

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



ITEM: 11.1  
(ID # 24220)

**MEETING DATE:**

Tuesday, March 19, 2024

**FROM :** FLOOD CONTROL DISTRICT:

**SUBJECT:** FLOOD CONTROL DISTRICT: Approval of the First Amendment to Cooperative Agreement Between the Riverside County Flood Control and Water Conservation District and the County of Riverside, on Behalf of its Transportation Department, for Woodcrest-Rinehart Acres Drainage Plan Improvements, Project No. 2-0-00406, CEQA Exempt per CEQA Guidelines Section 15061(b)(3), Districts 1 and 2. [\$0] (Companion MT Item No. 24397)

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

1. Find that execution of the First Amendment to Cooperative Agreement ("First Amendment") is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3), the "Common Sense" exemption;
2. Approve the First Amendment between the Riverside County Flood Control and Water Conservation District ("District") and the County of Riverside ("County");
3. Authorize the Chair of the District's Board of Supervisors to execute the First Amendment on behalf of the District;
4. Authorize the District's General Manager-Chief Engineer to approve, sign and execute any future non-substantive amendments for the project that do not increase the cost to the District and do not materially change the scope of services, subject to approval as to form by County Counsel; and
5. Direct the Clerk of the Board to return one executed First Amendment to the District and one executed First Amendment to the County.

**ACTION:**Policy

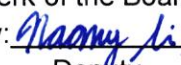
  
Claudia Padres, ASST CHIEF FLOOD CONTROL ENG 3/6/2024

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

Ayes: Jeffries, Spiegel, Washington and Gutierrez  
Nays: None  
Absent: Perez  
Date: March 19, 2024  
xc: Flood, Trans.

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

(Companion Item 3.19)

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD  
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<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>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment: No</b>	
			<b>For Fiscal Year: N/A</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

On August 29, 2023 (Agenda Item No 11.3), the District's Board of Supervisors approved the Cooperative Agreement between the District and the County that set forth the terms and conditions by which the District and County will share responsibility for planning, designing, constructing, and maintaining roadway improvements and certain flood control facilities within the Woodcrest-Rinehart Acres subdivision.

This First Amendment adds certain road improvements located along Mariposa Avenue (south of centerline), Granite Avenue, Boulder Avenue and Dallas Avenue. Road improvements for each road will be located between Taft Street and Wood Road and will be part of the County's maintenance responsibilities.

County Counsel has approved the First Amendment as to legal form. A companion item appears on the Riverside County Transportation Department's Agenda this same date.

**Environmental Findings**

Execution of the First Amendment is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) (Common Sense Exemption), where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This First Amendment would not authorize any development, construction, maintenance, operation, or any other activity that would have the potential to result in any significant effect on the environment.

**Impact on Residents and Businesses**

The District's financial contribution toward the project is funded by ad valorem property tax revenue and entails no new fees, taxes or bonded indebtedness to residents and businesses.

**Additional Fiscal Information**

The District will ensure sufficient funding is secured for the project prior to construction contract award by the Board of Supervisors. Future operation and maintenance costs associated with the mainline storm drain system will accrue to the District.

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**ATTACHMENTS:**

1. Vicinity Map
2. First Amendment to Cooperative Agreement
3. Maintenance Exhibit

AGR:blm  
P8/255077

  
\_\_\_\_\_  
Jason Farin, Principal Management Analyst      3/12/2024

  
\_\_\_\_\_  
Aaron Gettis      3/8/2024

FIRST AMENDMENT TO COOPERATIVE AGREEMENT  
Woodcrest-Rinehart Acres Drainage Plan Improvements  
 Project No. 2-0-00406

This First Amendment to Cooperative Agreement ("First Amendment"), dated March 19, 2024, is entered into by and between the Riverside County Flood Control and Water Conservation District, a body corporate and politic, ("DISTRICT") and the County of Riverside, a political subdivision of the State of California ("COUNTY") on behalf of its Transportation Department. DISTRICT and COUNTY are individually referred to herein as "Party" and collectively referred to herein as "Parties". The Parties hereto agree as follows:

RECITALS

A. DISTRICT and COUNTY have entered into that certain Cooperative Agreement dated August 29, 2023 [DISTRICT's Board Agenda Item No. 11.3], hereinafter called "Original Agreement", to design and construct the Woodcrest-Rinehart Acres Drainage Plan Improvements Project ("Project"), to convey flows from the streets of Mariposa Avenue, Granite Avenue, Boulder Avenue, Dallas Avenue, Obsidian Drive, and Wood Road to their natural outlet southeast of the intersection of Wood Road and Dallas Avenue. Certain street improvements are necessary to collect and deliver runoff to the proposed storm drain inlets along the Project alignment.

