

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

104B



FROM: General Manager-Chief Engineer

SUBMITTAL DATE:
June 2, 2015

SUBJECT: Adopt Resolution F2015-21 – Accepting the Engineer's Report and Setting the Date of the Public Hearing for the NPDES Program Whitewater Watershed Benefit Assessment Area; 3rd/4th/5th District [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Accept the Engineer's Report on the NPDES Program for the Whitewater 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. F2015-21

ACCEPTING THE ENGINEER'S REPORT AND SETTING A PUBLIC HEARING FOR THE WHITWATER 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
 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

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:
 Deputy

FORM APPROVED COUNTY COUNSEL DATE 5/11/15
 BY: GREGORY P. PRIAMOS
 FISCAL PROCEDURES APPROVED
 JEANINE J. REY, FINANCE DIRECTOR
 5/13/15
 Departmental Concurrence
 JEANINE J. REY

Positions Added
 Change Order
 A-30
 4/5 Vote

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

FORM 11: Adopt Resolution F2015-21 – Accepting the Engineer's Report and Setting the Date of the Public Hearing for the NPDES Program Whitewater Watershed Benefit Assessment Area; 3rd/4th/5th District; [\$0]

DATE: June 2, 2015

PAGE: Page 2 of 2

BACKGROUND:

Summary (Continued)

The Whitewater Watershed Benefit Assessment Area was established on May 14, 1991 by the adoption of Resolution No. F91-23 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 \$3.63 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

P8/169386

1
2 BOARD OF SUPERVISORS
3 DISTRICT

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION

4 RESOLUTION NO. F2015-21

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

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

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

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

24 WHEREAS, the District's Board of Supervisors (the "Board") on May 14, 1991, adopted
25 Resolution No. F91-23 pursuant to the provisions of Section 14 of the Riverside County Flood
26 Control and Water Conservation District Act, which is Appendix 48 to the California Water
27 Code (the "District Act"), and pursuant to Ordinance No. 14, that formed a Benefit Assessment
28 Area (the "Benefit Assessment Area"), which encompasses all territory within the District's
jurisdiction that is within the Whitewater 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
5/11/15
DATE

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

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

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

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

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

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

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

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

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

Section 3. The Report proposes that the Benefit Assessment to be levied on all parcels within the Whitewater Watershed Benefit Assessment Area, as described in Ordinance No. 14,

Date	Reference Number	Description	Product/Zone	Size	Billed Units	Times Run	Rate	Gross Amount	Net Amount
6/21/2015	10061713	PH: WHITEWATER WATERSHED BENEFIT A	Press-Enterprise	2 x 66 LI	132	1	1.45	191.40	191.40
6/28/2015	10061713	PH: WHITEWATER WATERSHED BENEFIT A	Press-Enterprise	2 x 66 LI	132	1	1.3	171.60	171.60

Ordered By: Cecilia Gil

**RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS
2015 JUL -2 AM 11:21**

*Flood
11-4 of 06/02/15*

Legal Advertising Invoice

Balance
\$363.00

Sales Contact Information		Advertiser Information		
Maria Tinajero 951-368-9225	Billing Period 06/21/2015 - 06/28/2015	Billed Account Number 1100141323	Advertiser/Client Number 1100141323	Advertiser/Client Name BOARD OF SUPERVISORS

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 06/21/2015 - 06/28/2015	Billed Account Number 1100141323	Advertiser/Client Number 1100141323
Balance \$363.00	Invoice Number 10061713	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: WHITEWATER WATERSHED BENEFIT ASSESS

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:

06/21, 06/28/2015

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

Date: Jun 28, 2015

At: Riverside, California



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

Ad Number: 0010061713-01

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 WHITEWATER 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 Whitewater 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 Whitewater 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 Whitewater 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 Banning, 99 E. Ramsey Street, Banning, California, and the City of Palm Springs, 3200 E. Tahquitz Canyon Way, Palm Springs, 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 17, 2015

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

6/21, 6/28

The Desert Sun

mydesert.com

750 N. Gene Autry Trail
 Palm Springs, CA 92262
 Billing Inquiries: (866) 875-0854
 Main Office: (760) 322-8889

ADVERTISING INVOICE/STATEMENT

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 P.O. Box 677368 Dallas, TX 75267-7368
 A finance charge of 1.5% per month (18% Annually) will be added to balances not paid by the 20th.

