE would then have to obtain authority to condemn. CV Inland Investments is confident the poor choice of a location for the RTRP project will prevent SCE and the city from establishing a key element required to condemn: that the project has been planned and located in the manner that will be the most compatible with the greatest public good and the least private injury," says Friess. "If the city or SCE ever

got that far toward condemnation, CV Inland Investments, of course, would vigorously contest that issue, including because there are other areas for the location of the transmission line that would not impact the Riverbend project or at the very least would be far less impactful. In fact, the environmental documents for the city's RTRP project identify a number of potential alignments that are more compatible with the "least private injury" requirement because they do not consume CV Inland Investments' property."

Friess says the City of Riverside and SCE intentionally fired off a letter to the City of Jurupa Valley objecting to Riverbend project specifically to devalue the property for eminent domain purposes.

"This makes the city (Riverside) and SCE's actions a textbook example of the kind of behavior by a condemning agency that leads to an inverse condemnation in the form of a de facto taking," writes Friess. "And an inverse condemnation judgment, of course, makes the condemning agency liable for both compensatory damages and attorneys' fees."

There's been no response from Riverside or SCE as of today. **More on Riverbend on page 8.**

*Forget the Boycott, Put up a Green Screen...*

**Editor, The Record:**

Sir. - It's too bad the Riverside City Council ignored Jurupa Valley's pleas to not install the huge electrical transmission towers in our city along Highway 15.

I can completely understand Sheila Erlich's and others' recommending a boycott of businesses in Riverside. However, in my opinion, being retaliatory serves no useful purpose.

It seems to me it would be much more productive for us to put our energies into coming up with ways to mitigate the eyesore of the giant towers.

For example, couldn't we plant a tree screen of sorts? I realize it wouldn't entirely block the view of the towers, but it could help a bit. Also, will the towers take up all the available commercial land in that area? Won't there be land to the east of the towers that can be used for commercial uses?

Let's unite over positive ways to make this bitter pill easier to swallow. In my opinion, a boycott isn't it.

*Catherine Greer, Jurupa Valley*

# Chino Wins CPUC Ruling, SCE Lines Will Go Underground

*An omen for the City of Jurupa Valley perhaps?*

SAN FRANCISCO- The California Public Utilities Commission (CPUC) July 11 granted the request of the City of Chino Hills to underground a segment of Southern California Edison's Tehachapi Renewable Transmission Project, finding the design of the above ground line effectively ignores community values and places an unfair and unreasonable burden on residents.

Stephen Harding, city manager at the City of Jurupa Valley, said the decision by the CPUC is meaningful and could have a positive impact on the battle between the City of Jurupa Valley and the City of Riverside over the latter's efforts to construct towers and transmission lines above ground and alongside the I-15 freeway through Mira Loma.

The city manager noted however "our court case may be done before the hearings at the CPUC."

CPUC commissioners favoring the undergrounding of the power lines in Chino Hills hailed the decision and said "the people won."

Currently, the 3.5 mile segment of the 500 kilovolt transmission line running through Chino Hills consists of massive transmission towers reaching 195-198 feet tall (more than double the height of the prior 75 foot structures) and set in a narrow 150-foot right of way. Today's decision rectifies that disproportionate burden and finds it is in the public interest to construct an underground alternative based on a single circuit, two cables per phase design using cross linked polyethylene cable.

The cost estimate of undergrounding in Chino Hills is approximately \$224 million, including offset for Chino Hills' financial contribution of real property, which is valued at approximately \$17 million.

Said CPUC President Michael R. Peevey, "It's the dawn of a new era in transmission line planning in this state. In urban and subur-

ban areas, we have to look anew at how we site transmission lines, and carefully weigh their role in fulfilling the state's energy goals against their impact on community values. I know undergrounding costs more, but I believe in this instance the costs are manageable and relatively minor considering the overall well-being of the populace in doing so."

One hundred and sixty people from the Chino area made the trip to the public hearing in San Francisco and another 60 gathered at Chino Hills City Hall to listen in on the decision.

Clearly, the appearance of a crowd of residents helped get the 3-2 victory for the citizens over the SCE effort.

Jurupa's city manager, Harding, said he hopes Jurupa residents will rally if it comes down to a CPUC decision.

"At first, when there was a meeting at Patriot High we had more than a hundred people," Harding noted. "At the last two public meetings in Riverside, I don't think we had more than 20 or 30 people."

Jurupa citizens complained the City of Riverside opted to hold its meetings to make the decision of crossing Jurupa lands in the afternoon in the middle of the week.

Jurupa city officials, and residents, have complained the electrical lines and transmission towers will be an eyesore and hurt the community's chances of developing prime land alongside the freeway.