B. Subsequent to the execution of Original Agreement, the Parties hereto wish to amend Original Agreement to add language to clarify the street improvements involved with PROJECT.

C. Original Agreement, together with the First Amendment, are collectively referred to herein as "AGREEMENT".

D. Section III.14 of Original Agreement specifies that any alternation or variation of terms are subject to the written consent of Parties thereto.

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. RECITAL E through RECITAL H of AGREEMENT are hereby re-lettered as RECITALS F through I of AGREEMENT.

2. The following is hereby inserted as RECITAL E of AGREEMENT:

"COUNTY desires DISTRICT to include as a part of its construction contract, certain road improvements located along Mariposa Avenue, south of centerline, Granite Avenue, Boulder Avenue and Dallas Avenue. Road improvements for each road will be located between Taft Street and Wood Road, which are along and near the alignment of DISTRICT FACILITIES and COUNTY APPURTENANCES, as shown in concept on Exhibit "B", attached hereto and made a part hereof. These road improvements, include, but are not limited to regrading to meet design profiles, paving, placement of dikes, installation of signs, and placement of stripes, etc. ("COUNTY BETTERMENTS"). The scope of COUNTY BETTERMENTS shall be determined and mutually agreed upon by DISTRICT and COUNTY prior to advertising project. COUNTY APPURTENANCES and COUNTY BETTERMENTS are called "COUNTY FACILITIES."

3. RECITAL F of AGREEMENT is hereby amended to read:

"DISTRICT FACILITIES and COUNTY FACILITIES are hereinafter altogether called "PROJECT"; and"

Following RECITAL E, all references to COUNTY APPURTENANCES, throughout the Agreement shall read as COUNTY FACILITIES.

4. The following is hereby added to Section III.2 of AGREEMENT:

"COUNTY BETTERMENTS shall, at all times, remain sole ownership and exclusive responsibility of COUNTY. Nothing herein shall be construed as creating any obligation or responsibility on the part of DISTRICT to operate or maintain COUNTY BETTERMENTS."

5. Sections III.3 through III.17 of AGREEMENT are re-numbered as III.4 through III.18 of AGREEMENT.

6. Except to the extent specifically deleted, added to or amended herein, all of the terms, covenants and conditions of said Original Agreement executed on August 29, 2023 shall remain in full force and effect between Parties hereto.

7. This First Amendment shall not be binding or consummated until its approval by DISTRICT's Board of Supervisors and fully executed by Parties.

9. This First Amendment may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument.

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IN WITNESS WHEREOF, Parties hereto have executed this First Amendment on

3/19/2024

(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

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

By J. Uhley  
JASON UHLEY  
General Manager-Chief Engineer

By Karen S. Spiegel  
KAREN SPIEGEL, Chair  
Riverside County Flood Control and Water  
Conservation District Board of Supervisors

APPROVED AS TO FORM:

ATTEST:

MINH C. TRAN  
County Counsel

KIMBERLY RECTOR  
Clerk of the Board

By Ryan Yabko  
RYAN YABKO  
County Counsel

By Nancy Li  
Deputy

(SEAL)

First Amendment to Cooperative Agreement  
Woodcrest-Rinehart Acres Drainage Plan Improvements  
Project No. 2-0-00406  
1/11/24  
AGR:blm

MAR 19 2024

3.19/11.1

RECOMMENDED FOR APPROVAL:

COUNTY OF RIVERSIDE

By   
PATRICIA ROMO  
Interim Director of Transportation

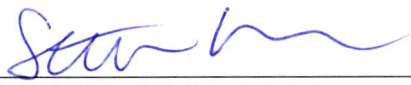
By   
CHUCK WASHINGTON, Chair  
Board of Supervisors


APPROVED AS TO FORM:

ATTEST:

