

FORM APPROVED COUNTY COUNSEL
 BY: MS V. V. V. V. V. 6/15/09
 DATE
 MARSHA L. VICTOR

Departmental Concurrence

**SUBMITTAL TO THE BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

309A



SUBMITTAL DATE:
 June 22, 2009

FROM: TLMA - Transportation Department

SUBJECT: Eastvale MDP Lateral D-1
 Tract 28946-2
 Cooperative Agreement

RECOMMENDED MOTION:

1. **APPROVE** the Cooperative Agreement between the County of Riverside (County), and Riverside County Flood Control and Water Conservation District (District), and KB Home Greater Los Angeles Inc. (Developer), and;
2. **AUTHORIZE** the Chairman to execute the Agreement documents on behalf of the County.

Juan C. Perez
 Director of Transportation

FK:rg
 (Continued On Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2008/09

SOURCE OF FUNDS: The Developer is funding all construction and construction inspection costs (100%).	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE
 BY: Tina Grande
 Tina Grande

County Executive Office Signature

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

Prev. Agn. Ref.

District: 2nd

Agenda Number:

3.66

The Honorable Board of Supervisors
RE: Eastvale MDP Lateral D-1
Tract 28946-2
Cooperative Agreement
June 22, 2009
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BACKGROUND: The Agreement sets forth the terms and conditions by which certain Flood Control facilities, required as a condition of approval for TR28946-2 are to be constructed by the Developer and inspected, operated, and maintained by the District and County.

The Agreement supplements a prior agreement dated September 28, 2004, between the parties concerning the construction and inspection of the referenced facilities. The Agreement is required because the Developer proceeded to construct flood control facilities without obtaining a Notice to Proceed from the District and without seeking District inspection.

Upon satisfactory verification that the facilities have been constructed in conformance with District and County standards and payment of a special cash warranty for workmanship, at the discretion of the District's General Manager-Chief Engineer, the District may accept ownership, operation and maintenance of the mainline storm drains. The County did inspect its facilities and will assume ownership, operation and maintenance of the associated catch basins, laterals and connector pipes located within its rights-of-way.

This matter is also on the District's Board Agenda this same date and County Counsel has approved the Agreement as to legal form.