

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

1038



FORM APPROVED COUNTY COUNSEL
BY: GREGORY P. PRIAMOS DATE: 5/11/15

FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
June 2, 2015

SUBJECT: Adopt Resolution F2015-20 – Accepting the Engineer's Report and Setting the Date of the Public Hearing for the NPDES Program Santa Margarita Watershed Benefit Assessment Area; 1st/3rd/5th District; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Accept the Engineer's Report on the NPDES Program for the Santa Margarita Watershed Benefit Assessment Area, dated June 2015; and
2. Direct the Clerk of the Board to advertise for the public hearing on said report, to be held at 10:30 a.m. July 7, 2015, at a regular meeting of the Board; and
3. Adopt the following entitled resolution:

RESOLUTION NO. F2015-20

ACCEPTING THE ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR THE SANTA MARGARITA WATERSHED BENEFIT ASSESSMENT AREA PURSUANT TO ORDINANCE NO. 14 PROVIDING FOR THE ESTABLISHMENT AND LEVY OF BENEFIT ASSESSMENTS FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER PROGRAM

BACKGROUND:

See Page 2.

SEB:cw

Warren D. Williams
WARREN D. WILLIAMS
General Manager-Chief Engineer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET DISTRICT COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	

SOURCE OF FUNDS: N/A	Budget Adjustment: N/A
	For Fiscal Year: N/A

C.E.O. RECOMMENDATION:

APPROVE
BY: Steven C. Horn
Steven C. Horn

County Executive Office Signature

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

On motion of Supervisor Benoit, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the above matter is approved as recommended and is set for public hearing on Tuesday, July 7, 2015, at 10:30 a.m.

Ayes: Jeffries, Washington, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: June 2, 2015
xc: Flood, COB

Kecia Harper-Ihem
Clerk of the Board
By: Kecia Harper-Ihem
Deputy

Prev. Agn. Ref.: | **District:** 1st/3rd/5th | **Agenda Number:** **11-3**

FISCAL PROCEDURES APPROVED
JEANINE J. REY, FINANCE DIRECTOR
BY: Jeanine J. Rey 5/10/15
JEANINE J. REY

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Departmental Concurrence

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

FORM 11: Adopt Resolution F2015-20 – Accepting the Engineer's Report and Setting the
Date of the Public Hearing for the NPDES Program Santa Margarita Watershed
Benefit Assessment Area; 1st/3rd/5th District; [\$0]

DATE: June 2, 2015

PAGE: Page 2 of 2

BACKGROUND:

Summary (Continued)

The Santa Margarita Watershed Benefit Assessment Area was established on May 14, 1991 by the adoption of Resolution No. F91-22 by the Board pursuant to Ordinance No. 14 of the Flood Control District and the Flood Control District Act. Said Ordinance No. 14 requires that the Chief Engineer shall prepare an annual report on the status of the program, and recommend the benefit assessment levy to be enrolled for the ensuing fiscal year. The Board, upon acceptance of said report, shall set a time and place for a public hearing to hear and consider all protests regarding the report and the amount of the proposed benefit assessment levy.

Impact on Residents and Businesses

The financial impact to property owners is outlined in the Engineer's Report and Benefit Assessment Tax Rolls. The proposed benefit assessment rate for Fiscal Year 2015-2016 is \$4.00 per Benefit Assessment Unit; this is equal to the Benefit Assessment that was enrolled and levied for Fiscal Year 1996-97 and all subsequent years.

SEB:cw
P8/169385

1 BOARD OF SUPERVISORS

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

2 RESOLUTION NO. F2015-20

3
4 ACCEPTING THE ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR THE
5 SANTA MARGARITA WATERSHED BENEFIT ASSESSMENT AREA PURSUANT TO
6 ORDINANCE NO. 14 PROVIDING FOR THE ESTABLISHMENT AND LEVY OF
7 BENEFIT ASSESSMENTS FOR THE NATIONAL POLLUTANT DISCHARGE
8 ELIMINATION SYSTEM (NPDES) STORMWATER PROGRAM

9 WHEREAS, the California Regional Water Quality Control Board - San Diego Region,
10 on behalf of the Federal Environmental Protection Agency (the "EPA"), and consistent with
11 Section 402 of the Federal Clean Water Act, as amended, and the regulations promulgated by
12 the EPA pursuant thereto, has issued an area-wide stormwater discharge permit under the
13 National Pollutant Discharge Elimination System (the "NPDES Permit") to the Riverside
14 County Flood Control and Water Conservation District (the "District"), the County of Riverside
15 and certain cities within the Santa Margarita Watershed that are within the District's jurisdiction,
16 and has named the District as the "Principal Permittee"; and

