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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:
June 7, 2005

SUBJECT: Banning MDP Line G, Stage 2
Project No. 5-0-0175; Tract No. 31835
Cooperative Agreement

RECOMMENDED MOTION:

Approve the Cooperative Agreement between the District, the City of Banning and Fair Oaks II – Banning, LLC, (Developer); and authorize the Chairman to execute the Agreement documents on behalf of the District.

BACKGROUND:

The Agreement sets forth the terms and conditions by which certain stormwater drainage facilities, required as a condition for approval of Tract No. 31835, are to be constructed by the Developer and inspected, operated and maintained by the District and the City. The Agreement is necessary to formalize the transfer of necessary rights of way and to provide for District construction inspection of the referenced facilities associated with Tract No. 31835.

Continued on Page 2

MHW:JPS:bj

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

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

Prev. Agn. Ref.: District: 5th Agenda Number:

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

11.2

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BACKGROUND:

Upon completion of the facilities' construction, the District will assume ownership, operation and maintenance of the mainline storm drain. The City will assume ownership, operation and maintenance of the facilities' associated catch basins, connector pipes and laterals located within their rights of way. County Counsel has approved the Agreement as to legal form and both the City and the Developer have executed the Agreement.

The Developer is funding all construction and construction inspection costs. Future operation and maintenance costs will accrue to the District.

MHW:JPS:blj