

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

654



FROM: Successor Agency to the Redevelopment Agency

SUBMITTAL DATE:

July 19, 2012

SUBJECT: Perris Valley Aquatic Center – Consent and Waiver to Annexation into LMD 84-1 and LMD 1 and SCE Agreement for Distribution and Joint Relocation Projects

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and authorize the Chairman of the Board to execute the attached Confirmation of Authorized Agent to Act on Behalf of Applicant for Distribution and Joint Relocation Projects; and
2. Approve and authorize the Chairman of the Board to execute the attached consent and waiver to annexation of Land to City of Perris Maintenance District No. 84-1 (streetlights and traffic signals) and Landscape Maintenance District No. 1.

BACKGROUND: (Commences on Page 2)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 150,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/13

COMPANION ITEM ON BOARD AGENDA: No

SOURCE OF FUNDS: Former I-215 Corridor Redevelopment Project Area Capital Improvement Bond Proceeds (previously approved budget)	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:
Jennifer L. Sargent

County Executive Office Signature

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY:
 DATE: 6-28-12
 SAMUEL WONG
 ANITA C. WILTS
 FORM APPROVED COUNTY COUNSEL
 BY:
 DATE: 6-28-12
 Policy Policy
 Consent Consent
 Dep't Recomm.: Per Exec. Ofc.:

Prev. Agn. Ref.: 9.8 of 5/3/11; 3.113 of 6/28/11

District: 5/5

Agenda Number:

4.6

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

BACKGROUND:

On June 28, 2011, the Board of Supervisors awarded design and construction of the Perris Valley Aquatic Center Project to TB Penick, Inc. Part of the contract is to install landscaping, electrical, and water improvements in the public right-of-way and on the project site. In order to complete the electrical for the aquatic project, it is necessary to authorize the contractor to act on the county's behalf to administer any power distribution and relocation projects related to the aquatic project.

As part of the aquatic project, it is also necessary for the county as the owner of the facility, to annex into Landscape Maintenance District 1 and Maintenance District No. 84-1 in order to operate and maintain street lights and landscaping in the public right-of-way adjacent to the project.

Deposits of \$10,500 are due to the City of Perris, which is the operator of the Districts. An unknown amount of funds will be due to Southern California Edison at a later time for their plan checking, inspections, and electrical equipment related to the project. These costs are reflected in the Recognized Obligation Payment Schedule (ROPS), which has been approved by the Oversight Board and the California Department of Finance.

Staff recommends that the Board approve and authorize the Chairman of the Board to execute the attached documents.

Attached:

- Southern California Edison's Form – Confirmation of Authorized Agent to Act on Behalf of Applicant for Distribution and Joint Relocation Projects
- Consent and Waiver to Annexation

CONSENT AND WAIVER TO ANNEXATION

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA, has previously formed special maintenance districts pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the "Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California, said special maintenance districts known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 and MAINTENANCE DISTRICT NO. 84-1 (hereinafter referred to as the "Maintenance Districts"); and,

WHEREAS, the provisions of Article II of Chapter 2 of the Act authorize the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA to order the annexation of territory to the Maintenance Districts; and,

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA may, pursuant to said provisions of the Act, order the annexation of territory to the Maintenance Districts without notice and hearing or filing of an Engineer's "Report" as would otherwise be required by the provisions of the Act if all of the owners of property within the territory proposed to be annexed, have given written consent to the proposed annexation; and,

WHEREAS, the undersigned, the owners of all property within the territory proposed to be annexed to the Maintenance Districts, acknowledge that pursuant to the provisions of the Act, the undersigned would be entitled to notice and hearing and the preparation of an Engineer's "Report" pertaining to the annexation of the property, acknowledge that they are aware of the proposed annexation to the Maintenance Districts of the property owned by the undersigned, and waives any and all right which the undersigned may now have to notice and hearing or the filing of an Engineer's "Report" pertaining to the annexation of the undersigned's property to the Maintenance Districts.

NOW, THEREFORE, it is hereby declared by the undersigned property owners as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the undersigned, constituting the owners of the property described in Exhibit "A" attached hereto and incorporated herein by this reference and further constituting all of the property within the territory proposed to be annexed to the Maintenance Districts, hereby consent to the proposed annexation of said property to the Maintenance Districts without notice and hearing or filing of an Engineer's "Report" pertaining to such annexation.