17 WHEREAS, under existing State and Federal regulations, the District must obtain and
18 comply with the provisions of the NPDES Permit in order to legally discharge stormwater from
19 its flood control and stormwater drainage facilities; and

20 WHEREAS, the NPDES Permit requires the District to develop, implement, and manage
21 specific compliance programs dealing with stormwater runoff that will benefit all property
22 within the Santa Margarita Watershed that lies within the District's jurisdiction; and

23 WHEREAS, the District's Board of Supervisors (the "Board") on May 14, 1991, adopted
24 Resolution No. F91-22 pursuant to the provisions of Section 14 of the Riverside County Flood
25 Control and Water Conservation District Act, which is Appendix 48 to the California Water
26 Code (the "District Act"), and pursuant to Ordinance No. 14, that formed a Benefit Assessment
27 Area (the "Benefit Assessment Area"), which encompasses all territory within the District's
28 jurisdiction that is within the Santa Margarita Watershed as described in Ordinance No. 14, and
has levied annually thereon a Benefit Assessment ("Benefit Assessment") to pay the District's
annual costs associated with the NPDES Permit; and

FORM APPROVED COUNTY COUNSEL
BY:  AARON C. GETTIS
DATE: 5/11/15

1 WHEREAS, the Benefit Assessments collected are principally used to finance capital
2 costs and to maintain and operate the flood control system as required by the terms of said
3 Permit and must be expended in the Benefit Assessment Area in which they are collected; and

4 WHEREAS, pursuant to Article IV of Ordinance No. 14, the General Manager-Chief
5 Engineer of the District (the "Chief Engineer") is to cause to be prepared annually a written
6 report for each Benefit Assessment Area regarding the Benefit Assessment to be levied and to
7 file said report with the Clerk of the Board of Supervisors; and

8 WHEREAS, the Chief Engineer has caused a report (the "Report") to be prepared and
9 filed with the Clerk of the Board of Supervisors regarding the Benefit Assessment to be levied
10 for the 2015-16 Fiscal Year for the Santa Margarita Watershed Benefit Assessment Area; and

11 WHEREAS, Section 3 of Article IV of Ordinance No. 14 requires that the Board set a
12 date, time and place for a public hearing on the Report; and

13 WHEREAS, the voters of California on November 5, 1996, approved Proposition No.
14 218 which added Article XIID to the California Constitution ("Article XIID") effective
15 November 6, 1996; and

16 WHEREAS, with regard to an assessment in place as of November 6, 1996, Section 5(a)
17 of Article XIID provides in pertinent part that "...any assessment imposed exclusively to
18 finance the capital costs or maintenance and operation expenses for ...flood control and drainage
19 systems..." shall be exempt from the procedures and approval process set forth in Section 4 of
20 Article XIID until the assessment is increased.

21 BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of
22 Supervisors of the Riverside County Flood Control and Water Conservation District in regular
23 session assembled on the 2nd day of June 2015, as follows:

24 Section 1. Each of the above recitals is true and correct.

25 Section 2. The Report prepared by the Chief Engineer and filed with the Clerk of the
26 Board is accepted.

27 Section 3. The Report proposes that the Benefit Assessment to be levied on all parcels
28 within the Santa Margarita Watershed Benefit Assessment Area, as described in Ordinance No.

1 14, in Fiscal Year 2015-16 is equal to or less than the Benefit Assessment that was enrolled and
2 levied for Fiscal Year 1996-97 and all subsequent years.

3 Section 4. The public hearing on the Report is to be held at 10:30 a.m. on Tuesday,
4 July 7, 2015, in the meeting room of the District's Board of Supervisors which is located at 4080
5 Lemon Street, 1st Floor, Riverside, California.

6 Section 5. The Chief Engineer is to cause copies of the Report to be placed at the
7 following sites for review by the public:

8 Clerk of the District's Board
9 County Administrative Center
10 4080 Lemon Street, 1st Floor
11 Riverside, California

12 Riverside County Flood Control
13 and Water Conservation District
14 1995 Market Street
15 Riverside, California

16 City of Temecula
17 41000 Main Street
18 Temecula, California

19 City of Murrieta
20 1 Town Square
21 Murrieta, California

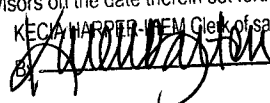
22 Section 6. The Clerk of the Board of Supervisors is to cause a notice to be prepared
23 by the Chief Engineer to be published in The Press Enterprise pursuant to the provisions of
24 Section 6066 of the California Government Code. The Chief Engineer is to cause said notice to
25 be posted in at least three public places within the boundaries of the Santa Margarita Watershed
26 Benefit Assessment Area at least seven (7) days prior to the date of the hearing.

