

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

321 B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
March 1, 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 District, the County of Riverside, Valley Wide Park and Recreation District and Shea Homes Limited Partnership (Developer); and authorize the Chairman to execute the Agreement documents on behalf of the District.

BACKGROUND:

Departmental Concurrence

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 District and the County. 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. Upon completion of project construction, the District will assume ownership, operation and maintenance of the channel and major storm drain facilities and the Transportation Department will assume ownership, operation and maintenance of various road culverts, catch basins, connector pipes and laterals.

Continued on pg. 2

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:** 3rd | **Agenda Number:**

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

11.4

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BACKGROUND:

Valley Wide will be responsible for operation and maintenance for the channel's non-structural and recreation elements and indemnify the District against any claims stemming from the recreational use of the channel right of way.

County Counsel has approved the Agreement as to legal form and the Developer and Valley Wide have executed the Agreement. This matter also appears on the County Transportation Department's agenda for this date.

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.

KEC:MHW:erf