

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



ITEM: 14.2
(ID # 27174)

MEETING DATE:
Tuesday, March 18, 2025

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 City of Hemet, Project No. 4-0-00870, CEQA Exempt Pursuant to CEQA Guidelines Section 15061(b)(3), Districts 3 and 5. [\$153,046 (Amendment) Cost – District Zone 4 Funding 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the First Amendment to Cooperative Agreement ("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 Amendment between the Riverside County Flood Control and Water Conservation District ("District") and City of Hemet ("City");
3. Authorize the Chair of the District's Board of Supervisors ("Board") to execute the Amendment documents on behalf of the District;
4. Authorize the District's General Manager-Chief Engineer or designee to take all necessary steps to implement the Amendment, including, but not limited to, negotiating, approving and executing any non-substantive amendments, subject to approval as to form by County Counsel; and
5. Direct the Clerk of the Board to return two (2) fully executed original Amendment documents to the District.

ACTION:Policy

Jason Uhley, GENERAL MGR-CHIEF FLD CNTRL ENG

3/4/2025

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Medina, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: March 18, 2025
xc: Flood

Kimberly A. Rector
Clerk of the Board

By:
Deputy

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD
OF SUPERVISORS
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| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost |
|---|-----------------------------|--------------------------|-------------------------------|---------------------|
| COST | \$0 | \$153,046 | \$153,046 | \$0 |
| NET COUNTY COST | \$0 | \$0 | \$0 | \$0 |
| SOURCE OF FUNDS: 25140-947460-536200 – Zone 4 Contribution to Non-County Agency | | | Budget Adjustment: No | |
| | | | For Fiscal Year: 25/26 | |

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On November 26, 2013 [Agenda Item No. 11.2], the District's Board approved a Cooperative Agreement by which the District will contribute up to One Hundred Thirteen Thousand Seven Hundred Ninety-Three Dollars (\$113,793) to the City to cooperatively fund the engineering and environmental studies necessary to produce a new master drainage plan of the West Hemet Master Drainage Plan ("Plan").

The City is requesting an increase to the District's contribution to cover additional engineering costs and fifty percent (50%) of environmental costs of the Plan. The Plan will identify existing flooding problems and the drainage infrastructure necessary to support anticipated future development within an area that is generally bounded by Warren Road on the east, Domenigoni Parkway to the south, Highway 79 to the west and West Esplanade Avenue to the north. Approximately sixty percent (60%) of the Plan is located in the city and/or city sphere of influence (Zone A); the remaining portion of the Plan is located within unincorporated Riverside County (Zone B).

The Amendment is necessary to increase the District's financial contribution from the original amount of One Hundred Thirteen Thousand Seven Hundred Ninety-Three Dollars (\$113,793) to Two Hundred Sixty-Six Thousand Eight Hundred Thirty-Nine Dollars (\$266,839).

County Counsel has approved the Amendment as to legal form, and the City has executed the Amendment on its February 11, 2025, meeting agenda. The City's executed Agreement is forthcoming.

Environmental Findings

Pursuant to CEQA, the Plan was reviewed and determined to be categorically exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), the General Rule exemption. The CEQA Guidelines provide this exemption based on the general rule that CEQA only applies to projects with the potential to cause a significant effect on the environment. With certainty, there is no possibility that the Plan will have a significant effect on the environment as the Plan is merely an amendment between public agencies to provide additional funding for the studies necessary to produce the Plan.

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Impact on Residents and Businesses

The District's financial contribution toward the Plan is funded by ad valorem property tax revenue and entails no new fees, taxes nor bonded indebtedness to residents and businesses.

Additional Fiscal Information

In the Cooperative Agreement approved by the District's Board in 2013, the District was to contribute up to One Hundred Thirteen Thousand Seven Hundred Ninety-Three Dollars (\$113,793) to the City for the engineering and environmental studies of the Plan. This Amendment increases the District's contribution from One Hundred Thirteen Thousand Seven Hundred Ninety-Three Dollars (\$113,793) to Two Hundred Sixty-Six Thousand Eight Hundred Thirty-Nine Dollars (\$266,839) to cover its financial contribution to the Plan as additional meetings and studies are needed for the Plan design.