27 Section 7. This resolution shall take effect upon its adoption.

28 ROLL CALL:

Ayes: Jeffries, Washington, Benoit and Ashley
Nays: None
Absent: Tavaglione

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARRIS-HEM Clerk of said Board
 Deputy

Date	Reference Number	Description	Product/Zone	Size	Billed Units	Times Run	Rate	Gross Amount	Net Amount
6/23/2015	10062030	PH: SANTA MARGARITA WATERSHED BENE	Press-Enterprise	2 x 65 LI	130	1	1.45	188.50	188.50
6/30/2015	10062030	PH: SANTA MARGARITA WATERSHED BENE	Press-Enterprise	2 x 65 LI	130	1	1.3	169.00	169.00
Ordered By: Cecilia Gil									
Legal Advertising Invoice									Balance \$357.50
Sales Contact Information		Advertiser Information							
Maria Tinajero 951-368-9225		Billing Period 06/23/2015 - 06/30/2015	Billed Account Number 1100141323	Advertiser/Client Number 1100141323	Advertiser/Client Name BOARD OF SUPERVISORS				

RECEIVED RIVERSIDE COUNTY
 CLERK / BOARD OF SUPERVISORS
 2015 JUL -6 AM 11:31

*Flood
 11-3 of 06/02/15*

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

THE PRESS-ENTERPRISE **PE.com**

Legal Advertising Invoice

Advertiser/Client Name BOARD OF SUPERVISORS		
Billing Period 06/23/2015 - 06/30/2015	Billed Account Number 1100141323	Advertiser/Client Number 1100141323
Balance \$357.50	Invoice Number 10062030	Terms Of Payment Due Upon Receipt

Billing Account Name And Address

Remittance Address

BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE
 P.O. BOX 1147
 RIVERSIDE, CA 92502

The Press-Enterprise
 POST OFFICE BOX 12009
 RIVERSIDE, CA 92502-2209

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: PH: SANTA MARGARITA WATERSHED BENEFIT A

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, under date of February 4, 2013, Case Number RIC 1215735, under date of July 25, 2013, Case Number RIC 1305730, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

06/23, 06/30/2015

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Jun 30, 2015

At: Riverside, California



BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
P.O. BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0010062030-01

P.O. Number:

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT ON THE NPDES BENEFIT ASSESSMENT PROGRAM FOR THE SANTA MARGARITA WATERSHED BENEFIT ASSESSMENT AREA

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, acting as the governing board of the Riverside County Flood Control and Water Conservation District, County Administrative Center, 4080 Lemon Street, Riverside, California, on July 7, 2015 at 10:30 a.m., relative to the Flood Control Engineer's Report on the NPDES Program for the Santa Margarita Watershed Benefit Assessment Area. The Board will hear and consider all protests with regard to the program, if any, including protests with regard to the amount of the proposed assessment to be levied. At the conclusion of the hearing, the board may adopt, revise, change, reduce, or modify any assessment and shall make its determination upon each assessment described in the report for Fiscal Year 2015-16.

NOTICE IS FURTHER GIVEN that pursuant to statutory authorization, a written report by the Chief Engineer to the District describing the Benefit Assessment Program has been filed with the Clerk of the District's Board. The report contains a description of each parcel of property within the boundaries of the Santa Margarita Watershed Benefit Assessment Area of the District on which a benefit assessment is proposed to be levied, and sets forth the amount of the proposed benefit assessment for each such parcel. The report contains a schedule of the benefit assessment rates for the 2015-16 Fiscal Year. Copies of the report, together with copies of the assessment rolls for the Santa Margarita Watershed Benefit Assessment Area, and of the official Riverside County Assessor's Map Books, are on file and available for review by the public at the office of the Clerk of the District's Board, at the County Administrative Center, 4080 Lemon Street, Riverside, California, the District's office at 1995 Market Street, Riverside, California, the City of Temecula, 41000 Main Street, Temecula, California, and the City of Murrieta, 1 Town Square, Murrieta, California. By reference to the Chief Engineer's report, the assessment rolls and the map books, each property owner may verify the area of his or her parcel, its land use, and the amount of the 2015-16 Benefit Assessment.

NOTICE IS FURTHER GIVEN THAT the proposed benefit assessment rate for Fiscal Year 2015-16 is the same benefit assessment rate as Fiscal Year 1996-97 and all subsequent years.

Please send all written correspondence to:
Clerk of the Board
4080 Lemon Street, 1st Floor
Post Office Box 1147
Riverside, Ca 92502-1147

Dated: June 18, 2015

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

6/23, 6/30