

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

863B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:

September 1, 2009

SUBJECT: Jurupa Basin, Recreational Use of Facility
Project No. 1-0-00230
Amendment No. 2 to License Agreement

RECOMMENDED MOTION:

Approve Amendment No. 2 to the License Agreement between the District and the Jurupa Area Recreation and Park District (Park District); and authorize the Chairman to execute the Agreement documents on behalf of the District.

BACKGROUND:

On May 21, 1991, the District and the Park District entered into a License Agreement allowing public use of the Basin providing the use is compatible with the primary function of the Basin. On March 12, 2002, Amendment No. 1 was executed to update the mailing addresses and to extend the term of the agreement for twenty-five years.

(Continued on Page 2)

KEC: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

BY:
Michael R. Shetler

County Executive Office Signature

FORM APPROVED BY COUNTY COUNSEL
BY:
NEAL R. KIPNIS
DATE

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

Prev. Agn. Ref.: | District: 2nd | Agenda Number:

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

11.3

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

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Page 2

BACKGROUND (continued):

Amendment No 2 sets forth the terms and conditions by which the District's Jurupa Basin will be configured, at the expense of the Park District as a dual use facility, providing recreational use for the public and maintenance of the recreational components of the construction.

All construction and operations costs of the public use components will be borne by the Park District. The operation and maintenance of the existing flood control facility will continue to be a District responsibility. The District, in accordance with the terms of the agreement, will license the dual use of the right of way.

County Counsel has approved the Agreement as to legal form and the Park District has executed the agreement.

KEC:blj

1 reason of the location of BASIN or DISTRICT'S improvements thereto unless such liability is
2 the result of PARK DISTRICT'S operations or use of the property by the public pursuant to
3 PARK DISTRICT'S actual or tacit consent.

4 6. Within BASIN, PARK DISTRICT shall ensure the safety of the public who
5 may utilize BASIN by conducting periodic safety inspections and promptly making such repairs
6 as are necessary to safeguard the public and its use thereof.

7 7. Prior to constructing any improvements or performing any physical
8 modifications within basin right of way, PARK DISTRICT shall obtain an Encroachment Permit
9 from DISTRICT, pursuant to its rules and regulations and comply with all provisions set forth
10 therein.

11 8. PARK DISTRICT shall assume all responsibility for the maintenance and
12 operation of all Best Management Practices of the approved Water Quality Management Plan
13 (BGR 070844).

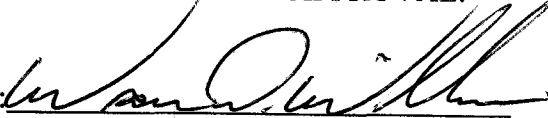
14 Except as specifically modified, added to or amended hereunder, all of the terms, covenants and
15 conditions of said AGREEMENT dated May 21, 1991 and the subsequent AMENDMENT NO.
16 1 dated March 12, 2002, shall remain in full force and effect between the parties hereto.

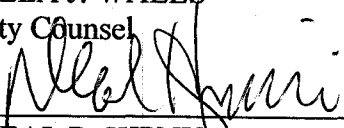
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1 This Amendment to AGREEMENT is executed on _____
2 (to be filled in by Clerk of the Board)

3 RECOMMENDED FOR APPROVAL: **RIVERSIDE COUNTY FLOOD CONTROL**
4 **AND WATER CONSERVATION DISTRICT**

5 By:  By: _____
6 WARREN D. WILLIAMS MARION ASHLEY, Chairman
7 General Manager-Chief Engineer Board of Supervisors, Riverside County Flood
8 Control and Water Conservation District

8 APPROVED AS TO FORM: ATTEST:
9 PAMELA J. WALLS KECIA HARPER-IHEM
10 County Counsel Clerk of the Board
11 By:  By: _____
12 NEAL R. KIPNIS Deputy
13 Deputy County Counsel

24 Jurupa Basin License Agreement
25 Amendment No. 2
26 KEC:blj
27 06/30/09
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**JURUPA AREA RECREATION
AND PARK DISTRICT**

By: Dan Rodriguez
DAN RODRIGUEZ
General Manager

ATTEST:

By: _____

Jurupa Basin License Agreement
Amendment No. 2
KEC:blj
06/30/09