Lennar Homes is already planning to build on the land closest to Winville Road. Construction signs have been put up.

Jurupans have also been against the power line project because none of the power will be used by Jurupa homes, businesses or industry.

Jurupans have also argued the City of Riverside should construct the towers on land on the east side of the

Santa Ana River, on the City of Riverside's side: east of Rubidoux.

The CPUC in February determined it is in the public interest for Southern California Edison (SCE) to undertake specified pre-construction activities and to incur the costs associated with those activities while the CPUC made a determination on undergrounding a portion of the Tehachapi Renewable Transmission Project that runs through the City of Chino Hills. This will ensure the project remains on track to begin commercial operation in 2015 to provide reliable electricity service to the public.

The CPUC said SCE may be entitled to recover reasonable expenditures in the amount of no more than \$32.95 million, including contract termination charges, should the CPUC decline to authorize undergrounding after a review on the merits.

Because any rate recovery is subject to the jurisdiction of the Federal Energy Regulatory Commission, today's decision has no immediate rate impact. Construction of much of Segment 8A, the portion of the project that passes through the City of Chino Hills, is stayed at present and today's decision does not alter that stay.

"We are developing a complete record that will allow us to determine whether to authorize undergrounding a portion of the Tehachapi Renewable Transmission Project that runs through Chino Hills," said CPUC President Michael R. Peevey. "Recognizing time is a factor and we must get the line completed in 2015 to ensure reliable electricity service to the public, our decision today allows SCE to undertake pre-construction activities so if the CPUC approves undergrounding SCE can immediately begin that work."

On July 11, the CPUC did rule the lines were to go underground.

To the extent consistent with sound engineering and prudent management decisions, the CPUC authorized SCE to undertake the following activities: pre-production cable testing, in an amount not to exceed \$3 million; additional engineering, in an amount not to exceed \$1.5 million; real estate acquisition preparation, in an amount not to exceed \$200,000; and environmental survey and permit preparation, in an amount not to exceed \$250,000.

If the CPUC did not authorize undergrounding in Chino Hills, February's decision would have required SCE to halt all expenditures toward that end and immediately cancel cable manufacture and installation contracts associated with undergrounding. In such an event, SCE may have incurred contracting termination charges in an amount not to exceed \$28 million.

For more information on the CPUC, please visit [HYPERLINK "http://www.cpuc.ca.gov"](http://www.cpuc.ca.gov) www.cpuc.ca.gov



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## County Defers Million\$ City Owes, Will Pay \$6 Million for Law Enforcement

JURUPA VALLEY -- Riverside County Supervisors Tuesday agreed to defer \$12.4 million in payments from the City of Jurupa Valley, and to continue paying for \$6 million of the cost of law enforcement here for the remainder of the 2012-2013 fiscal year.

All told, the city of Jurupa Valley is now obligated to repay the County of Riverside \$18.5 million under three separate deferral agreements.

Here they are:

- Defer six months of fiscal year 2012-2013 Sheriff's costs in the amount of \$6,019,496, with repayment consisting of eight equal annual payments, plus CPI (Consumer Price Index), beginning FY 15/16 and ending FY 22/23.

- Defer three years of *Revenue Neutrality Payments* in the amount of \$6,050,000, with repayment consisting of five equal annual payments, plus CPI, beginning 60 days after the end of FY 15/16 and ending 60 days after the end of FY 19/20. Government code, as well as the *Revenue Neutrality Agreement*, authorizes the county to renegotiate the *Revenue Neutrality Agreement*.

- Extend repayment of *General Fund Transition Year Costs* in the amount of \$6,483,443, consisting of eight equal annual payments, plus CPI, beginning FY 15/16 and end-

ing FY 22/23. Repayment of *Non-General Fund Transportation Services* in the amount of \$2,540,175 will remain as June 30, 2016. Government code authorizes the county to agree to a longer term of repayment of transition year costs.

The total deferred amount is \$18,552,939. Any deferred amount will be subject to interest in the amount of the California Consumer Price Index (CPI).

Tina Grande, principal management analyst at Riverside County on Tuesday told Supervisors Jurupa Valley is on the brink of default.

"Although a legislative solution appears possible, the City of Jurupa Valley has informed the county they will likely default on its current and future obligations to the county," Grande said. "Specifically, city staff has informed the executive office it cannot pay for sheriff services already provided to the city this fiscal year. Due to the immediate potential for default, the executive office is compelled to bring forward an option to the board for discussion."

Whether the City of Jurupa Valley can continue as a city beyond July 1 is totally up to the State of California legislature and Governor Jerry Brown. It isn't a sure thing the state can permanently fund Jurupa's new city.

"Supervisors approved the recommendation a state legislative solution should be the primary focus of both the cities and the county," said Grande.