The original contract amount for the Cooperative Agreement and the costs of the Amendment are summarized below:

Funding Summary

Consultant Contract Cost

| | | |
|--|----|---------|
| Original Total Consultant Contract Cost | \$ | 421,847 |
| New Total Consultant Contract Cost | \$ | 598,321 |
| Difference Between Cooperative Agreement and Amendment | \$ | 176,474 |

District's Contribution Toward MDP Plan Preparation Cost

| | | |
|--|----|---------|
| Original Total Preparation Cost | \$ | 113,793 |
| New Total Preparation Cost | \$ | 266,839 |
| Difference between Cooperative Agreement and Amendment | \$ | 153,046 |

ATTACHMENTS:

1. Vicinity Map
2. First Amendment to Cooperative Agreement

MER:blj
P8/260917


Douglas Ordóñez Jr. 3/5/2025


Aaron Gettis, Chief of Deputy County Counsel 3/4/2025

FIRST AMENDMENT TO COOPERATIVE AGREEMENT

West Hemet Master Drainage Plan

Project No. 4-0-00870

This First Amendment to Cooperative Agreement ("First Amendment"), dated as of MAR 18 2025, 2025, is entered into by and between the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a body corporate and politic ("DISTRICT"), and the City of Hemet, a municipal corporation ("CITY"). DISTRICT and CITY are collectively referred to herein as "Parties" and individually as "Party". The Parties hereby agree as follows:

RECITALS

A. DISTRICT and CITY have entered into a certain Cooperative Agreement dated November 26, 2013 [DISTRICT's Board Agenda Item No. 11.2], hereinafter called ("ORIGINAL AGREEMENT"), to cooperatively fund the engineering and environmental studies necessary to produce a new master drainage plan of the West Hemet Master Drainage Plan ("PLAN"), which will identify existing flooding problems and the drainage infrastructure necessary to support anticipated future development within an area that is generally bounded by Warren Road on the east; Domenigoni Parkway to the south; Highway 79 to the west; and Esplanade Avenue to the north. Approximately sixty percent (60%) of PLAN is located in CITY and/or CITY's sphere of influence. The remaining portion of PLAN is located within unincorporated Riverside County.

B. Pursuant to ORIGINAL AGREEMENT, DISTRICT desired to contribute a total amount not to exceed One Hundred Thirteen Thousand Seven Hundred Ninety-Three Dollars (\$113,793) to CITY toward CITY's development and implementation of PLAN in an administrative, technical and financial capacity.

C. Due to rising costs since the execution of ORIGINAL AGREEMENT, DISTRICT will cover fifty percent (50%) of environmental costs and additional engineering

costs of PLAN. PLAN costs increased from an estimated One Hundred Thirteen Thousand Seven Hundred Ninety-Three Dollars (\$113,793) to Two Hundred Sixty-Six Thousand Eight Hundred Thirty-Nine Dollars (\$266,839).

D. The revised estimates of costs will exceed DISTRICT's contribution described in ORIGINAL AGREEMENT. Therefore, due to mutual interests, DISTRICT and CITY wish to increase the amount of DISTRICT's financial contribution for PLAN.

E. ORIGINAL AGREEMENT together with the First Amendment are collectively referred to herein as "AGREEMENT".

F. SECTION 5 of ORIGINAL AGREEMENT specifies that any changes to DISTRICT CONTRIBUTION is 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 ORIGINAL AGREEMENT as follows:

1. Attachment "C" to ORIGINAL AGREEMENT is hereby deleted and replaced in its entirety by Attachment "C-1", attached hereto and made a part hereof, for the provision of new scope of services. All references in ORIGINAL AGREEMENT to Attachment "C" shall be deleted and replaced by Attachment "C-1".
2. SECTION 4 of ORIGINAL AGREEMENT is hereby amended to read:
"The total fee for the work to be performed by CONSULTANT in preparation of PLAN under CONSULTANT'S CONTRACT shall not exceed a total sum of Five Hundred Ninety-Eight Thousand Three Hundred Twenty-One Dollars (\$598,321) as set forth in Exhibit "C-1", unless a written amendment to CONSULTANT'S CONTRACT is

executed by CITY and CONSULTANT prior to performance of additional services."

3. SECTION 5 of ORIGINAL AGREEMENT is hereby amended to read:

"DISTRICT'S total contribution toward preparation of PLAN, hereinafter called "DISTRICT'S CONTRIBUTION", shall not exceed total sum of Two Hundred Sixty-Six Thousand Eight Hundred Thirty-Nine Dollars (\$266,839) unless a written amendment to this Agreement is executed by both parties hereto."

4. Except to the extent specifically deleted, added to or amended herein, all of the terms, covenants and conditions of said ORIGINAL AGREEMENT executed on November 26, 2013, shall remain in full force and effect between Parties hereto.

