

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



ITEM  
11.1  
(ID # 3348)

**MEETING DATE:**

Tuesday, February 7, 2017

**FROM :** FLOOD CONTROL DISTRICT:

**SUBJECT:** FLOOD CONTROL DISTRICT: Approve Amendment No. 1 to Cost Share Agreement for the Water Resources Development Act 2000 Section 214; 10 years (\$200,000 for FY 16/17 to FY 25/26); [Total \$2,000,000]; All District, District Funds 80%

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve Amendment No. 1 to Cost Share Agreement (Agreement) between the District and the County of Riverside (County); and
2. Authorize the Chairman to execute the Agreement documents on behalf of the District.

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Washington and Ashley  
Nays: None  
Absent: Tavaglione  
Date: February 7, 2017  
xc: Flood

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

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

**BACKGROUND:**

**Summary**

On July 3, 2012 (Agenda Item No. 11.1), the Board of Supervisors approved the Agreement between the District and County which sets forth the District will make initial and subsequent deposits to the Army Corps of Engineers (Corps), pursuant to the terms of the Memorandum of Agreement, and the County will reimburse the District for their initial deposits and actual share costs thereafter.

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 200,000	\$ 200,000	\$ 2,000,000	\$ 0
<b>NET DISTRICT COST</b>	\$ 160,000	\$ 160,000	\$ 1,600,000	\$ 0
<b>SOURCE OF FUNDS:</b> 25110 – 25170 947400-947520 536200 Contribution to Non-County Agency – Zones 1 - 7			<b>Budget Adjustment:</b> No	
			<b>For Fiscal Year:</b> 16/17 – 25/26	

**C.E.O. RECOMMENDATION:** [CEO use]

**BACKGROUND:**

**Summary (continued)**

Amendment No. 1 extends the term of the Agreement to September 30, 2026 to allow for the continued evaluation of Section 404 permits for District and County related projects.

County Counsel has approved the Amendment as to its legal form and the County has executed the Amendment. A companion item appears on the Riverside County Transportation Department's Board agenda this same date.

**Impact on Residents and Businesses**

This project is funded by ad valorem property tax revenue and entails no new fees, taxes or bonded indebtedness to residents and businesses. Execution of the agreement imposes no additional impacts to residents and businesses.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

Pursuant to this amendment and the MOA, the District will provide a maximum contribution of two million dollars (\$2,000,000) to the Corps over a ten year period for the continued evaluation of Section 404 permits. The District and County agree to cost share on an 80%-20% basis of the project's actual cost.

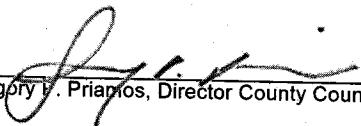
Sufficient funds are available in the District's budget for FY 2016-2017 and will be included in the District's proposed budgets for FY 2017-2018 through FY 2025-2026.

**ATTACHMENT:**

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

1. Amendment No. 1 to Cost Share Agreement

AMR:bad  
P8/209330

  
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Gregory V. Priamos, Director County Counsel 1/11/2017

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AMENDMENT NO. 1  
to  
COST SHARE AGREEMENT

Water Resources Development Act of 2000  
Section 214 Memorandum of Agreement

The Riverside County Flood Control and Water Conservation District, a body politic ("DISTRICT"), and the County of Riverside, a political subdivision of the State of California ("COUNTY"), hereby agree as follows:

RECITALS

A. On July 3, 2012 [DISTRICT'S Board Agenda Item No. 11.1], DISTRICT and COUNTY entered into that certain Cost Share Agreement ("AGREEMENT") which sets forth the terms and conditions under which DISTRICT will make initial deposits to the Army Corps of Engineers, Los Angeles District on behalf of DISTRICT and COUNTY to expedite the evaluation of Section 404 permits of the Clean Water Act for DISTRICT and COUNTY designated priority projects; and

B. Pursuant to said AGREEMENT, the COUNTY will reimburse DISTRICT for their initial deposit and actual share of the costs thereafter; and

C. To better facilitate funding for identified mutual goals and projects, DISTRICT and COUNTY desire to extend the duration of AGREEMENT to September 30, 2026.

NOW, therefore, in consideration of the preceding recitals and the mutual covenants hereinafter contained, the parties hereto mutually agree to amend AGREEMENT as follows:

1. Paragraph K in the RECITALS of AGREEMENT is amended to read:  
"DISTRICT has included the sum of two hundred thousand dollars (\$200,000) in its Fiscal Year 2016-2017 budget"; and

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2. Section III.1 is amended to read:

"The term of this Agreement shall start on January 1, 2017 and end September 30, 2026"; and

3. Section III.7 is deleted in its entirety; and

4. Except to the extent specifically deleted, added to or amended herein, all of the terms, covenants and conditions of said AGREEMENT executed on July 3, 2012 shall remain in full force and effect between the parties hereto.

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IN WITNESS WHEREOF, the parties hereto have executed this Amendment on

FEB 07 2017  
(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

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

By J. Uhley  
JASON E. UHLEY  
General Manager-Chief Engineer

By Marion Ashley  
MARION ASHLEY, Chairman  
Riverside County Flood Control and Water  
Conservation District Board of Supervisors

APPROVED AS TO FORM:

ATTEST:

GREGORY P. PRIAMOS  
County Counsel

KECIA HARPER-IHEM  
Clerk of the Board

By Neal Kipnis  
NEAL KIPNIS  
Deputy County Counsel

By Kecia Harper-Ihem  
Deputy


(SEAL)

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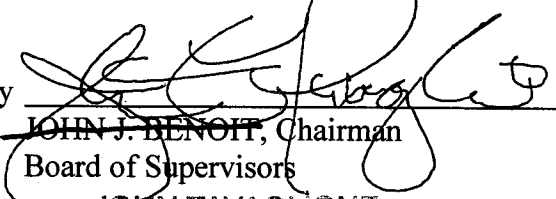
Amendment No. 1 to Cost Share Agreement: County of Riverside  
Water Resources Development Act of 2000 Section 214 Memorandum of Agreement  
11/30/2016  
AMR:bad

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RECOMMENDED FOR APPROVAL:

By   
PATRICIA ROMO  
Director of Transportation

COUNTY OF RIVERSIDE


By   
~~JOHN J. BENOIT, Chairman~~  
Board of Supervisors  
JOHN TAVAGLIONE

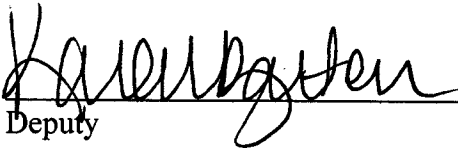
APPROVED AS TO FORM:

GREGORY P. PRIAMOS  
County Counsel

ATTEST:

KECIA HARPER-IHEM  
Clerk of the Board

By   
SYNTHIA M. GUNZEL  
Supervising Deputy County Counsel

By   
Deputy

(SEAL)

Amendment No. 1 to Cost Share Agreement: County of Riverside  
Water Resources Development Act of 2000 Section 214 Memorandum of Agreement  
11/30/2016  
AMR:bad