On September 19, 2012, Governor Brown vetoed Assembly Bill 1098 (AB 1098), which would have restored vehicle license fee funding to four new cities in Riverside County.

This year, on January 7, Senate Bill 56 (SB 56) was introduced by Senators Richard Roth and Bill Emmerson, which proposes to restore funding to the four new cities in Riverside County.

However, the money can't come back from vehicle license fees.

"With the passage of Proposition 30 last November, legislative counsel has recently determined the VLF funds sought in SB 56 are constitutionally protected and no longer available," said Grande.

Senator Roth, she said, continues to work on this issue with state administration.

"It is likely any proposed fix will have to become part of the budget. In the meantime, the county is continuing to provide support for any new legislation by working with the California State Association of

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# City Funding...

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Counties (CSAC), county lobbyists, and the local legislative delegation.

The City of Jurupa Valley approached the county requesting assistance due to the impact the passage of Senate Bill 89 (in 2011) had on the city, which resulted in the loss of Vehicle License Fee (VLF) revenue.

"Specifically, the city requested assistance for cash flow purposes in order to bridge the funding gap caused by the loss of this revenue," Grande said.

The city reports that in FY 11/12, the city lost approximately \$6.7 million with an additional loss of \$6.5 million this fiscal year.

The city is "unsustainable without assistance of both the state and the county."

The city requested a mutually acceptable agreement between the county and the city, which will allow the city to remain incorporated and provide essential public safety services while working on the restoration of funding.

Frank Johnston, city councilman, said the agreements with Riverside County buys the city 36 to 42 months to get it together.

"In 2004, a similar thing happened to cities," Johnson said. "Money was taken from the cities. It took two years for the cities to get the money back."

Johnston said the four cities have a lobbyist working on the governor's office to sign legislation when it arrives at his desk in June.

Senator Roth, a Democrat, enjoys being a part of the state legislature's "super majority." Senator Roth can get the legislation through the senate and assembly. It is a question of getting the legislation signed.

Senator Roth and his staff are working frantically to find a source of funding for the cities (Jurupa, Menifee and Wildomar). As mentioned, the previous source of funds for Jurupa Valley came from the vehicle license fee program. Those funds were made untouchable by the voter approved Proposition 30 on last November's general election ballot.

"I'm cautiously optimistic," Johnston said. "But thanks to the agreements Tuesday, we've bought some time to figure this all out."

## Mayor Announces Litigation Against Riverside

By NICK GARCIA  
City Council Reporter

JURUPA VALLEY -- The City of Jurupa Valley five member elected council last week announced a lawsuit against the City of Riverside; announced renewed hope for restoration of state funding, and announced efforts to curb a growing problem of graffiti in Jurupa's neighborhoods.

To begin last week's Jurupa Valley city council meeting, Mayor Verne Lauritzen asked City Attorney Peter Thorson to announce action taken by council in closed session.

"Council voted 5-0 in closed session for the city attorney to begin litigation against the City of Riverside and Southern California Edison in response to Riverside's decision to continue with the RTRP (Riverside Transmission Reliability Project)," Thorson stated.

And with that, Lauritzen began the meeting.

He spoke of his trip to Sacramento and his meeting with Senator Richard Roth.

"Senator Roth understands our situation completely and is active in the writing of legislation to restore our VLF (vehicle license fees). This time, since we have a clearer understanding with the governor's finance committee. I believe we will get it restored," Lauritzen said.

Once council got down to business, first on the agenda was consideration of a Graffiti Task Force.

Assistant City Manager George Wentz began by stating: "There is a variety of things we are looking at to further graffiti abatement. We are looking at a system of documenting and tracking tagging as well as the possibility of installing cameras to monitor certain areas of the city. We also met with Union Pacific," Wentz continued, "requesting a process to abate graffiti on railway overpasses.

They do not intend on abating the graffiti. They would, however, be willing to give us the rights to go ahead and take care of the graffiti ourselves. Union Pacific is willing to pay for the initial abatement (to get a clean slate on the overpasses) and then allow us, through JCSD to further maintain the bridges."

City manager Stephen Harding had his own input.

"A tagger's goal is simply to tag his mark on as many places as possible. Visibility is key. Tagging is often done in crews, not gangs. They compete with other crews to get their tag on the most locations. Again, the majority of taggers are very young, in the 11-13 age bracket," Harding went on, "Education is important. Which is something that can be further implemented through a Graffiti Task Force."

"I would like to propose that council direct staff to look into what it would take and who it would take, including all of the agencies [school district, parks district, etc.] to create a graffiti task force for the City of Jurupa Valley," Mayor Lauritzen suggested.

The rest of council agreed, and so it was directed.

Council members next meet March 7 at the former Sam's Western Wear.