

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



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
June 26, 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.
4. Authorize the District's General Manager-Chief Engineer to consent to an "Assignment of Developer's Rights Under Cooperative Agreement" between SunCal and its lender(s) as necessary to facilitate development of the project.

Continued on Page 2

*Michael H. Rawson* (Michael Rawson) for  
WARREN D. WILLIAMS  
General Manager-Chief Engineer

MHW:bjj:bjp

**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

BY: *Alex Gann*  
Alex Gann

**County Executive Office Signature**

Policy

Consent

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

**Prev. Agn. Ref.:**

**District:** 2<sup>nd</sup>

**Agenda Number:**

11.11

Departmental Concurrence

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**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.

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:bjp