

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



11.3
(MT 10748)

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried, IT WAS ORDERED that the recommendation from the Flood Control District regarding the Adoption of Resolution No. F2019-21, Notice of Intent to Summarily Vacate and Relinquish District Right of Way within the Santa Ana River and Declare the Right of Way as surplus is deleted.

Roll Call:

Ayes: Jeffries, Spiegel, Perez and Hewitt
Nays: None
Absent: Washington

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on September 10, 2019 of Supervisors Minutes.

(seal) WITNESS my hand and the seal of the Board of Supervisors
Dated: September 10, 2019
Kecia R. Harper, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By: *Kecia R. Harper* Deputy

AGENDA NO.
11.3

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



ITEM
11.3
(ID # 10748)

MEETING DATE:

Tuesday, September 10, 2019

FROM : FLOOD CONTROL DISTRICT:

SUBJECT: FLOOD CONTROL DISTRICT: Adopt Resolution No. F2019-21, Notice of Intent to Summarily Vacate and Relinquish District Right of Way Within the Santa Ana River and Declare the Right of Way as Surplus, in the County of San Bernardino, RCFC Parcels 1010-5 and 1010-6, Santa Ana River, Project 1-0-00010, District 2. [\$0] (Clerk to Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. F2019-21, Notice of Intent to Summarily Vacate and Relinquish District Right of Way Within the Santa Ana River and Declare the Right of Way as Surplus, in the County of San Bernardino, RCFC Parcel 1010-5 and 1010-6, Santa Ana River, Project No. 1-0-00010; and
2. Direct the Clerk of the Board to give notice pursuant to Section 6061 of the Government Code.

ACTION:Policy, Clerk to Advertise

MINUTES OF THE BOARD OF SUPERVISORS

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: 19/20	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Riverside County Flood Control and Water Conservation District ("District") was granted appurtenant interests for the construction and maintenance of the Santa Ana River and levee located just beyond the county limits in San Bernardino County ("SBC") from William M. Kirkpatrick and Emma Mae Kirkpatrick per Grant Deed recorded in Book 3980, Page 50 on July 7, 1956, records of San Bernardino County, California. The rights granted therein included the temporary right to construct and borrow material, and a permanent right to operate, maintain and flood said property. The property is located within that certain property identified as Assessor's Parcel Number 0260-131-15 and referenced as RCFC Parcels 1010-5 and 1010-6 ("ROW").

The property owner ("Applicant") has requested that the District vacate its easement rights in the ROW. A floodplain study dated August 21, 2019 was prepared by JLC Engineering on behalf of the property owner. The report has been reviewed by the District and it has been determined that the proposed ROW relinquishment does not adversely impact the floodplain.

The District recommends that the right of way easements located within RCFC Parcels 1010-5 1010-6, as dedicated in Book 3980 Page 50 on July 7, 1956, also shown on Record of Survey, Book 29, Pages 36 through 47, inclusive, records of San Bernardino County, State of California, be declared surplus to the District's needs pursuant to California Code – Appendix, Chapter 48, Section 48-9, Paragraph 5, and Section 48-13, as the easement rights are no longer necessary for District's use and purpose. The adoption of Resolution No. F2019-21 will prompt the District's notice of intention to summarily vacate and relinquish the District Right of way along the Santa Ana River located within RCFC Parcels 1010-5 and 1010-6.

Resolution No. F2019-21 has been approved as to form by County Counsel.

All associated costs with this action shall be borne by the Applicant.

Impact on Residents and Businesses

No impact.

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ATTACHMENTS:

1. Resolution No. F2019-21
2. Regional Map of the subject area
3. Right of way Map for RCFC Parcels 1010-5 and 1010-6
4. Grant Deed recorded in Book 3980, Page 50 on July 7, 1956

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AU:rlp



Jason Farin, Senior Management Analyst

9/4/2019



Gregory V. Priaplos, Director County Counsel

8/29/2019