

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

1998



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
September 20, 2004

SUBJECT: Warm Springs Valley – Benton Creek Channel, Stage 3
Project No. 7-0-0167, Tract No. 30167
Cooperative Agreement

RECOMMENDED MOTION: Approve the Cooperative Agreement between the County of Riverside, the Riverside County Flood Control and Water Conservation District, Valley Wide Recreation & Parks District, and KB Home Coastal, Inc. (Developer) and authorize the Chairman to execute the Agreement documents on behalf of the County.

BACKGROUND: The Agreement sets forth the terms and conditions by which certain flood control facilities required as a condition for approval of Tract No 30167 are to be constructed by the Developer, and inspected, operated and maintained by the County, the District, and Valley Wide.

Departmental Concurrence

George A. Johnson
George A. Johnson
Director of Transportation

KH:jas

(Continued On Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0.00	In Current Year Budget:	0.00
	Current F.Y. Net County Cost:	\$ 0.00	Budget Adjustment:	NO
	Annual Net County Cost:	\$ 0.00	For Fiscal Year:	2004/05

SOURCE OF FUNDS: The Developer is funding all construction and construction inspection costs. Future operation and maintenance costs will accrue to the County and District.	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

Stanley S. Smith

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

Prev. Agn. Ref.

District: 3rd

Agenda Number:

ATTACHMENTS FILED

3.55

The Honorable Board of Supervisors

RE: Warm Springs Valley – Benton Creek Channel, Stage 3

Project No. 7-0-0167, Tract No. 30167

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The Agreement is necessary to formalize the transfer of necessary rights-of-way and to provide for District construction inspection of the Warm Springs Valley– Benton Creek Channel associated with Tract 30167.

Upon completion of the project construction, the District will assume ownership, operation and maintenance of the facilities except for those certain culverts, catch basins and connector pipes and laterals, within the road right-of-way, which are to be maintained by the County. Valley Wide will provide maintenance for the non-structural elements of the proposed channel improvements and indemnify the County and District against claims arising from the recreational use of the channel right-of-way.

This matter is also on the District's Board Agenda this same date and County Counsel has approved the Agreement as to legal form and the Developer has executed the Agreement. Valley Wide Recreation and Park District executed the Agreement on August 13, 2004.