

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



FROM: County Counsel

SUBMITTAL DATE:
May 23, 2012

SUBJECT: Revised Resolution No. 2012-138, Resolution to Create a Murrieta Creek Joint Powers Authority

RECOMMENDED MOTION: That the Board of Supervisors adopt Resolution No. 2012-138, a resolution of the Board of Supervisors of the County of Riverside to Create a Murrieta Creek Joint Powers Authority, revising and superseding Resolution No. 2012-129 to add the City of Wildomar as a City member of the proposed JPA.

BACKGROUND: On May 8, 2012, the Board approved the above-resolution except with the addition of the City of Wildomar to be included as one of the City members of the proposed Joint Powers Authority ("JPA"). Resolution No. 2012-138 (attached) includes the City of Wildomar.

Once resolutions are received from the cities of Murrieta, Temecula and Wildomar representing their desire to participate in the JPA, County Counsel will commence preparing a draft JPA agreement, subject to the approval of the Board.

PAMELA J. WALLS, County Counsel

FINANCIAL DATA	Current F.Y. Total Cost:	\$	In Current Year Budget:
	Current F.Y. Net County Cost:	\$	Budget Adjustment:
	Annual Net County Cost:	\$	For Fiscal Year:

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

C.E.O. RECOMMENDATION:

APPROVE
BY: Denise C. Harrison

County Executive Office Signature

- Policy
- Consent
- Policy
- Consent

Dept' Recomm.:
Per Exec. Ofc.:

2
3 RESOLUTION NO. 2012-138

4 RESOLUTION OF THE BOARD OF SUPERVISORS OF
5 THE COUNTY OF RIVERSIDE TO CREATE
6 A MURRIETA CREEK JOINT POWERS AUTHORITY
7

8 WHEREAS, the Cities of Temecula and Murrieta experienced a National flooding disaster as a
9 result of Murrieta Creek overtopping its banks in January 1993 causing millions of dollars in damage; and

10 WHEREAS, the results of the next large flood in the area could be even more devastating; and

11 WHEREAS, the Riverside County Flood Control and Water Conservation District has been
12 working diligently with the United States Army Corp of Engineers to design and ultimately fund the
13 improvements to Murrieta Creek for decades; and

14 WHEREAS, with the exception of Phase 1, a half-mile long reach at the downstream end of the
15 planned project, sufficient federal funding has yet been allocated to construct the seven miles of needed
16 improvements; and

17 WHEREAS, the lack of sufficient federal funding for the design and construction of this necessary
18 infrastructure has resulted in the continuing risk to the public and their property; and

19 WHEREAS, the taxpayers of Riverside County have contributed more than \$30 million to the
20 Riverside County Flood Control and Water Conservation District to pay for the ultimate improvements of
21 Murrieta Creek; and

22 WHEREAS, Congress has authorized the overall project and declared that the Federal
23 Government would be responsible for funding 65% of the overall project; and

24 WHEREAS, our local members of Congress have yet to be successful in gaining the
25 appropriations of sufficient federal monies to complete construction of Phases 2, 3 and 4; and

26 WHEREAS, this resolution revises and supersedes Resolution No. 2012-129, adding the City of
27 Wildomar as a City member of the proposed Joint Powers Authority (May 1, 2012 Agenda Item 3.1).

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1 NOW, THEREFORE, BE IT RESOLVED that the County of Riverside, the Cities of Temecula
2 Murrieta and Wildomar, along with the Riverside Flood Control and Water Conservation District, form a
3 Joint Powers Authority (JPA) with the expressed goal of moving forward with the design and construction
4 of Murrieta Creek. The JPA will consist of members appointed by the respective Councils and Boards
5 and will be guided by the following basic tenets:

- 6 • That the Joint Powers agree that moving ahead with the project design and construction, as
7 quickly as possible, is the best way to ensure the safety of local citizens and their properties.
8 This action will reduce the risks of morbidity and mortality associated with a catastrophic
9 flooding event, as well as create many jobs for local residents seeking employment.
- 10 • That the funds held by the Flood Control District for the Project (currently estimated to be
11 over \$30 million), be used to design and construct as much of the project as possible.
- 12 • That the Joint Powers act together to secure any other sources of funding needed to complete
13 the project.

14 BE IT FURTHER RESOLVED AND ORDERED by the Board of Supervisors of the County of
15 Riverside, State of California, in regular session assembled on June 12, 2012 as follows:

16 The Board hereby directs that following approval of resolutions by the cities of Murrieta,
17 Temecula and Wildomar to create a JPA, County Counsel to prepare a draft a joint powers agreement
18 between the five government agencies; Riverside County, the cities of Temecula, Murrieta, and
19 Wildomar, and the Riverside County Flood Control and Water Conservation District; to move forward
20 with the intent of this resolution.