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

6. 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. Each Party of this First Amendment agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act ("CUETA") Cal. Civ. Code §§ 1633.1 to 1633.17, for executing this First Amendment. The Parties further agree that the electronic signatures of the Parties included in this First Amendment are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to CUETA as amended from time to time. CUETA authorizes use of an electronic signature for transactions and contracts among Parties in California, including a government agency. Digital signature means an electronic identifier, created by computer,

intended by the Party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the Parties. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

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In WITNESS WHEREOF, the Parties hereto have executed this First Amendment on


MAR 18 2025

(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT,
a body politic**

By 
for JASON E. UHLEY
General Manager-Chief Engineer

By 
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
Deputy County Counsel

By 
Deputy

(SEAL)

First Amendment to Cooperative Agreement with City of Hemet
West Hemet Master Drainage Plan
Project No. 4-0-00870
01/16/25
MER:blj

RECOMMENDED FOR APPROVAL:

CITY OF HEMET

By _____
MARK PRESTWICH
City Manager

APPROVED AS TO FORM:

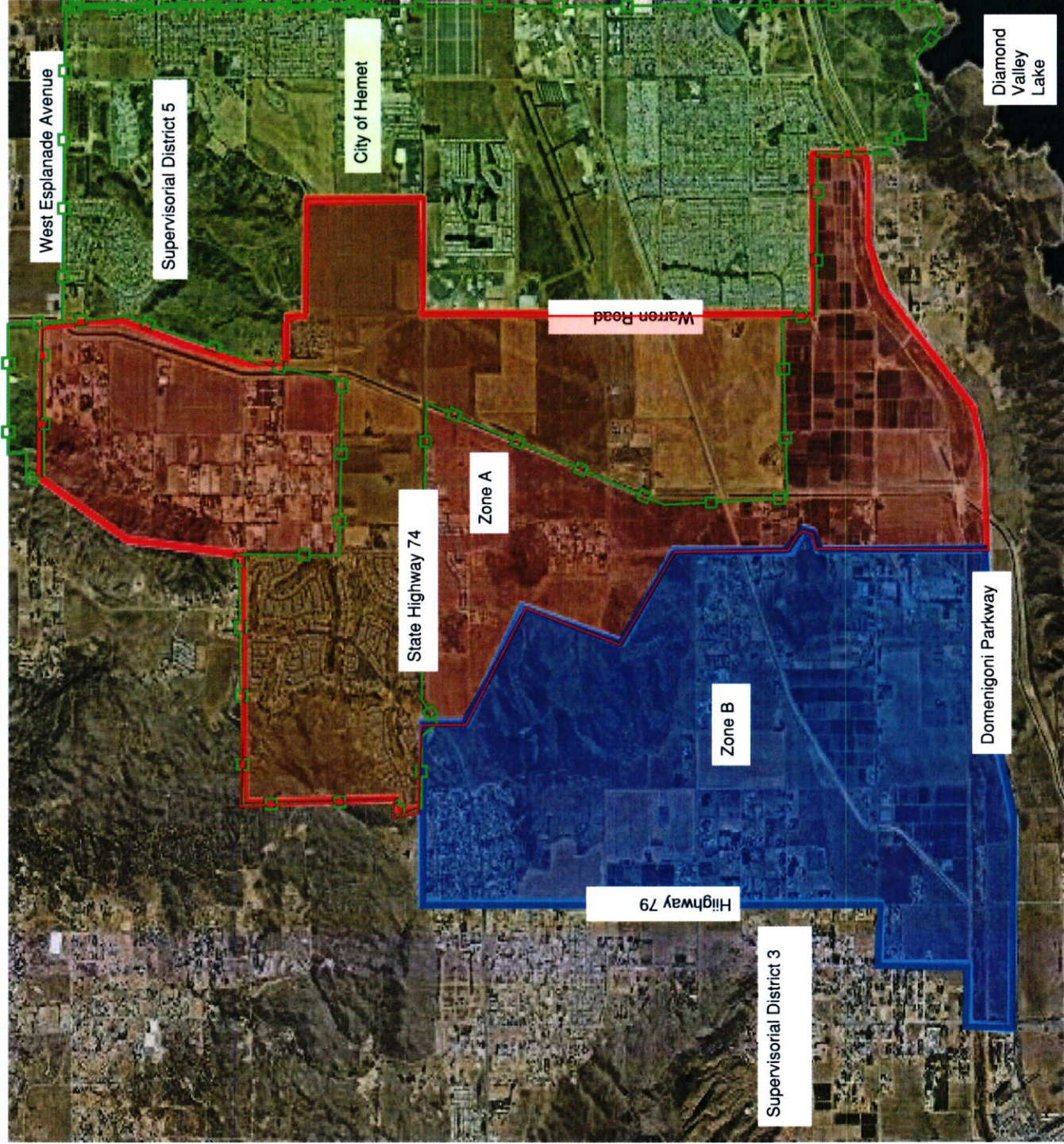
ATTEST:

