

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



ITEM  
11.7  
(ID # 4446)

**MEETING DATE:**

Tuesday, June 6, 2017

**FROM :** FLOOD CONTROL DISTRICT:

**SUBJECT:** FLOOD CONTROL DISTRICT: Schedule a Public Hearing to Adopt Resolution F2017-08 Accepting the Engineer's Report for the NPDES Program Whitewater Watershed Benefit Assessment Area; 3rd/4th/5th Districts; [\$0]; CLERK TO ADVERTISE

**THAT THE BOARD OF SUPERVISORS:**

1. Accept the Engineer's Report on the NPDES Program for the Whitewater Watershed Benefit Assessment Area, dated June 2017; and
2. Direct the Clerk of the Board to advertise for the public hearing on said report, to be held at 9:00 a.m. July 11, 2017 at a regular meeting of the Board; and
3. Adopt the following entitled resolution:

**RESOLUTION NO. F2017-08**

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

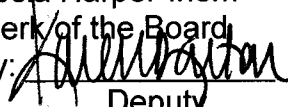
**ACTION:** Policy, Clerk to Advertise, Set for Hearing

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing Tuesday, July 11, 2017, at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Tavaglione, Washington and Perez  
Nays: None  
Absent: Ashley  
Date: June 6, 2017  
xc: Flood, COB

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	N/A	N/A	N/A	N/A
<b>NET COUNTY COST</b>	N/A	N/A	N/A	N/A
<b>SOURCE OF FUNDS:</b> N/A			<b>Budget Adjustment:</b> N/A	
			<b>For Fiscal Year:</b> N/A	

**C.E.O. RECOMMENDATION:** APPROVE

**BACKGROUND:**

**Summary**

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 2017-18 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.

**ATTACHMENTS:**

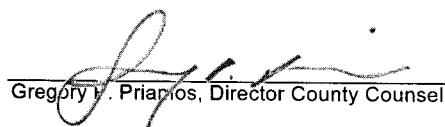
1. WW BA Engineer's Report FY 2017-2018
2. WW BA Resolution No. 2017-08

  
Jeanine Rey

5/24/2017

  
Steve C. Horn

5/30/2017

  
Gregory P. Priamos, Director County Counsel

5/23/2017

**BOARD OF SUPERVISORS****RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT**

## RESOLUTION NO. F2017-08

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

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

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

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

WHEREAS, the District's Board of Supervisors ("Board") on May 14, 1991 adopted  
 Resolution No. F91-23 pursuant to the provisions of Section 14 of the Riverside County Flood  
 Control and Water Conservation District Act, which is Appendix 48 to the California Water Code  
 ("District Act"), and pursuant to Ordinance No. 14 that formed a Benefit Assessment Area  
 ("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: 38 5/15/17 DATE  
 AARON C. GETTIS

1 WHEREAS, the Benefit Assessments collected are principally used to finance capital costs  
2 and to maintain and operate the flood control system as required by the terms of said NPDES  
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 ("Chief Engineer") is to cause to be prepared annually a written report for  
6 each Benefit Assessment Area regarding the Benefit Assessment to be levied and to file said report  
7 ("Report") with the Clerk of the Board of Supervisors; and

8 WHEREAS, the Chief Engineer has caused a report to be prepared and filed with the Clerk  
9 of the Board of Supervisors regarding the Benefit Assessment to be levied for the 2017-18 Fiscal  
10 Year for the Whitewater Watershed Benefit Assessment Area; and

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

13 WHEREAS, the voters of California on November 5, 1996 approved Proposition No. 218  
14 which added Article XIID to the California Constitution ("Article XIID") effective November 6,  
15 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 finance  
18 the capital costs or maintenance and operation expenses for...flood control and drainage systems..."  
19 shall be exempt from the procedures and approval process set forth in Section 4 of Article XIID  
20 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 6<sup>th</sup> day of June 2017 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.

1        Section 3.    The Report proposes that the Benefit Assessment to be levied on all parcels  
2 within the Whitewater Watershed Benefit Assessment Area, as described in Ordinance No. 14, in  
3 Fiscal Year 2017-18 is equal to or less than the Benefit Assessment that was enrolled and levied  
4 for Fiscal Year 1996-97 and all subsequent years.

5        Section 4.    The public hearing on the Report is to be held at 9:00 a.m. or soon thereafter  
6 on Tuesday, July 11, 2017 in the meeting room of the District's Board of Supervisors which is  
7 located at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, California.

