

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

715B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:

November 30, 2010

SUBJECT: West Norco Channel
Project No. 2-0-00160
Funding Agreement – Amendment No. 1

RECOMMENDED MOTION:

Approve the Amendment between the District and the City of Norco; and authorize the Chairman to execute the Amendment documents on behalf of the District.

BACKGROUND:

The Amendment provides for the District to contribute an additional sum of one hundred fifty thousand dollars (\$150,000) to the City of Norco for the construction of two facilities that drain into West Norco Channel.

County Counsel has approved the Amendment as to legal form and the City has executed the documents.

TMC:bjp

WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. District Cost:	\$150,000	In Current Year Budget:	Yes
	Current F.Y. County Cost:	N/A	Budget Adjustment:	No
	Annual Net District Cost:	N/A	For Fiscal Year:	2010-2011

SOURCE OF FUNDS: 25120 947420 536200 Zone 2 Construction / Maintenance / Miscellaneous - Contracts	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

FISCAL PROCEDURES APPROVED
MAN M. CHAND, FINANCE DIRECTOR

FORM APPROVED COUNTY COUNSEL
BY: NEAL R. KIPNIS

MAN M. CHAND, FINANCE DIRECTOR

NEAL R. KIPNIS
DATE: 11/30/10

Departmental Concurrence

- Policy
- Consent
- Policy
- Consent

Dept Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 2nd

Agenda Number:

11.1

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FUNDING AGREEMENT
FOR WEST NORCO CHANNEL
PROJECT NO. 2-0-00160
AMENDMENT NO. 1

The Riverside County Flood Control and Water Conservation District, hereinafter called "DISTRICT", and the City of Norco hereinafter called "CITY", hereby agree as follows:

RECITALS

A. DISTRICT included the sum of five hundred thousand dollars (\$500,000) in its Fiscal Year 2008-2009 budget ("DISTRICT CONTRIBUTION") for the purpose of contributing funds to CITY'S construction of Western Avenue Storm Drain Improvements and Broken Arrow Street Storm Drain Improvements, hereinafter called "PROJECT", which drains into the West Norco Channel; and

B. DISTRICT and CITY on September 2, 2008, entered into a Funding Agreement (hereinafter the "FUNDING AGREEMENT") setting forth (i) the general terms and conditions by which CITY would construct, own, operate and maintain PROJECT and (ii) the terms and conditions by which DISTRICT would pay funds to CITY as DISTRICT CONTRIBUTION.

C. DISTRICT and CITY, as PROJECT has proceeded, recognize the construction costs have increased substantially and DISTRICT has included an additional sum of one hundred fifty thousand dollars (\$150,000) in its Fiscal Year 2010-11 budget and is willing to contribute said funds, hereinafter called "SUPPLEMENTAL CONTRIBUTION", to CITY for the construction of PROJECT.

NOW, THEREFORE, in consideration of the preceding recitals and the mutual covenants hereinafter contained, DISTRICT AND CITY agree to amend the FUNDING AGREEMENT as follows:

- 1. Section II is amended to read:

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"3. Within thirty (30) days of the execution of Amendment No. 1 and receipt of invoice from CITY, DISTRICT shall pay SUPPLEMENTAL CONTRIBUTION to CITY."

2. Except as specifically modified herein, all other provisions of FUNDING AGREEMENT shall remain in effect and unchanged.


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1 IN WITNESS HEREOF, the parties hereto have executed this Agreement as of

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3 (to be filled in by Clerk of the Board).

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

6 By 
7 WARREN D. WILLIAMS
8 General Manager-Chief Engineer

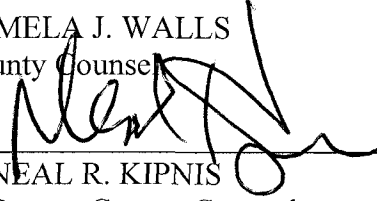
By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water
Conservation District Board of Supervisors

9 APPROVED AS TO FORM:

ATTEST:

10 PAMELA J. WALLS
11 County Counsel

KECIA HARPER-IHEM
Clerk of the Board

12 By 
13 NEAL R. KIPNIS
Deputy County Counsel

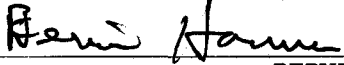
By _____
Deputy

(SEAL)

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15 RECOMMENDED FOR APPROVAL:

CITY OF NORCO

16 By 
17 DOMINIC MILANO
18 City Engineer

By 
~~MALCOLM MILLER~~ BERWIN HANNA
Mayor Pro Tem

19 APPROVED AS TO FORM:

ATTEST:

20 By 
21 JOHN HARPER
22 City Attorney

By 
BRENDA JACOBS
City Clerk

(SEAL)

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25 Amendment to 09/02/08 Funding Agreement-City of Norco-FY10/11
26 TMC:bjp:blj
27 09/02/10
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