

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



240B

FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
August 29, 2006

SUBJECT: Banning – 16th Street Storm Drain
Banning – Bobcat Road Lateral
Banning – 22nd Street Storm Drain
Project Nos. 5-0-00156, 5-0-00157 & 5-0-00158
Tract No. 30774 (Banning)
Cooperative Agreement

Departmental Concurrence

RECOMMENDED MOTION:

Approve the Cooperative Agreement between the District, the City of Banning and 213 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. 30774, are to be constructed by the Developer and inspected, operated and maintained by the District and City.

Continued on Page 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

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BACKGROUND (continued):

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. 30774.

Upon completion of construction, the District will assume ownership, operation and maintenance of the mainline storm drain facilities. The City will assume ownership, operation and maintenance of a detention basin and 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:bjj