

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

342A



FROM: TLMA - Transportation Dept.

SUBMITTAL DATE:
February 18, 2005

SUBJECT: Warm Springs Valley – Benton Creek Channel, Stage 4
Project No. 7-0-0167-04, Tract No. 29214
Cooperative Agreement

RECOMMENDED MOTION: Approve the Cooperative Agreement between the County of Riverside, the Riverside County Flood Control and Water Conservation District, (District) Valley Wide Recreation & Parks District, and Shea Homes Limited Partnership (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. 29214 are to be constructed by the Developer, and inspected, operated and maintained by the County and the District.

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 , Stage 4 project and related storm drain facilities associated with Tract No. 29214.

Departmental Concurrence

George A. Johnson
Director of Transportation

FK:jas

(Continued On Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0.00	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0.00	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0.00	For Fiscal Year:	2004/05

SOURCE OF FUNDS: The Developer is funding all construction and construction inspection costs and is also providing a cash deposit to the District to cover anticipated operation and maintenance expenses to be incurred by the District through the year 2015.	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

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

Prev. Agn. Ref. _____ **District:** 3rd **Agenda Number:** _____

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

3.34

The Honorable Board of Supervisors

RE: Warm Springs Valley – Benton Creek Channel, Stage 4

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Upon completion of the project construction, the District will assume ownership, operation and maintenance of the channel and major storm drain 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 be responsible for the maintenance of 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 and Valley Wide Recreation and Park District have executed the Agreement.