

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

812B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
March 27, 2007

SUBJECT: Santa Ana River - Emerald Meadows Channel
Project No. 1-0-00013; Parcel Map No. 32971
Approval of Agreements

RECOMMENDED MOTION:

1. Approve the Purchase and Sale Agreement between the District and the Redevelopment Agency for the County of Riverside (RDA).
2. Approve the Cooperative Agreement between the District, RDA, County of Riverside (County), Jurupa Area Recreation and Park District (JARPD), RTE. 60, LLC (RTE. 60), SunCal Emerald Meadows LLC (SunCal) and the owners of certain properties located within boundaries of Parcel Map No. 32971.
3. Authorize the Chairman of the Board to execute the Agreement documents on behalf of the District.

BACKGROUND:

The Agreements are necessary for the proposed development of the "Emerald Meadows Ranch" project (Parcel Map No. 32971) located in the community of Rubidoux. The Purchase and Sale Agreement provides for the purchase and transfer of certain District rights of way to RDA.

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MHW:blj

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

Departmental Concurrence
Policy
Consent
Per Exec. Ofc.
Dept's Recomm.

Prev. Agn. Ref.:

District: 2nd

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

11.3

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RDA will subsequently reconvey the District rights of way to RTE. 60 in accordance with the provisions of a separate Development Agreement between RDA and EMR Residential Properties LLC and certain assignments pertaining thereto. The District rights of way are associated with certain existing flood control and drainage facilities that are to be supplanted by new facilities that are to be constructed by SunCal pursuant to the provisions of the Cooperative Agreement.

The Cooperative Agreement establishes the terms and conditions by which SunCal will construct the Emerald Meadows Channel and related drainage facilities. The Agreement is necessary to provide for District and County inspection of the proposed drainage improvements. Upon completion of construction, the District will assume ownership, operation and maintenance of the channel and major storm drains. The County will assume ownership, operation and maintenance of the associated road culverts, catch basins, laterals and connector pipes located within its rights of way.

County Counsel has approved the Agreements as to legal form. Both the Purchase and Sale and Cooperative Agreements appear on the RDA's agenda this same date. The Cooperative Agreement appears on the County's agenda this same date.

The SunCal is funding all costs associated with the construction and inspection of the Emerald Meadows Channel drainage facilities. Future operation and maintenance costs will accrue to the District.

MHW:bjj