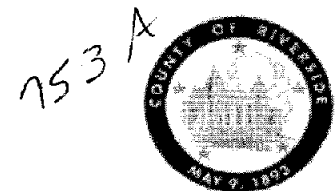


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** TLMA - Transportation Department

**SUBMITTAL DATE:**  
May 5, 2011

**SUBJECT:** Cooperative Agreement between the County of Riverside (County), the City of Menifee (City), Riverside County Economic Development Agency (Agency), KB Home Coastal, Inc. (Developer) and the County Flood Control and Water Conservation District (District) for the Menifee Valley - Evans Road Channel, - Quilt Way Storm Drain, - Reed Court Storm Drain and - Wickerd and Garbani Roads Storm Drain Lateral Project Nos. 4-0-00395, 4-0-003398, 4-0-003399 and 4-0-003389 - Tract No. 30142-1 (Menifee)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Amended and Restated Cooperative Agreement between the County, the City of Menifee, the Agency, the Developer and the District for the Menifee Valley - Evans Road Channel, -

\_\_\_\_\_  
Juan C. Perez  
Director of Transportation

FK:rg  
(Continued On Attached Page)

<b>FINANCIAL DATA</b>	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:	2010/11

<b>SOURCE OF FUNDS:</b> N/A	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE  
  
BY: Tina Grant  
\_\_\_\_\_  
County Executive Office Signature

FORM APPROVED COUNTY COUNSEL  
DATE 4/29/11  
BY: MARSHAL VICTOR

Departmental Concurrence

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

Prev. Agn. Ref. | District: 3 | Agenda Number:

**3.50**

The Honorable Board of Supervisors

RE: Cooperative Agreement between the County of Riverside (County), the City of Menifee (City), Riverside County Economic Development Agency (Agency), KB Home Coastal, Inc. (Developer) and the County Flood Control and Water Conservation District (District) for the Menifee Valley - Evans Road Channel, - Quilt Way Storm Drain, - Reed Court Storm Drain and - Wickerd and Garbani Roads Storm Drain Lateral Project Nos. 4-0-00395, 4-0-00398, 4-0-00399 and 4-0-00389 - Tract No. 30142-1 (Menifee)

May 5, 2011

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Quilt Way Storm Drain, - Reed Court Storm Drain and - Wickerd and Garbani Roads Storm Drain lateral project and;

2. Authorize the Chairman to execute the Agreement documents on behalf of the County.

**BACKGROUND:** The Agreement sets forth the terms and conditions by which certain flood control facilities, required as a condition for approval of Tract No. 30142-1, are to be constructed by the Developer and inspected, operated and maintained by the District and the City.

The Agreement is necessary to formalize the transfer of necessary rights of way and to provide for District construction inspection of the referenced facilities associated with Tract No. 30142-1. The Agreement is also necessary to formalize the release of Transportation and Agency from their obligations established in a prior Agreement dated June 19, 2007, between District, County Agency and Developer concerning Tract No. 30142-1.

Upon completion of the facilities' construction, the District will assume ownership, operation and maintenance of the flood control facilities. The City will assume ownership, operation and maintenance of the road culverts, catch basins, laterals and connector pipes located within its rights of way. The City will also assume responsibility for operation and maintenance of certain water quality features within District's channel.

County Counsel has approved the Agreement as to legal form and both the City and the Developer have executed the Agreement. A companion item appears on the Flood Control District's agenda and Riverside County Economic Development Agency's agenda this same date.

The Developer is funding all construction and construction inspection costs. Future operation and maintenance costs will accrue to the District.