MINH C. TRAN  
County Counsel

KIMBERLY RECTOR  
Clerk of the Board

By   
STEPHANIE K. NELSON  
Deputy County Counsel

By   
Deputy

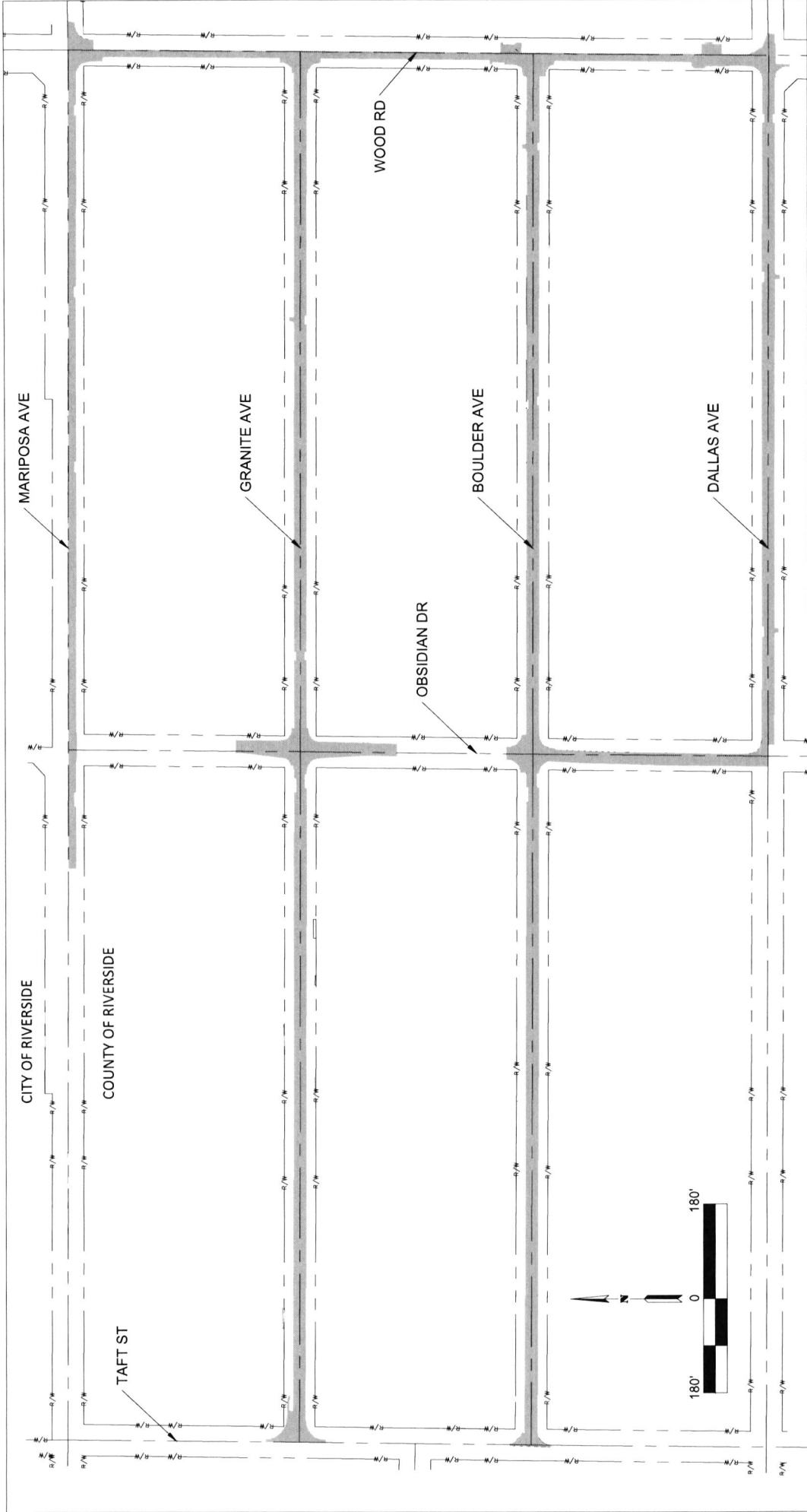
(SEAL)

First Amendment to Cooperative Agreement  
Woodcrest-Rinehart Acres Drainage Plan Improvements  
Project No. 2-0-00406  
1/11/24  
AGR:blm

MAR 19 2024

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COUNTY OF RIVERSIDE (TRANSPORTATION DEPARTMENT)

