

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



935B

FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
February 26, 2008

SUBJECT: Mockingbird Canyon-Crestridge Way Storm Drain
Project No. 2-0-00179
Tract No. 28767
Cooperative Agreement

RECOMMENDED MOTION:

Approve the Cooperative Agreement between the District, the County of Riverside and Gallery Heights Partners, 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 No. 28767 are to be constructed by the Developer 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 No. 28767.

Continued on Page 2

WARREN D. WILLIAMS
General Manager-Chief Engineer

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|-----------------------|-----------------------------|-----|-------------------------|-----|
| 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 BY:
Alex Gann

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

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Upon completion of the facilities' 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 their 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. Future operation and maintenance costs will accrue to the District.

KEC:bjj