

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

177A



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
August 24, 2009

SUBJECT: Agreement between the County of Riverside and the Riverside County Flood Control and Water Conservation District for Day Creek, MDP Line J, Stage 2 project

RECOMMENDED MOTION:

1. Approve the Agreement between the District, the County of Riverside and Anthony P. Vernola, Successor Trustee of the Pat and Mary Ann Vernola Trust-Marital Trust and Anthony P. Vernola, Trustee of the Anthony P. Vernola Trust U/D/T dated October 18, 2000, as amended (Developers) and;
2. Authorize the Chairman to execute the Agreement documents on behalf of the District.

BACKGROUND: The Agreement sets forth the terms and conditions by which the Developers will prepare the environmental studies, storm drain plans and right-of-way documents, and grant

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:	2009/10

SOURCE OF FUNDS: The Developer is funding all design costs. Future construction, operation and maintenance costs will accrue to the District.	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

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY:
CYNTHIA M. GUNZEL
DATE: 9-1-09
Departmental Concurrence

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: 2nd

Agenda Number:

3.50

The Honorable Board of Supervisors

RE: Agreement between the County of Riverside and the Riverside County
Flood Control and Water Conservation District for Day Creek, MDP Line J, Stage 2 project
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District the necessary drainage easements through all properties owned or controlled by Developers to allow District to proceed with the future construction of certain flood control facilities included as part of District's Day Creek Master Drainage Plan.

The Agreement is necessary to formalize the Developers' contributions towards a change in the alignment of the referenced facilities through lands owned by the Developers.

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

The Developer is funding all design costs. Future construction, operation and maintenance costs will accrue to the District, subject to future budgetary approval by the Board of Supervisors.