

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

716B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
November 30, 2010

**SUBJECT:** Request for Delegation of Authority to General Manager-Chief Engineer to Reimburse a Utility Owner for Repair Costs

**RECOMMENDED MOTION:**

Authorize the General Manager-Chief Engineer or his designee to make direct reimbursement to the Jurupa Ditch Company for repairs made to a waterline damaged during a District maintenance operation.

**BACKGROUND:**

See Page 2.

**FINANCIAL:**

Sufficient funds are budgeted in the District's Maintenance budget.

**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

ST:bjp

**FINANCIAL DATA**

Current F.Y. District Cost:	\$4,891.91	In Current Year Budget:	Yes
Current F.Y. County Cost:	\$N/A	Budget Adjustment:	N/A
Annual Net District Cost:	\$N/A	For Fiscal Year:	10/11

**SOURCE OF FUNDS:** 25110-947400-527980 Zone 1 Const/Maint/Misc

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  
Michael R. Shetler

**County Executive Office Signature**

**MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione  
Date: November 30, 2010  
xc: Flood

Kecia Harper-Ihem  
Clerk of the Board  
By Kecia Harper-Ihem  
Deputy

Prev. Agn. Ref.:

District: 2nd

Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

11.2

FISCAL PROCEDURES APPROVED  
MAN M. CHAND, FINANCE DIRECTOR

By Warren D. Williams 11/10/10  
MAN M. CHAND

Policy

Consent

Dept Recomm.:

Policy

Consent

Per Exec. Ofc.:

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

**SUBJECT:** Request for Delegation of Authority to General Manager–Chief Engineer  
to Authorize Utility Adjustments and Relocations up to the Amount of \$100,000

**SUBMITTAL DATE:** November 30, 2010

**Page 2**

**BACKGROUND:**

In early February 2009 District maintenance staff performed a grading operation along the northerly bank of the Santa Ana River in the vicinity of the Market Street Bridge. One or more of the large Caterpillar dozers inadvertently and unknowingly drove over and damaged an existing 15-inch diameter waterline operated by the Jurupa Ditch Company. Once the Jurupa Ditch Company discovered the initial damage, repairs were initiated. Testing and repairs continued over a period of several months as additional damage was discovered along the line. On June 1, 2010 the Jurupa Ditch Company submitted a claim for reimbursement through the Riverside County Clerk to the Board. The claim was rejected pursuant to Government Code 911.2 because it was not presented within six months after the event or occurrence as required by law.

The District respectfully recommends that the Board accept the late claim, and authorize the District to directly reimburse the utility operator for costs incurred to repair their waterline. The District does not dispute the fact that the damage was directly attributable to our operations.

11/03/2010 08:49 FAX 951 955 2362

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OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1<sup>ST</sup> FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1628, 4080 LEMON STREET, 1<sup>ST</sup> FLOOR  
RIVERSIDE, CA 92502-1147  
Office: (951) 955-1060 FAX: (951) 955-1409

KECIA HARPER-IHEM  
CLERK OF THE BOARD

June 15, 2010

JURUPA DITCH CO.  
18140 GOLDEN LEAF LANE  
RIVERSIDE, CA 92504

**RE: NOTICE OF RETURN OF CLAIM AS UNTIMELY**

**Claimant:** JURUPA DITCH CO.  
**Date of Loss:** 02/07/09  
**Claim No:** 251-10  
**Date Claim Received:** 06/02/10

Notice is hereby given that the claim you presented to the Clerk of the Board of Supervisors on June 2, 2010, is being returned pursuant to Government Code section 911.2 because it was not presented within six months after the event or occurrence as required by law. See sections 901 and 911.2 of the Government Code. Because the claim was not presented within the time allowed by law, no action was taken on the claim.

Your only recourse at this time is to apply without delay to the Board of Supervisors of the County of Riverside for leave to present a late claim. See sections 911.4 to 912.2 inclusive, and section 946.6 of the Government Code. Under some circumstances, leave to present a late claim will be granted. See section 911.6 of the Government Code.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Kecia Harper-Ihem  
Clerk to the Board of Supervisors

By

  
Board Assistant

I declare that my business address is 1<sup>st</sup> Floor, County Administrative Center, 4080 Lemon Street, Riverside California, that I am a citizen of the United States of America, employed by the County of Riverside and am not a party to the action. On the date stated below I mailed the foregoing notice by depositing a copy thereof in the outgoing mail at Riverside, California, in a sealed envelope, with postage prepaid, addressed to the person(s) listed above. I declare under penalty of perjury that the foregoing is true and correct.

Executed at Riverside, California on June 15, 2010.

