

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9.7

During the oral communication section of the agenda for Tuesday, July 27, 2010, Robert Mabee read his statement into the record.

**ATTACHMENTS FILED WITH
CLERK OF THE BOARD**

**AGENDA NO.
9.7**

JULY - 27 - 2010

I HAVE BEEN BEFORE THIS BOARD 88 TIMES AND HAVE GIVEN TO THIS BOARD 111 DOCUMENTS SHOWING THE CORRUPTION OF RIVERSIDE COUNTY FLOOD CONTROL AND SUPERVISOR STONE. NO ONE IN THE COUNTY HAS DISPUTED ANY OF THE DOCUMENTS. TODAY I HAVE THREE DOCUMENTS - NO-1 - A REPORT FROM THE U.S. CORPS OF ENG DESCRIBING IN DETAIL HOW BASTIETA FLOOD CONTROL CHANNEL COULD FAIL BECAUSE OF THOUSANDS OF CUBIC YDS OF DIRT PLACED OVER A LEVEE AND ENCRoACHING INTO THE PUBLIC ROAD. DOCUMENT NO-2 - A CERTIFIED LETTER FROM THE U.S. CORPS OF ENG DESCRIBING THE ILLEGAL GRADING BY RIVERSIDE COUNTY FLOOD CONTROL WITHOUT THE PERMITS REQUIRED. PARAGRAPH 2 STATES - DID THE CORPS OF ENG AT ANY TIME AUTHORIZE OR APPROVE OF THE PERMANENT FILL IN THE PUBLIC ROAD AND BY WHAT AUTHORITY. OUR ANSWER IS NO - WE DID NOT AUTHORIZE OR APPROVE OF THE PERMANENT FILL IN THE PUBLIC ROAD. THE CORPS IS NOT AWARE OF ANY OTHER PERMITS THAT WOULD AUTHORIZE THE PERMANENT FILL IN THE PUBLIC ROAD - I LISTEN EVERY WEEK WHEN COUNTY COUNSEL AND CODE ENFORCEMENT SUCK THE BLOOD OUT OF TAXPAYERS FOR CODE VIOLATIONS. YET THEIR VIOLATIONS CANNOT COMPARE WITH RIVERSIDE COUNTY FLOOD CONTROL GRADING VIOLATIONS THAT SOONER OR LATER WILL CAUSE LOSS OF LIFE OR PROPERTY. NONE OF YOU HAVE ANY STATE INCLUDING COUNTY COUNSEL WHO IS IN VIOLATION OF STATE BAR ETHICS. WE THE TAXPAYERS CAN STAND CORRUPTION LIKE THE COUNTY GIVEN SUPERVISOR STONES SISTER A COUNTY CAR WHEN HE WAS CHAIRMAN OF THE BOARD. MR ASHLEY - WHAT HAPPENED TO YOUR INVESTIGATION. DO YOU WANT TO BE LIKE THE POSTER BOY OF CORRUPTION AND INCOMPETENCE SUPERVISOR STONE? THIS DISPICABLE EXCUSE OF A MAN IS DESPISED BY THE COUNTY EMPLOYEES AND THE PUBLIC. DOCUMENT NO-3 - A LETTER TO ME FROM RETIRED SUPERVISOR YOUNGLOVE STATING THAT FLOOD CONTROL DID NOT HAVE THE NECESSARY PERMITS AND THAT HE WOULD APPEAR IN COURT TO HELP SET ASIDE THE JUDGEMENT IN CASE - 182104 - SUPERVISOR YOUNGLOVE HAD HONOR AND COMPASSION. MR ASHLEY, I HAD HOPE THAT WHEN YOU BECAME CHAIRMAN OF THE BOARD THAT YOU WOULD BEHAVE LIKE SUPERVISOR YOUNGLOVE AND NOT LIKE OUR CORRUPT SUPERVISOR STONE - DO YOU WANT TO BECOME ANOTHER SUPERVISOR STONE OR A MAN OF HONOR -

ROBERT MABEE
3086 MIBUEL ST
RIVERSIDE - 92506
951-788-4858



DEPARTMENT OF THE ARMY

LOS ANGELES DISTRICT CORPS OF ENGINEERS
P. O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

May 27, 2008

REPLY TO
ATTENTION OF

Mr. Steve Stump
Operations and Maintenance
Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, CA 92501

Dear Mr. Stump:

On May 13, 2008, in response to a citizen concern, two engineers from the U.S. Army Corps of Engineers, Los Angeles District, Hydrology and Hydraulics Branch, conducted a field investigation of Bautista Creek Channel in Hemet, Riverside County, California. The purpose for the field investigation was to evaluate whether "drainage levee" modifications within the Riverside County Flood Control and Water Conservation District (RCFCWCD) right-of-way in the Bautista Creek Channel have compromised the project's original design performance. The Field Investigation Report is enclosed.