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

10  
11 Clerk of the District's Board  
12 County Administrative Center  
13 4080 Lemon Street, 1<sup>st</sup> Floor  
14 Riverside, California

15  
16 Riverside County Flood Control  
17 and Water Conservation District  
18 1995 Market Street  
19 Riverside, California

20  
21 City of Banning  
22 99 East Ramsey Street  
23 Banning, California

24  
25 City of Palm Springs  
26 3200 East Tahquitz Canyon Way  
27 Palm Springs, California  
28

29        Section 6.    The Clerk of the Board of Supervisors is to cause a notice to be prepared by  
30 the Chief Engineer to be published in The Desert Sun once a week for two (2) successive weeks  
31 pursuant to the provisions of Section 6066 of the California Government Code. The Chief  
32 Engineer is to cause said notice to be posted in at least three (3) public places within the boundaries  
33 of the Whitewater Watershed Benefit Assessment Area at least seven (7) days prior to the date of  
34 the hearing.

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

1 **BOARD OF SUPERVISORS**

**RIVERSIDE COUNTY FLOOD CONTROL**  
**AND WATER CONSERVATION DISTRICT**

2  
3 **RESOLUTION NO. F2017-08**

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

9  
10 **ADOPTED by Riverside County Board of Supervisors on June 6, 2017**

11 **ROLL CALL:**

12  
13  
14 **Ayes: Jeffries, Tavaglione, Washington and Perez**  
15 **Nays: None**  
16 **Absent: Ashley**

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25  
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 HARPER-IHEM, Clerk of said Board

By: 

Deputy

06.06.17 11.7

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 11, 2017 at 9:00 a.m. or soon thereafter, 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 2017-18.

NOTICE IS FURTHER GIVEN that, pursuant to statutory authorization, a written report by the Chief Engineer of 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 2017-18 Fiscal Year. Copies of the report, together with copies of the assessment rolls for the Whitewater Watershed Benefit Assessment Area and 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 2017-18 Benefit Assessment.

NOTICE IS FURTHER GIVEN THAT the proposed benefit assessment rate for Fiscal Year 2017-18 is the same benefit assessment rate as Fiscal Year 1996-97 and all subsequent years.

BY ORDER OF THE BOARD OF SUPERVISORS:

Dated: \_\_\_\_\_

June 6, 2017

KECIA HARPER-IHEM

Clerk of the District's Board

By: \_\_\_\_\_

Karen [Signature]  
Deputy



CALL (951) 368-9222  
EMAIL: legals@pe.com

# THE PRESS-ENTERPRISE

DATE	ORDER NUMBER	PONumber	PRODUCT	SIZE	Amount
6/27/17	0010970254		PE Riverside	3 x 69 Li	269.10
7/4/17	0010970254		PE Riverside	3 x 69 Li	248.40

Invoice text: Whitewater Watershed Benefit Assessment

RECEIVED RIVERSIDE COUNTY  
CLERK/BOARD OF SUPERVISORS  
2017 JUL -7 PM 3:22

Flood  
11-7 of 06/06/17

Placed by: Cecilia Gil

## Legal Advertising Memo Invoice

BALANCE DUE

517.50

SALES/CONTACT INFORMATION		ADVERTISER INFORMATION		
Nick Eller 951-368-9229	BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER	ADVERTISER/CLIENT NAME
	07/04/2017	5209148	5209148	BOARD OF SUPERVISORS



SOUTHERN  
CALIFORNIA  
NEWS GROUP

THE PRESS-ENTERPRISE

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PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

ADVERTISER/CLIENT NAME		
BOARD OF SUPERVISORS		
BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER
07/04/2017	5209148	5209148
BALANCE DUE	ORDER NUMBER	TERMS OF PAYMENT
517.50	0010970254	DUE UPON RECEIPT

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
'PO BOX 1147'  
RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPERS PARTNERSHIP  
Riverside Press-Enterprise  
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# THE PRESS-ENTERPRISE

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

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Whitewater Watershed Benefit Assessment /

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, 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:

**06/27, 07/04/2017**

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

Date: July 04, 2017  
At: Riverside, California

  
Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
PO BOX 1147  
RIVERSIDE, CA 92502

Ad Number: 0010970254-01

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

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

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to the hearing.

Dated: June 22, 2017      Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant      6/27, 7/4