  
Cecilia Gil, Board Assistant

C: RISK MGMT 111759

GL093

11/03/2010 08:49 FAX 951 955 2362

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**RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT**

**MARK BILOKI**  
OPERATIONS & MAINTENANCE SUPERINTENDENT

951.955.1310

FAX 951.955.1552

E-mail: MBILOKI@co.riverside.ca.us

www.floodcontrol.co.riverside.ca.us

1995 MARKET STREET

RIVERSIDE, CA 92501

*Jim Mason*

*951-789-8899*

11/03/2010 08:49 FAX 951 955 2362

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### COUNTY OF RIVERSIDE CLAIM FOR DAMAGES TO PERSON OR PROPERTY

**INSTRUCTIONS:**

1. Read claim thoroughly.
2. Fill out claim as indicated; attach additional information if necessary.
3. This office needs the original completed claim form and clear readable copies of attachments (if any) if originals are not available.
4. This claim form must be signed.

OFFICE USE ONLY

**DELIVER OR U.S. MAIL TO:** CLERK OF THE BOARD OF SUPERVISORS  
 ATTN: CLAIMS DIVISION  
 P.O. BOX 1147, 4080 LEMON ST., 1<sup>ST</sup> FL.  
 RIVERSIDE, CA. 92502-1147 (951) 955-1060

TIME STAMP HERE

1. FULL NAME OF CLAIMANT <i>Jurupa Ditch Co</i>		8. WHY DO YOU CLAIM THE COUNTY IS RESPONSIBLE? <i>Riverside County Flood Control destroyed Water Pipe line in the River bottom.</i>	
2. MAILING ADDRESS (STREET / PO BOX) <i>18140 Golden Leaf Lane</i>			
CITY <i>Riverside</i>	STATE <i>Calif.</i>	ZIP CODE <i>92504</i>	
HOME TELEPHONE <i>(951) 789-8899</i>	BUSINESS TELEPHONE <i>(951) 789-8899</i>		
3. WHEN DID DAMAGE OR INJURY OCCUR (PLEASE BE EXACT) <i>Feb 7, 09</i>		9. NAMES OF ANY COUNTY EMPLOYEES (AND THEIR DEPARTMENTS) INVOLVED IN INJURY OR DAMAGE (IF APPLICABLE).	
4. WHERE DID DAMAGE OR INJURY OCCUR? <i>On Flood Control property in River bottom</i>		NAME: <i>Mark Biloki</i>	DEPARTMENT: <i>Riverside Co. Flood Control Water Conservation Dist.</i>
5. DESCRIBE IN DETAIL HOW DAMAGE OR INJURY OCCURRED: <i>Report Attached.</i>		10. WITNESSES TO DAMAGE OR INJURY: LIST ALL PERSONS AND ADDRESSES OF PERSONS KNOWN TO HAVE INFORMATION:	
STREET <i>Near San Bernardino, Riverside County line</i>		NAME <i>Mark Biloki</i>	PHONE <i>951-9551310</i>
		ADDRESS	
		NAME	PHONE
		ADDRESS	
		NAME	PHONE
		ADDRESS	
6. WERE POLICE OR PARAMEDICS CALLED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		11. LIST DAMAGES INCURRED TO DATE (attach copies of receipts or repair estimates)	
7. IF PHYSICIAN/HOSPITAL WAS VISITED DUE TO INJURY, INCLUDE DATE OF FIRST VISIT AND HOSPITAL'S NAME, ADDRESS AND PHONE NUMBER:			
DATE OF FIRST VISIT	PHYSICIAN'S/HOSPITAL'S NAME		
PHYSICIAN'S/HOSPITAL'S ADDRESS	PHONE:		
		TOTAL DAMAGES TO DATE	TOTAL ESTIMATED PROSPECTIVE DAMAGES
		<i>\$ 4891.91</i>	<i>\$ 0</i>

**THIS CLAIM MUST BE SIGNED TO BE VALID. NOTE: PRESENTATION OF A FALSE CLAIM IS A FELONY (PENAL CODE SECTION 72.)**

**WARNING :**

- > CLAIMS FOR DEATH, INJURY TO PERSON OR TO PERSONAL PROPERTY MUST BE FILED NOT LATER THAN SIX (6) MONTHS AFTER THE OCCURRENCE. (GOVERNMENT CODE SECTION 911.2)
- > ALL OTHER CLAIMS FOR DAMAGES MUST BE FILED NOT LATER THAN ONE (1) YEAR AFTER THE OCCURRENCE. (GOVERNMENT CODE SECTION 911.2)
- > SUBJECT TO CERTAIN EXCEPTIONS. YOU HAVE ONLY SIX (6) MONTHS FROM THE DATE OF THE WRITTEN NOTICE OF REJECTION OF YOUR CLAIM TO FILE A COURT ACTION. (GOVERNMENT CODE SECTION 945.6)
- > IF WRITTEN NOTICE OF REJECTION OF YOUR CLAIM IS NOT GIVEN, YOU HAVE TWO (2) YEARS FROM ACCRUAL OF THE CAUSE OF ACTION TO FILE A COURT ACTION. (GOVERNMENT CODE SECTION 945.6)