Based on the field investigation, we concluded that one of the modifications within the RCFCWCD right-of-way may compromise the project's original design performance. In addition, two of the modified "drainage levees" need maintenance.

We therefore recommend: 1) For the "drainage levee" at channel station 244+25, either a) the excess fill be removed and the original "drainage levee" be exposed; or b) the existing concrete spillway be extended upstream 50 ft and the low spots in the fill be raised to prevent sheet flow from undermining the sideslope paving and cause channel failure and, 2) For the "drainage levees" at channel stations 196+50 and 208+00, the vegetation on the levees be removed and the stone revetment be inspected to ensure that the size and thickness match the as-built construction plans.

If you have any questions or concerns about this matter please contact either Mr. Van Crisostomo or Mr. Rick Andre of my staff at (213) 452-3558 or (213) 452-3564 respectively.

Sincerely,

A handwritten signature in black ink that reads "Robert E. Koplin".

Robert E. Koplin, PE
Chief, Engineering Division

Enclosure

CESPL-ED-HH

SUBJECT: Field Investigation, Bautista Creek Channel, Right Bank, From the Fairview Avenue Bridge to Station 246+25, Hemet, California

5. The Design Memorandum (Ref. 1b) and as-built constructions plans (Ref. 1c) were checked to determine if the "drainage levees" are original project features and to confirm their intended function. According to the Design Memorandum, "Side-drainage investigations indicated that large side flows would reach the channel along the right (northeast) bank. Because the top of the channel would be at or near ground level, these flows would be discharged over the top of the channel banks for nearly the entire length of the channel. Therefore, the maintenance roadway along the right bank would be paved to prevent undermining of the side-slope paving. Low cross dikes may be required at intervals to divert the flow into the channel; the specific locations of these dikes would be determined before contract plans and specifications are complete." Furthermore, the as-built construction plans confirm that the "drainage levees" were constructed as part of the Bautista Creek Channel project. In addition, concrete spillways were constructed at the end of these "drainage levees" to prevent the undermining of the concrete sideslope when sheet flow from the surrounding drainage areas flows into the channel (Attachment 1).

6. Per Reference 1d, the Corps approved a permit for the RCFCWCD to modify these "drainage levees". Except for the "drainage levee" at station 244+25, the proposed modifications were followed, i.e. the "drainage levees" were truncated approximately 20 ft to widen the maintenance road and then the existing concrete spillway extended to the end of the truncated "drainage levee" (Attachment 2). At station 244+25 the "drainage levee" was not truncated as indicated in the approved permit plans. Instead, it was buried with miscellaneous fill (it is unknown who placed the fill). This fill alters the sheet flow drainage pattern and causes the flow to enter the channel over parts of the right bank not protected by a concrete spillway. This could potentially undermine the sideslope paving and cause channel failure. Originally, the side inflow from the surrounding drainage area was wide and shallow, confined at the downstream end by the "drainage levee" and the upstream end by high ground (Attachment 3). Now, because of the fill, the sheet flow is now concentrated, and the fill may not be high enough to direct all the sheet flow towards the channel. There are low spots along the fill that would likely be overtopped during high flow events and may cause sheet flow to go over parts of the right bank not protected by a concrete spillway

7. In addition to concerns about the construction of the "drainage levee" at station 244+25, Messrs. Andre and Crisostomo observed that the "drainage levees" at station 196+50 and 208+00 are overgrown with vegetation. Also, the stone revetment for these "drainage levees" is thin at some locations.

8. Based on the field investigations, we concluded that one of the modifications within the RCFCWCD right-of-way may compromise the project's original design performance. In addition, two of the modified "drainage levees" need maintenance.