By _____
STEVEN GRAHAM
City Attorney

By _____
JOHN MAIER
City Clerk

(SEAL)

First Amendment to Cooperative Agreement with City of Hemet
West Hemet Master Drainage Plan
Project No. 4-0-00870
01/16/25
MER:blj



| Legend | |
|---|---------------|
| — | Zone A |
| — | Zone B |
| — □ | City of Hemet |

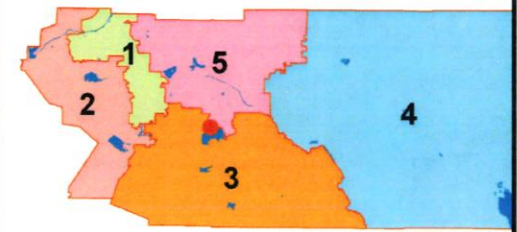
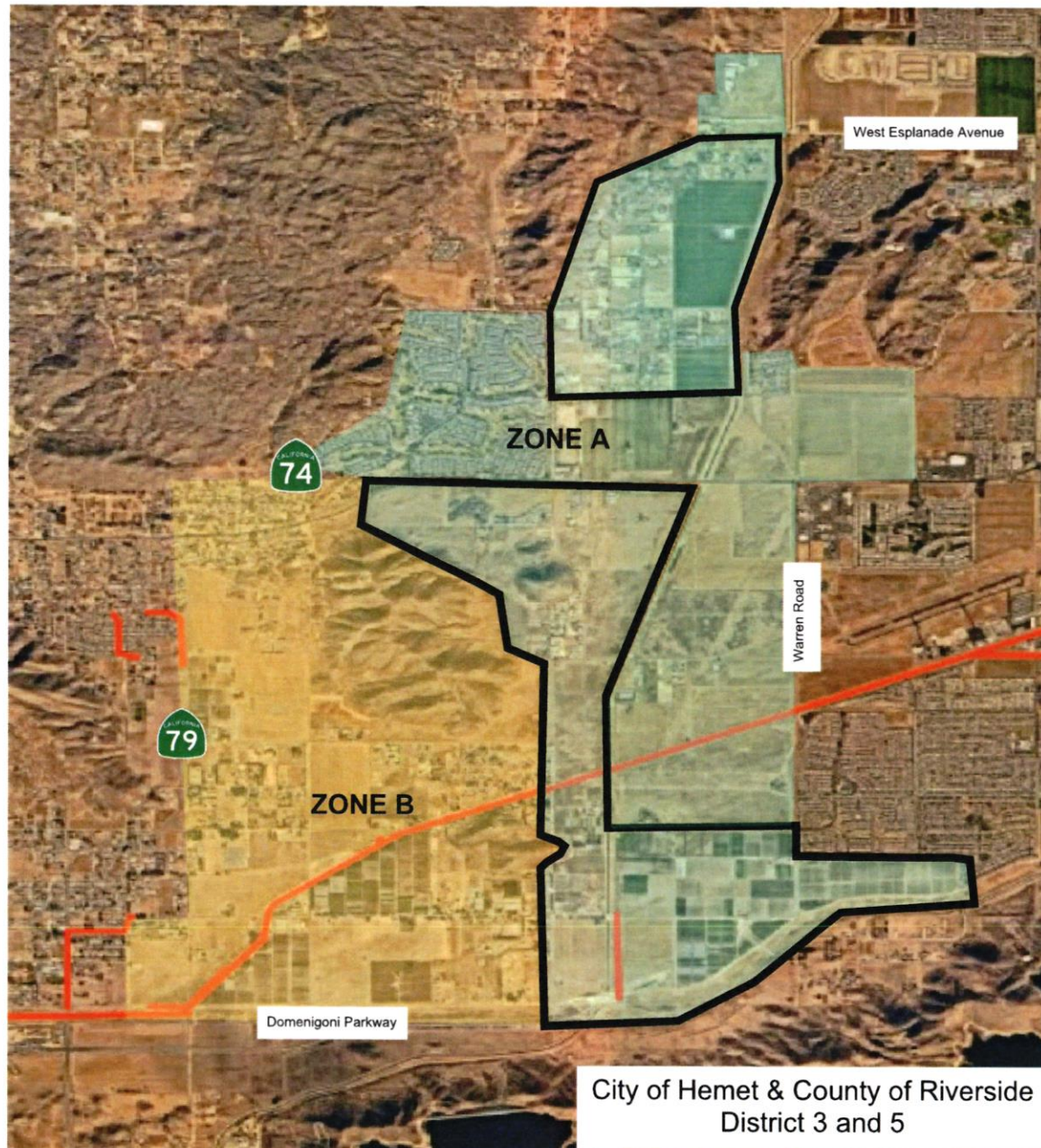
Description