RIV06900000000000000000000053151120154116610821

48

RIVERSIDE COUNTY-BOARD OF SUP.
 PO BOX 1147
 RIVERSIDE CA 92502-1147

Customer No.	Invoice No.
RIV069	0005315112
For the Period	Thru
06/01/15	06/28/15
Due Date	Amount Due
07/13/15	15,411.66
AMOUNT PAID	

PLEASE RETURN THIS TOP SECTION WITH PAYMENT IN THE ENCLOSED ENVELOPE AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

Date	EDT	Class	Description	Times Run	Col	Depth	Total Size	Rate	Amount
0601			BALANCE FORWARD						8,960.46
0531	CLS	0001	CECILIA NO 0773 - RES 20	2	4	10.25	82.00		1,377.60
0607	CLS	0001	ORD 925 NO 0847 BOARD OF	2	2	63.00	252.00		157.20
0607	CLS	0001	ORD 580.6 NO 0848 BOARD OF	2	2	53.00	212.00		133.20
0607	CLS	0001	RES 2015-029NO 0849 NOTICE O	6	2	284.00	3408.00		2,050.80
0611	CLS	0001	ORD 779.16 NO 0869 BOARD OF	2	2	681.00	2724.00		1,640.40
0621	CLS	0001	CECILIA GIL NO 0907 NOTICE O	4	2	75.00	600.00		366.00
0624	CLS	0001	CECILIA NO 0917 NOTICE T	10	2	60.00	1200.00		726.00
									RECEIVED RIVERSIDE COUNTY CLERK / BOARD OF SUPERVISORS 2015 JUL -7 AM 11:49
Current		Over 30 Days	Over 60 Days	Over 90 Days	Over 120 Days	Total Due			
6,373.26		9,038.40	.00	.00	.00	15,411.66			
Contract Type	Contract Qnty.	Expiration Date	Current Usage	Total Used	Quantity Remaining	Salesperson			
						ORTIZ			

*Flood
 11-4 of 06/02/15*

The Advertiser shall make payment within 15 days of the billing date indicated on Company's statement, and, in the event that it fails to make payment within such time, Company may reject advertising copy and / or immediately cancel this contract and Advertiser agrees to indemnify Company for all expenses incurred in connection with the collection of amounts payable under this contract, including but not limited to collection fees, attorney's fees and court costs. If this agreement is cancelled due to Advertiser's failure to make timely payment, Company may rebill the Advertiser for the outstanding balance due at the open or earned contract rate, whichever is applicable.

TO ENSURE PROPER CREDIT, PLEASE RETURN THE TOP SECTION AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

Customer Number	Name	Invoice Number	Amount Paid
RIV069	RIVERSIDE COUNTY-BOARD OF SUP.	0005315112	

The Desert Sun
750 N Gene Autry Trail
Palm Springs, CA 92262
760-778-4578 / Fax 760-778-4731

Certificate of Publication

State of California ss:
County of Riverside

Advertiser:

RIVERSIDE COUNTY-BOARD OF SUP.
4080 LEMON ST
RIVERSIDE CA 925013

2000712343

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: .The Desert Sun

6/21/2015 6/28/2015

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 28th day of June, 2015 in Palm Springs, California.

Declarant's Signature

No 0907
**NOTICE OF PUBLIC HEARING BEFORE
THE BOARD OF SUPERVISORS
OF RIVERSIDE COUNTY FLOOD
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CONSERVATION DISTRICT ON THE
NPDES BENEFIT ASSESSMENT
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Dated: June 17, 2015
Kecia Harper-Itern, Clerk of the Board
By: Cecilia Gil, Board Assistant
Published: 6/21, 6/28/2015