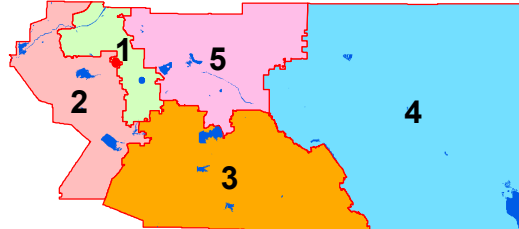
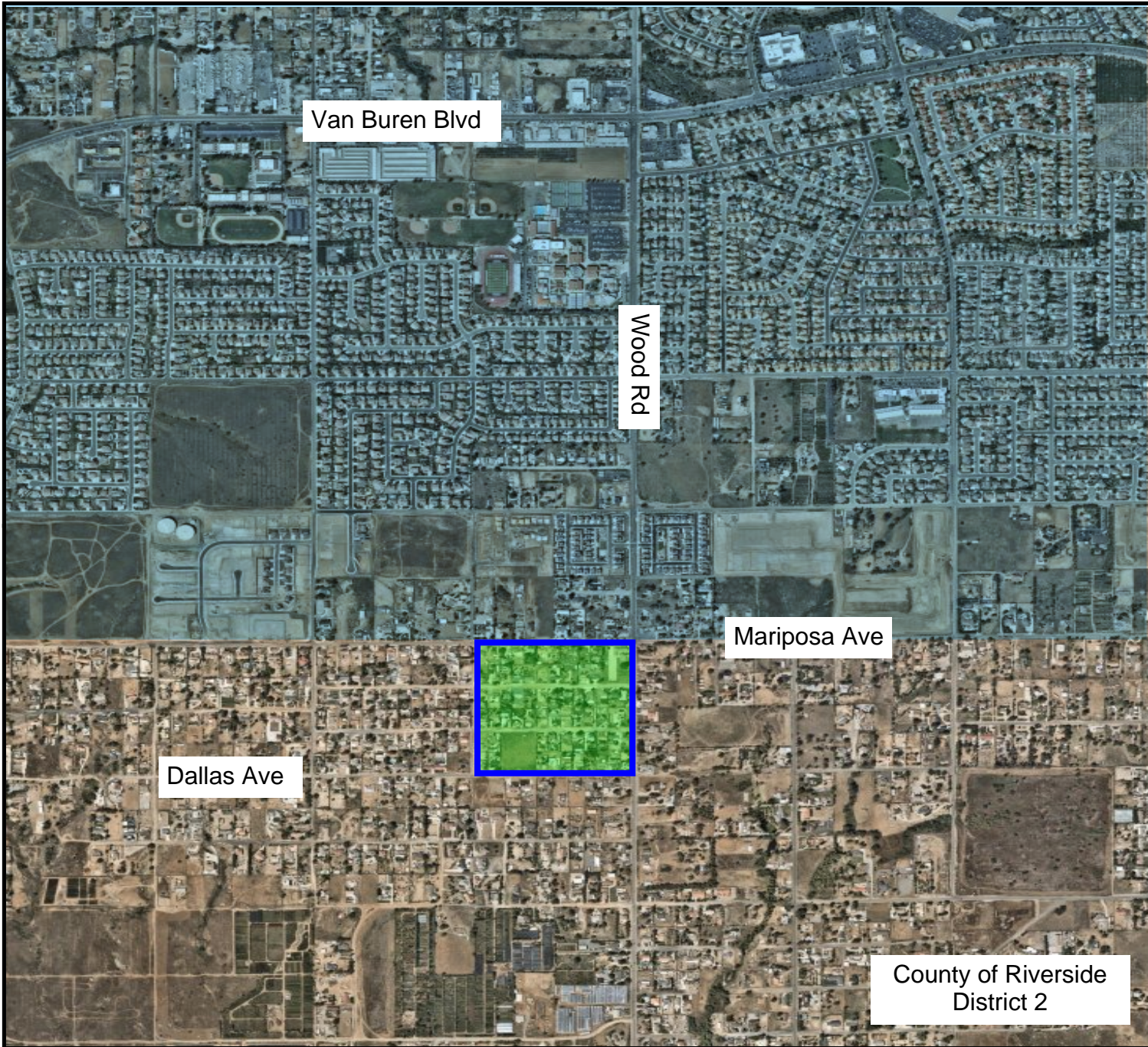
**EXHIBIT B**

WOODCREST-RINEHART ACRES DRAINAGE PLAN IMPROVEMENTS  
COOPERATIVE AGREEMENT




**LEGEND**

LIMITS OF STREET IMPROVEMENTS TO BE MAINTAINED BY  
RIVERSIDE COUNTY TRANSPORTATION DEPARTMENT.  
REFER TO WOODCREST-RINEHART STREET IMPROVEMENT  
PLANS FOR ADDITIONAL DETAILS.

PROJECT NO. 2-0-00406  
DATE: 12/04/2023  
ENGINEER: S.CHEONG



**Legend**

-  Project Vicinity
-  Operational District
-  City of Riverside

**Description**

Woodcrest - Rinehart Acres  
 Drainage Plan Improvements  
 Project No. 2-0-00406



# VICINITY MAP

