

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



FROM: Supervisor Jeff Stone

SUBMITTAL DATE: May 1, 2012

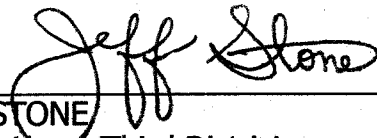
SUBJECT: Resolution No. 2012-129
Resolution of the Board of Supervisors of the County of Riverside Creating a Murrieta Creek Joint Powers Authority

RECOMMENDED MOTION:

That the Board of Supervisors join me in approving the attached resolution to move forward for the creation of a joint powers authority.

BACKGROUND:

In January of 1993 the Cities of Murrieta and Temecula experienced a national flooding disaster as a result of the Murrieta Creek overtopping its banks. The next flood will likely be even more devastating. For decades Riverside County Flood Control and Water Conservation District has been diligently working with United State Arm Corp of Engineers to design and ultimately fund the improvements to the Murrieta Creek. With the lack of sufficient federal funding the design and construction of this necessary infrastructure has resulted in continuing risk to the public and their property. Taxpayers have contributed more than \$30 million to Riverside County Flood Control & Water Conservation District to pay for the eventual improvements of Murrieta Creek. We have received authorization from Congress on the overall project and stated that the Federal government would be responsible for funding 65%. Our local members of Congress have yet to be successful in obtaining the appropriations of these Federal monies to complete construction of Phases 2, 3 and 4.




JEFF STONE
Supervisor - Third District

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter is approved as recommended with the inclusion of the City of Wildomar.

Ayes: Buster, Tavaglione, Stone and Benoit
Nays: None
Absent: Ashley
Date: May 8, 2012
xc: Supvr. Stone, Flood, Co.Co., COB

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

REVISED

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3 RESOLUTION NO. 2012-129

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

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

- 1
- That the Joint Powers agree that moving ahead with the project design and construction, as quickly as possible, is the best way to ensure the safety of local citizens and their properties. This action will reduce the risks of morbidity and mortality associated with a catastrophic flooding event, as well as create many jobs for local residents seeking employment.
- 2
- That the funds held by the Flood Control District for the Project (currently estimated to be over \$30 million), be used to design and construct as much of the project as possible.
- 3
- That the Joint Powers act together to secure any other sources of funding needed to complete the project.
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8 BE IT FURTHER RESOLVED AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on May 8, 2012 as follows:

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

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12 ROLL CALL:

13 Ayes: Buster, Tavaglione, Stone, and Benoit
14 Nays: None
Absent: Ashley

15 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

16 KECIA HARPER-IHEM, Clerk of said Board

17 By: _____
18 Deputy

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City of Temecula

41000 Main Street ■ Temecula, CA 92590 ■ Mailing Address: P.O. Box 9033 ■ Temecula, CA 92589-9033
(951) 694-6416 ■ Fax (951) 694-6499 ■ www.cityoftemecula.org

May 7, 2012

Board of Supervisors
County of Riverside
County Administration Center
4080 Lemon Street
Riverside, CA 92501

Dear Board of Supervisors:

The City of Temecula supports Supervisor Stone's efforts to form a Joint Powers Authority for the purpose of furthering the implementation of improvements to Murrieta Creek that will provide enhanced flood protection to public and private properties in the cities of Temecula and Murrieta.

The Cities and the Riverside County Flood Control and Water Conservation District (RCFC) entered into a Cooperative Agreement in 2004 that defines each agency's responsibility to fund a portion of the 35% "Local Share" of the overall project. The Federal government, under the auspices of the Army Corp of Engineers (Corps), is responsible for funding 65% of the overall project cost, the "Federal Share."

Despite extensive project advocacy efforts by RCFC representatives, City officials and professional lobbyists, the project has only received a small fraction of the necessary Federal funding by way of Congressional "earmarks", which are no longer supported by the current administration. Recent changes to the Federal budgeting process afforded the Corps additional discretion in programming Corps budget appropriations. However, despite being advised by local Corps representatives that a re-engineered project scope resulting in a more favorable Benefit/Cost ratio (B/C ratio) would "compete better" for funding, no Federal funding was allocated toward the project.

The formation of a JPA will provide for a locally controlled project, with direct input and participation from the municipalities that would be impacted by future flooding events, rather than relying on a Federal agency. We urge you

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Riverside County Board of Supervisors
May 7, 2012
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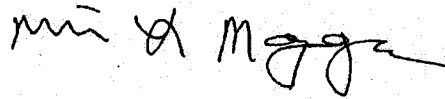
to approve Supervisor Stone's Resolution to commence the formation of a Murrieta Creek Joint Powers Authority. The City of Temecula will be considering a similar resolution at our May 22, 2012 City Council meeting.

Sincerely,

Murrieta/Temecula Committee Members



Chuck Washington
Mayor



Mike Naggar
Mayor Pro-Tem

cc: Temecula City Council
Bob Johnson, City Manager
Greg Butler, Director of Public Works/City Engineer

**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: E. A. GOVAN

Address: 27068 JARVIS ST
(only if follow-up mail response requested)

City: P **Zip:** 92576

Phone #: 657 9319

Date: 8TH MAY 2012 **Agenda #** 3.1

PLEASE STATE YOUR POSITION BELOW:

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

Support **Oppose** **Neutral**

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: _____