



## **CITY OF MENIFEE**

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SUBJECT: Agreements with Riverside County Flood Control and Water Conservation District and BLC Fleming LLC, for the Legado Development Storm Drain Facilities

MEETING DATE: September 6, 2023

TO: Mayor and City Council

PREPARED BY: Chet Robinson, Senior Engineer

REVIEWED BY: Nick Fidler, Public Works Director

APPROVED BY: Armando G. Villa, City Manager

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### **RECOMMENDED ACTION**

1. Approve and authorize the City Manager to execute a Cooperative Agreement with Riverside County Flood Control and Water Conservation District, and BLC Fleming LLC, for the construction, ownership, operation, and maintenance of the Encanto Storm Drain, Stages 1 and 3; Chambers Avenue Storm Drain, Stage 1; Chambers Avenue Debris Basin; Rouse Road Storm Drain, Stages 2 through 4; Sherman Road Debris Basin, Sun City Channels, Stage 3; Sherman Road Storm Drain, Stage 1, Rouse Road Debris Basin; Pennywhistle Way Storm Drain, Stage 1; and Percussion Road Storm Drain, Stage 1; and
2. Approve and authorize the City Manager to execute a Cooperative Agreement with Riverside County Flood Control and Water Conservation District and BLC Fleming LLC for the construction, ownership, operation and maintenance of the Chambers Avenue Lateral Storm Drain, Stage 1; Chambers Avenue Storm Drain, Stage 2; and Chambers Avenue Storm Drain, Stage 3; and
3. Approve and authorize the City Manager to execute a Cooperative Agreement with Riverside County Flood Control and Water Conservation District and BLC Fleming LLC for the construction, ownership, operation and maintenance of the Encanto Storm Drain, Stage 2; and Pennywhistle Way Storm Drain, Stage 2.

### **DISCUSSION**

BLC Fleming LLC, is the developer of Legado, Tracts 37408 and 37409, a residential community of 1,022 lots, neighborhood parks, a community park, and a commercial center. The Legado project is located east of Encanto Drive, south of Rouse Road, west of Antelope Road, and north

of Chambers Avenue. As part of the development's requirements, BLC Fleming is constructing flood control facilities to provide flood protection and drainage for the development.

Construction of the flood control facilities is divided into three phases (Phase A, Phase B, and Phase C) and identified by the Riverside County Flood Control and Water Conservation District (RCFC&WCD) as Lines A through H and J through K. The Phase A facilities are conditioned to be constructed prior to occupancy of the first residential lot. The Phase B facilities are conditioned to be constructed prior to occupancy of the 501st residential lot. The Phase C facilities are conditioned to be constructed prior to occupancy of the 732nd residential lot.

The lines included in the attached Cooperative Agreement for Phase A are listed below:

- Encanto Drive, Stage 1 (Line G-1) is comprised of approximately 261 lineal feet of underground storm drain system. At its downstream terminus, Line G-1 will connect to Debris Basin B2.
- Chambers Avenue, Stage 1 (Line D) is comprised of approximately 4,629 lineal feet of underground storm drain system. At its downstream terminus, Line D will connect to Debris Basin B2.
- Rouse Road, Stage 2 (Line A) is comprised of approximately 175 lineal feet of underground storm drain system. At its downstream terminus, Line A will connect to Debris Basin B2.
- Rouse Road, Stage 3 (Line A-1) is comprised of approximately 427 lineal feet of underground storm drain system. At its downstream terminus, Line A-1 will connect to Debris Basin B2.
- Rouse Road, Stage 4 (Line B) is comprised of approximately 2,355 lineal feet of underground storm drain system. At its downstream terminus, Line B will connect to Debris Basin B2.
- Sun City Channel, Stage 3 (Line C) is comprised of approximately 70 lineal feet of underground storm drain system. At its downstream terminus, Line C will connect to the existing Line C beneath Encanto Drive.
- Encanto Drive, Stage 3 (Lateral C2) is comprised of approximately 795 lineal feet of underground storm drain system. At its downstream terminus, Lateral C2 will connect to the existing Line C beneath Encanto Drive.
- Sherman Road, Stage 1 (Line E) is comprised of approximately 366 lineal feet of underground storm drain system. At its downstream terminus, Line E will connect to Debris Basin A.
- Pennywhistle Way, Stage 1 (Line J-1) is comprised of approximately 869 lineal feet of underground storm drain system. At its downstream terminus, Line J-1 will connect to Debris Basin B2.
- Percussion Road, Stage 1 (Line K) is comprised of approximately 993 lineal feet of underground storm drain system. At its downstream terminus, Line K will connect to Debris Basin B1.

The lines included in the attached Cooperative Agreement for Phase B are listed below:

- Chambers Avenue Lateral, Stage 1 (Line H) is comprised of approximately 690 lineal feet of underground storm drain system. At its downstream terminus, Line H will connect to the Chambers Avenue Stage 1 storm drain.
- Chambers Avenue, Stage 2 (Line F) is comprised of approximately 1,750 lineal feet of underground storm drain system. At its downstream terminus, Line F will connect to Debris Basin A.
- Chambers Avenue, Stage 3 (Lateral F3) is comprised of approximately 655 lineal feet of underground storm drain system. At its downstream terminus, Lateral F3 will connect to the Chambers Avenue Stage 2 storm drain.

The lines included in the attached Cooperative Agreement for Phase C are listed below:

- Encanto Drive, Stage 2 (Line G-2) is comprised of approximately 1,935 lineal feet of underground storm drain system. At its downstream terminus, Line G-2 will connect to the Encanto Drive Stage 1 storm drain.
- Pennywhistle Way, Stage 2 (Line J-2) is comprised of approximately 105 lineal feet of underground storm drain system. At its downstream terminus, Line J-2 will connect to The Pennywhistle Way, Stage 1 storm drain.

The described facilities would be owned and operated by the RCFC&WCD and are identified in the agreements as District Facilities. The City would be responsible for the maintenance of appurtenances ("City Facilities") associated with District Facilities including catch basins, connector pipes and storm drain lines that are 36 inches or less in diameter.

The various District Facilities and City Facilities are together called the "Project" in the proposed Cooperative Agreements ("Agreements"). The Agreements memorialize the roles and responsibilities of each party in the construction, inspection, ownership, operation and maintenance of the District Facilities and the City Facilities. The Agreements have been reviewed and approved by both the City Attorney and Riverside County's legal counsel. Following City Council action, the Agreements would be presented to the Riverside County Board of Supervisors and, upon approval by both bodies, the Agreements would be executed.

### **STRATEGIC PLAN OBJECTIVE**

Safe and Vibrant Community

### **FISCAL IMPACT**

There is no fiscal impact associated with this item. All costs incurred in constructing the Project would be borne by the developer. Upon acceptance of the Project, RCFC&WCD would be responsible for the operation and maintenance of the District Facilities, and the City would be responsible for City Facilities. Costs associated with the maintenance of City Facilities would be supported through special assessments levied through the previously established Community Facilities District 2017-1, Annexation No. 12 for the Legado Development.

**ATTACHMENTS**

1. Project Map
2. Cooperative Agreement Phase A
3. Cooperative Agreement Phase B
4. Cooperative Agreement Phase C