Dated: _____

John Tavaglione, Chairman
Board of Supervisor

SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY

4080 Lemon Street
Riverside, CA 92501

Property Owner Address

Property Owner Signature

FORM APPROVED COUNTY COUNSEL
BY: Anita C. Willis 6-28-72
ANITA C. WILLIS DATE



Company
Applicant Name
Address
City, State Zip

SUBJECT: SCE'S FORM - CONFIRMATION OF AUTHORIZED AGENT TO ACT ON BEHALF OF APPLICANT FOR DISTRIBUTION AND JOINT RELOCATION PROJECTS

By executing the following form, "Confirmation of Authorized Agent to Act on Behalf of Applicant for Distribution and Joint¹ Relocation Projects" (the "Form"), the Applicant² of Southern California Edison ("SCE") confirms the authorization of a designated third-party authorized agent ("Authorized Agent") to act on the Applicant's behalf to **acquire work order project information from SCE or to execute new SCE forms and other SCE documents as designated in the Form**. The Form is designed to simplify the authorization process and protect the privacy rights of the Applicant.

APPLICANT/AUTHORIZED AGENT INFORMATION

- The Form shall be completed and signed by a representative in the Applicant's organization who has the authority to legally bind the Applicant (e.g., an executive officer of a corporation, the City Manager of a municipality, etc.).
- The Form shall be completed and signed by a representative in the Authorized Agent's organization who has the authority to legally bind the organization (e.g., an executive officer of a corporation).
- List all the acts and functions (page 2) for all project(s) designated (page 5) for which the Authorized Agent is authorized to act upon on behalf of the Applicant. This authorization is in effect until the date indicated (page 3) or for the duration of the project(s) identified, whichever is earlier.
- The Applicant must immediately notify SCE in writing of any modification of the Authorized Agent's authority by submitting a new Form. In the event that multiple Forms are on file, the most recently executed Form will supersede any and all previously signed Forms.
- Fully executed original Forms shall be provided to the SCE Planner, Project Manager, or Distribution Construction Contract Management. The Applicant may photocopy the Form for the Applicant's records.

Thank you,

SOUTHERN CALIFORNIA EDISON

¹ Include Transmission and Distribution or Communication

² An Applicant is a person or agency requesting SCE to deliver/supply electric service.

**CONFIRMATION OF AUTHORIZED AGENT TO ACT ON BEHALF OF APPLICANT
FOR DISTRIBUTION AND JOINT RELOCATION PROJECTS**

THIS IS A LEGALLY BINDING CONTRACT - READ IT CAREFULLY
(Please Print or Type)

I, John Tavaglione, Chairman, Board of Supervisors,
APPLICANT'S REPRESENTATIVE NAME AND TITLE
in its capacity as Successor Agency to the Redevelopment
Agency for the County of Riverside.

APPLICANT

have the following mailing address:

c/o EDA 3403 Tenth St., Ste. 400 Riverside, CA 92501
APPLICANT'S MAILING ADDRESS **CITY** **STATE** **ZIP**

do hereby appoint

John Tiersma, Project Manager
AUTHORIZED AGENT'S NAME AND TITLE
of TB Penick & Sons, Inc.
AUTHORIZED AGENT

located at the following mailing address:

15435 Innovation Drive, Suite 100, San Diego, CA 92128
AUTHORIZED AGENT'S MAILING ADDRESS **CITY** **STATE** **ZIP**

to act as Applicant's Authorized Agent for the one project(s) as listed on the attached one sheet(s).

I, Applicant, also hereby confirm that the above Authorized Agent is authorized to act on my behalf to perform the following acts and functions (initial all applicable) as specified below:

<input type="checkbox"/>	Represent applicant at all project meetings	<input type="checkbox"/>	Sign Indemnity Letter
<input type="checkbox"/>	Sign and apply for Temporary Service	<input checked="" type="checkbox"/>	Sign Preliminary Design and Engineering Agreement, Form 14-238
<input type="checkbox"/>	Sign Assignment of contract for Extension of Lines or Installation of Electric Facilities, Form C-200	<input type="checkbox"/>	Sign Added Facilities Agreements, Forms 16-308 and 16-309
<input checked="" type="checkbox"/>	Sign Applicant Design Option Letter	<input type="checkbox"/>	Sign Rule 20 Contract (Form CSD-156-1, 2, 3, or 4)
<input type="checkbox"/>	Sign Terms and Conditions Agreement for Installation of Line Extension by Applicant, Form 14-188	<input type="checkbox"/>	Obtain Distribution Project Accounting Information from Distribution Construction Contract Management
<input type="checkbox"/>	Request Facility Relocation (if applicable)	<input checked="" type="checkbox"/>	Facilitate plans & contracts
<input checked="" type="checkbox"/>	Sign and approve preliminary and final project design	<input type="checkbox"/>	Sign Contract for Extension of Electric Distribution Line, Rule No. 15, Form 16-330
<input type="checkbox"/>	Sign Distribution Line Extension Competitive Bidding - Letter of Understanding, Form 14-189	<input type="checkbox"/>	Sign Contract for Extension of Electric Distribution Line, Rule No. 15, Installation by Applicant, Form 16-331
<input checked="" type="checkbox"/>	Sign Distribution Line and/or Service Extension - Applicant's Installation Option and Statement of Applicant's Contract Anticipated Costs, Form 14-754	<input type="checkbox"/>	Sign Rule 15 Refundable/Discount Option Estimate, Extension of Electric Distribution Line - Installation by Applicant - Appendix A, Form 14-761
<input checked="" type="checkbox"/>	Sign Project Cost Estimate Letter	<input type="checkbox"/>	Sign MOU or Letter Agreements

I, Applicant's Representative, declare under penalty of perjury under the laws of the State of California that I am authorized to execute this document on behalf of the Applicant listed on this Form and that I have authority to financially bind the Applicant. I further certify that the Authorized Agent has authority to act on the Applicant's behalf, request the release of information and perform the specific acts and functions as indicated on this Form.

I, Applicant, hereby release, hold harmless, and indemnify SCE from any liability, claims, demands, causes of action, damages, or expenses resulting from unauthorized use of this information by the Authorized Agent. I understand SCE reserves the right to verify any authorization request submitted before releasing information. This authorization is in effect until October 1, 2013 or for the duration of the project(s), whichever is earlier. I understand that I may cancel this authorization at any time by submitting a written request. I understand my signature must be notarized for SCE to release any information or perform any services on my behalf.

I, Applicant, understand that I am not fully releasing my rights to review documentation related to my project(s) or to communicate with representatives of SCE regarding my project(s) under this Agreement. As such I may (1) choose to request that all information (contracts, billing, etc.) be handled directly by my Authorized Agent and that I only be contacted should a problem occur that requires my immediate attention; or (2) request to receive all information (contracts, billing, etc.) and communication in addition to that information being sent to my Authorized Agent. I have chosen to do one of the following by placing my initials behind one of the Option selections below:

Option 1: _____
Option 2: _____ ✓ (Documentation from Distribution Construction Contract Management and Non-Energy Billing are excluded)

I understand that the Authorized Agent may contractually bind the Applicant.

Applicant's Representative Signature
JOHN TAVAGLIONE
Print Name and Title: CHAIRMAN, BOARD OF SUPERVISOR
Date: _____

(951) 955-0911
Telephone Number

I, Authorized Agent's Representative, have the authority to financially bind the Authorized Agent. I, Authorized Agent, hereby release, hold harmless, and indemnify SCE from any liability, claims, demand, causes of action, damages, or expenses resulting from unauthorized use of the Applicant's information obtained pursuant to this authorization and from the taking of any action pursuant to this authorization.

Authorized Agent's Representative Signature
Print Name and Title: John Tiersma, Project Manager
Date: May 23, 2012

858-558-1800
Telephone Number

NOTARY REQUIRED:

STATE OF _____
COUNTY OF _____

On _____ [date] before me, _____ [name and title of officer taking acknowledgment], personally appeared _____ [names of persons signing Form], who proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of _____ that the foregoing is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

PROJECTS INCLUDED IN THIS AUTHORIZATION:

	SCE PRODUCT/PROJECT# ³	TRACT # (S) AND PHASE(S)	LOCATION	CITY
1.	Not assigned yet	APN 327190029	2165 Trumble Road,	Perris
2.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
3.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
4.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
5.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
6.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
7.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
8.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
9.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
10.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
11.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
12.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
13.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
14.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
15.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
16.	SCE PRODUCT/PROJECT#	TRACT # (S) AND PHASE(S)	LOCATION	CITY
17.	SCE PRODUCT/PROJECT #	TRACT # (S) AND PHASE(S)	LOCATION	CITY

Page one of one of projects included in this authorization

Applicant's Initials _____ Date _____

³ Where available, as the Product/Joint Relocation Project number may not have been assigned at this point
Issue date: March 2012