



## Agenda Report

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**File #:** 18-2178

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### **AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION**

**DATE:** 10/17/2018

**TO:** Honorable Mayor and City Council Members

**FROM:** Public Works Department

**SUBJECT:**

City Council consideration to approve and authorize the City Manager to execute a Cooperative Agreement between the City of Corona and the Riverside County Flood Control and Water Conservation District, Riverside County Transportation Commission, Riverside-Corona Resource Conservation District, and Arantine Hills Holdings LP, a Delaware Limited Partnership, pertaining to the design, construction, inspection, and acceptance for the ownership, operation and maintenance of the Bedford Canyon Arantine Hills Levee Stage 1 and Bedford Canyon Wash Stage 1 storm drain facilities associated with Tract No. 36294 and 37030.

**RECOMMENDED ACTION:**

That the City Council approve and authorize the City Manager, or his designee, to execute the Cooperative Agreement between the City of Corona, the Riverside County Flood Control and Water Conservation District ("District"), Riverside County Transportation Commission ("RCTC"), Riverside-Corona Resource Conservation District ("RCRCD") and Arantine Hills Holdings LP, a Delaware Limited Partnership ("Developer") pertaining to the design, construction, inspection, and acceptance for the ownership, operation and maintenance of the Bedford Canyon Arantine Hills Levee Stage 1 and Bedford Canyon Wash Stage 1 storm drain facilities associated with Tract No. 36294 and 37030.

**ANALYSIS:**

The Developer is constructing the Bedford Canyon Wash Stage 1 and Arantine Hills Levee Stage 1 storm drain facilities in order to provide flood control protection and drainage for the development of Tract No. 36294 and 37030 in the City of Corona. The facilities consist of approximately 5,550 lineal feet of earthen riprap-lined channel, a rock-lined debris basin, maintenance access roads, and 1,080 lineal feet of concrete-lined earthen levee. The Developer has entered into Right of Entry and Inspection Agreements with the District which has allowed construction to commence on these storm drain facilities. It is the intent of the Developer and the City that the District accept ownership and responsibility for the operation and maintenance of these facilities. The Developer will further enter into a Conservation Easement Agreement with RCRCD to address the post-construction long-term

maintenance of the vegetated components of the channel. A portion of the channel conveyance is located within RCTC right-of-way, therefore they are also included as a party in the agreement to ensure appropriate access is granted to the District for inspection, operation, and maintenance of the channel.

The Cooperative Agreement stipulates the mechanism for the Developer to satisfactorily construct the Bedford Canyon Wash Stage 1 and Arantine Hills Levee Stage 1 and for the City and RCTC to convey necessary right-of-ways such that the District can inspect, operate, and maintain, and accept ownership of these facilities. Execution of this Cooperative Agreement also provides the City consent to record an Irrevocable Offer of Dedication to the public for flood control and drainage purposes which the City shall accept on behalf of the District.

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

The Developer is responsible for the costs to construct the storm drain facilities. Funding for operation and maintenance of the storm drain facilities will be provided by the District.

**ENVIRONMENTAL ANALYSIS:**

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. 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 action merely approves an agreement to provide future operation and maintenance on constructed improvements that are required in connection with a ministerial permit, and there is no possibility that approving this agreement will have a significant effect on the environment. Therefore, no environmental analysis is required.

**PREPARED BY:** MICHELE HINDERSINN, P.E., SENIOR ENGINEER

**REVIEWED BY:** TOM KOPER, P.E., ASSISTANT PUBLIC WORKS DIRECTOR

**REVIEWED BY:** NELSON D. NELSON, P.E., PUBLIC WORKS DIRECTOR

**REVIEWED BY:** KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

**REVIEWED BY:** MICHELE NISSEN, ASSISTANT CITY MANAGER

**SUBMITTED BY:** DARRELL TALBERT, CITY MANAGER