CESPL-ED-HH

SUBJECT: Field Investigation, Bautista Creek Channel, Right Bank, From the Fairview Avenue Bridge to Station 246+25, Hemet, California

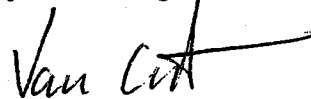
9. For the "drainage levees" at station 196+50 and 208+00, we recommend that the vegetation on the "drainage levees" be removed. We also recommend that Geotech Branch inspect the stone revetment to determine if the size and thickness match the as-built construction plans.

10. For the "drainage levee" at station 244+25, we recommend that either 1) the excess fill be removed and the original "drainage levee" be exposed; or 2) that the existing concrete spillway be extended upstream 50 ft and the low spots in the fill be raised to prevent sheet flow from undermining the sideslope paving and cause channel failure.

Encl



Rick Andre
Hydraulic Engineer



Van Crisostomo, PE
Hydraulic Engineer



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
911 WILSHIRE BOULEVARD
LOS ANGELES, CALIFORNIA 90017-3401

REPLY TO
ATTENTION OF:

July 1, 1996

Office of the Chief
Regulatory Branch

Mr. Robert Mabee
337 Leafwood Ct.
Riverside, California 92506

Dear Mr. Mabee:

Reference is made to your letters, dated June 7, 1996 and May 22, 1996, and letter dated June 10, 1996 received from Congressman Ken Calvert's office, and our previous letters sent to you dated June 6, 1996 and May 7, 1996 concerning the work done by Riverside County Flood Control and Water Conservation District (RCFCWCD) in the Bautista Creek Channel and an unnamed tributary, Riverside County, CA. In your latest letter, you ask three questions.

The first question is did the Corps at any time authorize or approve of the permanent fill in the public road, and by what authority? Our answer is no, we did not authorize or approve of the permanent fill in the public road as we had no authority over the permanent fill. The second question is did the Nationwide 26a permit authorize the permanent fill in the public road? The answer is no, the Nationwide 26a permit did not authorize permanent fill in the public road as the fill was outside Corps jurisdiction. The third question, is the Corps aware of any other permits that would authorize the permanent fill in the public road? The answer is no, the Corps is not aware of any other permits that would authorize the permanent fill in the public road.

We hope this letter further answers your questions and if you have any questions, please contact Robert R. Smith Jr. of my staff at (213) 452-3419. Please refer to this letter and 96-00213-RRS in your reply.

Sincerely,

Michal R. Robinson
Colonel, Corps of Engineers
District Engineer

Copies Furnished:
Congressmen Ken Calvert
Riverside County Flood Control and
Water Conservation District

RECEIVED

MAY 01 2007

D.A.'S Office

Riverside

RECEIVED JUN 25 2008

ED



DEPARTMENT OF THE ARMY

LOS ANGELES DISTRICT CORPS OF ENGINEERS

P.O. BOX 2711

LOS ANGELES, CALIFORNIA 90053-2325



REPLY TO
ATTENTION OF

Office of the
District Counsel

C E R T I F I C A T E

I, ROMAN J. ZAWADZKI, Assistant District Counsel, Office of Counsel, U. S. Army Engineer District, Los Angeles, do hereby certify that the within and attached copy is a true and correct copy of a letter, dated July 1, 1996 to Mr. Robert Mabee from Colonel Michal R. Robinson regarding work by Riverside County Flood Control and Water Conservation District in Bautista Creek Channel.

A copy of the original document (letter) is on file at the offices of the Los Angeles District, U.S. Army Engineer District, at Los Angeles, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the original seal of the U. S. Army Engineer District, at Los Angeles, California, this 21st day of October 1996.

ROMAN J. ZAWADZKI
Assistant District Counsel

Mr Robert Maybee

1978
20 March

I have not been able to compose a letter that might be of use to you. Instead I will be in Department 08 at 9:30 AM in case I may of any use to you.

Two thoughts do occur.

1) County decisions might have been different if we had known that Flood Control did not have the necessary approval from the Army Corps of Engineers.

2) The fact that you were offered an encroachment permit rather than a new non-exclusive easement I find important. This I believe relates to your reduced ability to sell or borrow against the property.

Sincerely,



Norton Younglove

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Robert Mabe

Address: 3086 Mibvell St
(only if follow-up mail response requested)

City: Riverside **Zip:** 92506

Phone #: 788-4858

Date: 7-27-10 **Agenda #** _____

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** _____ **Oppose** _____ **Neutral**

ORAL COMMUNICATIONS

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.