Exhibit A



Exhibit C-1

| Task | Task Description | Total Fee | Total Previously Billed | City Share (ZONE A) | RCFC&WCD Share (ZONE B) | Zone A % | Zone B % | Additional Needed to Complete | City Share (ZONE A) | RCFC&WCD Share (ZONE B) | Credit Total | Credit City Share (ZONE A) | Credit RCFC&WCD Share (ZONE B) |
|---------|--|--------------|-------------------------|---------------------|-------------------------|----------|----------|-------------------------------|---------------------|-------------------------|--------------|----------------------------|--------------------------------|
| PHASE 1 | | | | | | | | | | | | | |
| 1.1 | Field Reconnaissance Map | \$ 7,972.00 | \$ 7,972.00 | \$ 7,972.00 | \$ - | 100% | 0% | \$ - | \$ - | \$ - | | | |
| 1.2 | Technical Memo- Existing Constraints | \$ 7,180.00 | \$ 7,180.00 | \$ 7,180.00 | \$ - | 100% | 0% | \$ - | \$ - | \$ - | | | |
| 1.3 | Technical Memo - Engineering Design Criteria | \$ 7,764.00 | \$ 7,764.00 | \$ 7,764.00 | \$ - | 100% | 0% | \$ 1,960.00 | \$ 1,960.00 | \$ - | | | |
| PHASE 2 | | | | | | | | | | | | | |
| 2.1 | Field Inventory Exhibit | \$ 5,119.00 | \$ 5,119.00 | \$ 2,811.00 | \$ 2,308.00 | 54.91% | 45.09% | \$ - | \$ - | \$ - | | | |
| 2.2 | Base Sheet | \$ 7,909.00 | \$ 7,909.00 | \$ 4,225.00 | \$ 3,684.00 | 53.42% | 46.58% | \$ - | \$ - | \$ - | | | |
| PHASE 3 | | | | | | | | | | | | | |
| 3.1 | Watershed boundaries & Update exhibits | \$ 16,008.00 | \$ 16,008.00 | \$ 8,224.00 | \$ 7,784.00 | 51.37% | 48.63% | \$ 9,020.00 | \$ 4,633.96 | \$ 4,386.04 | | | |
| 3.2 | Hydrology Analysis for Revised System | \$ 16,646.00 | \$ 16,646.00 | \$ 8,323.00 | \$ 8,323.00 | 50.00% | 50.00% | \$ 16,100.00 | \$ 8,050.00 | \$ 8,050.00 | | | |
| PHASE 4 | | | | | | | | | | | | | |
| 4.1 | Hydraulic Calcs & Exist. Facilities Map | \$ 7,338.00 | \$ 7,338.00 | \$ 3,743.00 | \$ 3,595.00 | 51.01% | 48.99% | \$ 1,960.00 | \$ 999.77 | \$ 960.23 | | | |
| 4.2 | Documentation of findings from Task 4.1 | \$ 10,209.00 | \$ 10,209.00 | \$ 5,227.00 | \$ 4,982.00 | 51.20% | 48.80% | \$ 1,960.00 | \$ 1,003.52 | \$ 956.48 | | | |
| 4.3 | Technical Memo - Alternative Analyses | \$ 12,947.00 | \$ 12,947.00 | \$ 6,406.00 | \$ 6,541.00 | 49.48% | 50.52% | \$ 1,960.00 | \$ 969.78 | \$ 990.22 | | | |
| 4.4 | Proposed Alternatives Exhibit | \$ 22,970.00 | \$ 22,970.00 | \$ 11,485.00 | \$ 11,485.00 | 50.00% | 50.00% | \$ 22,770.00 | \$ 11,385.00 | \$ 11,385.00 | | | |
| 4.5 | Quantity & Cost Estimate | \$ 16,226.00 | \$ 16,226.00 | \$ 8,113.00 | \$ 8,113.00 | 50.00% | 50.00% | \$ 9,330.00 | \$ 4,665.00 | \$ 4,665.00 | | | |