12. CLAIMANT OR PERSON FILING ON HIS/HER BEHALF <i>James H. Mason</i>	13. PRINT OR TYPE NAME <i>James H. Mason</i>	DATE <i>1 Jun 10</i>
SIGNATURE	RELATIONSHIP TO CLAIMANT	

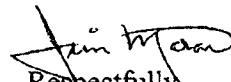
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### Description of Damages

The Flood Control District hired a construction crew to clear out the river bottom to discourage the homeless population. In the process the big Cats drove over the Jurupa Ditch water line (15") and completely destroyed it. The reason it has taken so long to submit a claim is due to the extent of damage. We would repair, start up the water, and find more damage. Some areas were so damaged we had to completely replace the pipe. This went on all thru 2009. The line has finally taken hold, so we now respectfully request to close this issue. We worked closely informed with Mark Biloki during the repairs period.

  
Respectfully,  
Jim Mason  
Secretary  
Jurupa Ditch

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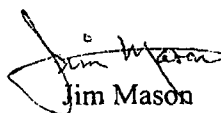
Jurupa Ditch Co.  
18140 Golden Leaf Lane  
Riverside, Ca. 92504  
Tele- 789-8899

Date Invoice #  
23 Feb 10 4402

Bill to Riverside Co. Flood Control  
Attn: Mark Biloxi

Tractor and Backhoe	\$2420.00
Pipe- 15" PVC 100 ft Wells Supply	\$1087.20
Pipe- 15" PVC 40 ft in stock	\$ 434.60
Labor	\$ 675.00
Materials	\$ 275.11
	<hr/>
	\$4891.91

Work on repairing broken pipe in the river bottom.  
Work done 1<sup>st</sup> part of 2009. Pictures of damage available.

  
Jim Mason  
Secretary  
Jurupa Ditch

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Martin Concrete Removal  
6092 Mitchell Avenue  
Riverside, CA 92505

# Invoice

Date	Invoice #
1/13/2009	3703

<b>Bill To</b>
Jurupa Ditch 5517 Riverview Drive Riverside, CA 92509

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
5	Operated Tractor Loader Bucket	110.00	550.00
3	Operated Tractor Loader Bucket JOB DATES: 1-06-09/ 1-08-09	110.00	330.00
THANK YOU FOR YOUR BUSINESS!			
		<b>Total</b>	<b>\$880.00</b>

*PA 1972 no 9  
CK # 2037  
A.G. Edwards  
Jan*







0010/0010

# WELLS SUPPLY CO

## Pipeline Materials

1313 E. Humer Ave  
 Santa Ana, CA 92705  
 Phone: 714-542-0711  
 FAX: 714-542-4570

2560 Northbend St.  
 Riverside, CA 92501  
 Phone: 951-683-3820  
 FAX: 951-683-3822

CASH CUSTOMER RIVERSIDE

SALES ORDER 130680  
 CUST ORDER NO  
 ORDERED BY JIM MASCO

SHIP TO: HURUPA FOOD CONTROL  
 HURUPA, CA

CK # 1025  
 2-7-09

SOLE BY: RIVERSIDE HOUSING TANKENBYZKE  
 DISTRICT

ORDER DATE: 2-7-09  
 ORDER QTY: 1009  
 ORDER PRICE: 10.09  
 ORDER AMOUNT: 1009.09

ITEM	DESCRIPTION	QTY	UNIT	PRICE	AMOUNT
001	SDR 304	1009	FT <td>10.09</td> <td>1009.09</td>	10.09	1009.09
	Less Freight				
	Less Taxes				
	Order Total				1009.09

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WELLS SUPPLY COMPANY  
 1313 E. HUMER AVE  
 SANTA ANA, CA 92705  
 PHONE: 714-542-0711  
 FAX: 714-542-4570

WELLS SUPPLY COMPANY  
 2560 NORTHBEND ST.  
 RIVERSIDE, CA 92501  
 PHONE: 951-683-3820  
 FAX: 951-683-3822

RECEIVED FAX : Nov 03 2010 10:27AM  
 Fax Station : RCF(8MCD)  
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