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

FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
December 23, 2003

SUBJECT: Resolution of Assurance to State -
Murrieta Creek Flood Control, Environmental Restoration and Recreation Project

RECOMMENDED MOTION:

That the Board adopt Resolution F2003-68 providing Assurance to the State.

BACKGROUND:

As Local Sponsor, the Riverside County Flood Control and Water Conservation District has participated financially in the planning, design and construction of the Murrieta Creek Flood Control, Environmental Restoration and Recreation Project along with the U.S. Army Corps of Engineers.

The State of California requires a resolution providing assurances that the project will be operated and maintained such that the project accomplishes the purpose for which it was developed. Additionally, the resolution states that the District shall hold the State harmless from all claims arising from the construction or operation of the project. The adoption of this resolution is required prior to reimbursement by the State of any claims arising out of the costs of lands, easements, rights of way and utility relocations necessary for the project.

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. District Cost:	N/A	In Current Year Budget:	N/A
	Current F.Y. County Cost:	N/A	Budget Adjustment:	N/A
	Annual Net District Cost:	N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature

- Dep't Recomm.: Policy
- Per Exec. Ofc.: Policy
- Consent
- Consent

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FINANCIAL:

This resolution is necessary for the Flood Control District to file claims for State reimbursement currently estimated to total \$8.9 million for the Murrieta Creek Flood Control, Environmental Restoration and Recreation Project. This represents 70% of the District's total local-share expenditures for the flood control features and 50% of the environmental restoration features for the project.

SCT:sj

BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

**RESOLUTION NO. F2003-68
RESOLUTION OF ASSURANCE TO STATE**

WHEREAS, under Public Law 106-377 the U.S. Army Corps of Engineers intends to construct the Murrieta Creek Flood Control, Environmental Restoration and Recreation Project within the cities of Murrieta and Temecula; and

WHEREAS, under the State Water Resources Law of 1945 the State of California intends to pay a portion of the costs of lands, easements, utility relocations, and rights of way necessary for said project.

NOW, THEREFORE, BE IT RESOLVED, that the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT hereby gives assurances to the State of California that it will operate and maintain said project after completion, in such manner as will accomplish the purposes for which the project was authorized and constructed as may be required by the Secretary of the Army and the Department of Water Resources; that it will hold and save the State of California free from damages or claims due to the construction, installation or operation of the project; that it will give all assurances required by Federal law as to said project; and that it will guarantee public access to project land and water areas when the State participates in the costs of recreation and fish and wildlife enhancement features.

SCT:slj
pc85351

FORM APPROVED
COUNTY COUNSEL

DEC 09 2003

BY 
ASSISTANT COUNTY COUNSEL

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