| 4.6 | Implementation Program and CIP Schedule (removed/credited) | \$ 20,304.00 | \$ 7,764.75 | \$ 11,931.00 | \$ 8,373.00 | 58.76% | 41.24% | \$ - | \$ - | \$ - | \$ 12,539.25 | \$ 7,368.29 | \$ 5,170.96 |
| 4.7 | Funding Study (removed/credited) | \$ 22,870.00 | \$ - | \$ 13,840.00 | \$ 9,030.00 | 60.52% | 39.48% | \$ - | \$ - | \$ - | \$ 22,870.00 | \$ 13,840.00 | \$ 9,030.00 |
| PHASE 5 | | | | | | | | | | | | | |
| 5.1 | MDP Draft Report | \$ 11,164.00 | \$ 2,791.00 | \$ 5,939.00 | \$ 5,225.00 | 53.20% | 46.80% | \$ 8,040.00 | \$ 4,277.10 | \$ 3,762.90 | | | |
| 5.2 | MDP Final Report | \$ 9,252.00 | \$ - | \$ 4,593.00 | \$ 4,659.00 | 49.64% | 50.36% | \$ 8,040.00 | \$ 3,991.32 | \$ 4,048.68 | | | |
| 5.3 | MDP Exhibits | \$ 22,564.00 | \$ 7,897.40 | \$ 13,945.00 | \$ 8,619.00 | 61.80% | 38.20% | \$ 8,520.00 | \$ 5,265.53 | \$ 3,254.47 | | | |
| 5.4 | Project Meetings and Coordination | \$ 27,680.00 | \$ 27,680.00 | \$ 16,608.00 | \$ 11,072.00 | 60.00% | 40.00% | \$ 10,920.00 | \$ 6,552.00 | \$ 4,368.00 | | | |
| PHASE 6 | | | | | | | | | | | | | |
| 6.1 | EIR Kick off Meeting | \$ 1,520.00 | \$ 1,520.00 | \$ 760.00 | \$ 760.00 | 50.00% | 50.00% | \$ 1,720.00 | \$ 860.00 | \$ 860.00 | | | |
| 6.2 | Background Research and Investigation | \$ 2,762.00 | \$ 2,762.00 | \$ 1,381.00 | \$ 1,381.00 | 50.00% | 50.00% | \$ 3,620.00 | \$ 1,810.00 | \$ 1,810.00 | | | |
| 6.3 | Prepare Expanded NOP | \$ 4,194.00 | \$ 3,859.58 | \$ 2,097.00 | \$ 2,097.00 | 50.00% | 50.00% | \$ 3,290.00 | \$ 1,645.00 | \$ 1,645.00 | | | |
| 6.4.1 | Bio Resource Assessment | \$ 8,277.00 | \$ - | \$ 4,138.50 | \$ 4,138.50 | 50.00% | 50.00% | \$ 6,410.00 | \$ 3,205.00 | \$ 3,205.00 | | | |
| 6.4.2 | Air Quality / Climate Change Assessments | \$ 12,213.00 | \$ - | \$ 6,106.50 | \$ 6,106.50 | 50.00% | 50.00% | \$ 5,010.00 | \$ 2,505.00 | \$ 2,505.00 | | | |
| 6.4.3 | Noise Analysis | \$ 8,133.00 | \$ - | \$ 4,066.50 | \$ 4,066.50 | 50.00% | 50.00% | \$ 1,840.00 | \$ 920.00 | \$ 920.00 | | | |
| 6.4.4 | Cultural Resources Assessment | \$ 7,600.00 | \$ - | \$ 3,800.00 | \$ 3,800.00 | 50.00% | 50.00% | \$ 3,460.00 | \$ 1,730.00 | \$ 1,730.00 | | | |
| 6.4.5 | | \$ - | \$ - | \$ - | \$ - | 50.00% | 50.00% | \$ 4,820.00 | \$ 2,410.00 | \$ 2,410.00 | | | |



Legend

- Supervisorial Districts
- City of Hemet Sphere of Influence
- Zone A - City of Hemet Study Area
- Zone B - County of Riverside Study Area
- Existing Facilities

Description

West Hemet Master Drainage Plan

Project No. 4-0-00870



VICINITY MAP

