

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

812B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE: January 13, 2009

SUBJECT: Lake Elsinore - Corydon / Palomar Channels Project No. 3-0-00045; Tract No. 30846 Cooperative Agreement

RECOMMENDED MOTION:

Approve the Cooperative Agreement between the District, the City of Lake Elsinore (City), the County of Riverside (County) and KB Home Coastal, Inc. (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. 30846, are to be constructed by the Developer and inspected, operated and maintained by the District, City and County.

Continued on Page 2

UPS:blj

WARREN D. WILLIAMS General Manager-Chief Engineer

Table with 4 columns: FINANCIAL DATA, Current F.Y. District Cost, Current F.Y. County Cost, Annual Net District Cost, In Current Year Budget, Budget Adjustment, For Fiscal Year. All values are N/A.

Table with 2 columns: SOURCE OF FUNDS: N/A, Positions To Be Deleted Per A-30, Requires 4/5 Vote. Includes checkboxes.

C.E.O. RECOMMENDATION: APPROVE BY: Alex Gann Alex Gann County Executive Office Signature

FORM APPROVED COUNTY COUNSEL BY: NEAL R. KIPNIS DATE

Departmental Concurrence

- Dept Recomm.: Consent, Policy (checkboxes) Per Exec. Ofc.: Consent, Policy (checkboxes)

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

SUBJECT: Lake Elsinore – Corydon / Palomar Channels
Project No. 3-0-00045; Tract No. 30846
Cooperative Agreement

SUBMITTAL DATE: January 13, 2009

Page 2

BACKGROUND:

The Agreement is necessary to formalize the transfer of necessary rights of way and to provide for District construction inspection and maintenance of the referenced *drainage facilities* associated with Tract No. 30846.

Upon completion of the facilities' construction, the District will assume ownership, operation and maintenance of the flood control channels. The City will assume ownership, operation and maintenance of the channels' associated box culverts, catch basins, connector pipes and laterals located within its rights of way. The County will assume ownership, operation and maintenance of the channels' associated box culverts, catch basins, connector pipes and laterals located within its rights of way. The City and the County will grant the District all rights necessary to inspect and remove sediment and debris from their respective box culverts.

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.

MHW:JPS:bjj