

**FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



325B

FROM: General Manager-Chief Engineer **SUBMITTAL DATE:** April 8, 2003

SUBJECT: Cooperative Agreement
Conditional Use Permit (CUP) 03323

RECOMMENDED MOTION:

- 1) Approve the Cooperative Agreement between the District, the County of Riverside and Winchester Square, LLC, (Developer) which sets forth the terms and conditions by which certain facilities required as a condition for approval of CUP 03323 are to be constructed by the Developer, inspected by the County and operated and maintained by the District; and
- 2) Authorize the Chairman to execute the Agreement documents on behalf of the District.

JUSTIFICATION:

The District, County and Developer previously entered into a cooperative agreement pertaining to the construction of certain flood control and drainage improvements associated with the approval of CUP 03323. The Developer has proposed to construct alternative improvements (sheet pile shoring) in lieu of the previously required channel improvements. This agreement rescinds the prior agreement and sets forth the parties' respective rights and responsibilities regarding the construction of the sheet pile shoring.

This matter is also on the County's Board Agenda this same date and County Counsel has approved the Agreement as to legal form.

FINANCIAL:

The Developer is funding all construction costs. The District will incur future operation and maintenance costs.

WARREN D. WILLIAMS
General Manager-Chief Engineer

C.E.O. RECOMMENDATION

APPROVE

County Executive Officer Signature

PHK