

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

2108



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
April 27, 2004

SUBJECT: Grant of Eastvale Area Drainage Plan Fee Credits
Parcel Map 28204; Plot Plan 15002R1
Eastvale MDP Line E-2 Basin; Project No. 2-0-0305

RECOMMENDED MOTION: That the Board of Supervisors grant Eastvale Area Drainage Plan (ADP) excess fee credits to Mira Loma Vineyards, Ltd. in the amount of \$1,264,024.

BACKGROUND: Pursuant to the conditions of approval for Parcel Map 28204 and Plot Plan 15002R1, Mira Loma Vineyards, Ltd. (MLVL) has constructed the Eastvale Line E-2 Basin (Basin) and appurtenant drainage facilities. The subject facilities have been inspected and accepted for operation and maintenance by the District in accordance with the provisions of a Cooperative Agreement (Agreement) between the District, County of Riverside and MLVL executed on January 26, 2000. Additionally, the Agreement provides that MLVL is to receive Eastvale ADP Fee Credits for conveying the Basin right of way to the District.

Policies and procedures for granting excess ADP Fee Credits are set forth in Section IV of the County's "Rules and Regulations for Administration of Area Drainage Plans" (ADP Rules). Section IV.d of the ADP Rules specifically states that the valuation of rights of way for facilities required primarily to achieve system economics is to be determined on the basis of a formal appraisal of the subject property's "highest and best use".

Continued on Page 2.

Departmental Concurrence

for
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: N/A	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

Prev. Agn. Ref.: **District:** 2nd **Agenda Number:**

ATTACHMENTS FILED

11.1

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The right of way appraisal is to be **completed prior to recordation** of the final map. Subsequently, the District's General Manager-Chief Engineer is to present a recommendation of the right of way valuation to the Board of Supervisors based on the appraised value of the subject property. The Board then determines the final valuation of the right of way based on i) the District's appraisal and ii) any other relevant information presented by the General Manager-Chief Engineer or the property owner.

The District retained Mr. Robert A. Redman, MAI to perform an independent appraisal of the basin right of way based upon prevailing market conditions as of June 24, 1999. Based on Mr. Redman's appraisal, the General Manager-Chief Engineer recommends that the Board grant MLVL Eastvale ADP Fee Credits in the amount of \$1,264,024 (equivalent to \$95,832 per acre; \$2.20 per square foot). These excess fee credits may only be utilized within the boundaries of the Eastvale ADP to satisfy ADP fee obligations imposed as a condition of land development activity.