

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

239B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
January 10, 2006

SUBJECT: Warm Springs Valley – Evening Glow Drive Storm Drain, Stage 2
Project No. 7-0-00219-02; Tract Nos. 30696-1, 30696-3 & 30696-4
Cooperative Agreement

RECOMMENDED MOTION:

Approve the Cooperative Agreement between the District, the County of Riverside and Lennar Spencer's Crossing, 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 flood control facilities, required as a condition for approval of Tract Nos. 30696-1, 30696-3 & 30696-4 are to be constructed by the Developer

Continued on Page 2

Departmental Concurrence

Stuart E. Williams
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

St. [Signature]

Policy

Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 3rd

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

11.13

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BACKGROUND:

and inspected, operated and maintained by the District and County. 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 Nos. 30696-1, 30696-3 & 30696-4.

Upon completion of construction, the District will assume ownership, operation and maintenance of the flood control facilities. The County will assume ownership, operation and maintenance of the facilities' associated catch basins, connector pipes and laterals located within its rights of way. County Counsel has approved the Agreement as to legal form and the Developer has executed the Agreement. This matter is also on the County's Board Agenda for approval this same date.

The Developer is funding all construction and construction inspection costs and is providing a one-time payment to defray anticipated operation and maintenance costs for a period of ten years following acceptance of the facilities by the District. Future operation and maintenance costs will accrue to the District.

MHW:JPS:blj