

RESOLUTION NO. 2019-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE,
CALIFORNIA, MAINTAINING COUNTY SERVICE AREA 152 AND AUTHORIZING
THE BENEFIT ASSESSMENT UNIT RATE FOR FISCAL YEAR 2019-20 FOR THE
CITY OF LAKE ELSINORE TO FUND THE CITY'S NATIONAL POLLUTION
DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT PROGRAM**

Whereas, the County of Riverside established a Community Service Area, (CSA) 152, for the purpose of collecting parcel charges for National Pollutant Discharge Elimination System ("NPDES") services within its boundaries; and

Whereas, the County of Riverside annexed the City of Lake Elsinore into CSA 152 in 1994, thereby providing the City a funding source for its NPDES program activities; and

Whereas, the City has determined that the proposed CSA 152 parcel charge is a benefit assessment; and

Whereas, the existing parcel charge is \$13.88 per Benefit Assessment Unit; and

Whereas, the City desires to keep the 2018-19 parcel charge rate at \$13.88 per Benefit Assessment Unit to continue to fund the activities mandated by the Environmental Protection Agency and State Water Resources Control board through the NPDES Permits; and

Whereas, Section 5(a) of Article XIID of the California Constitution states that existing assessments on the effective date of Article XIID imposed exclusively to finance the capital costs or maintenance and operation expenses flood control and drainage systems are exempt from the provisions of Article XIID; and

Whereas, Section 5(a) of Article XIID of the California Constitution also states that future increases to an exempt assessment are subject to the provisions of Article XIID; and

Whereas, the proposed changes to the annual assessment do not exceed the maximum assessment established in 1994 and does not constitute an increase in assessment for purposes of Article XIID.

**THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DOES HEREBY
RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1. The above recitals are true and correct.

Section 2. That the City of Lake Elsinore continues participation in CSA 152.

Section 3. That the City of Lake Elsinore requests that the County of Riverside levy for 2019-20 a parcel charge in the amount of \$13.88 per Benefit Assessment Unit.

Section 4. The City Clerk shall certify to the passage and adoption of this resolution and the same shall thereupon take effect and be in force.

Passed and Adopted this 9th day of April, 2019.

Steve Manos, Mayor

Attest:

Mark Mahan
Deputy City Clerk

Approved as to Form:

Barbara Leibold
City Attorney

STATE OF CALIFORNIA COUNTY
OF RIVERSIDE } SS
CITY OF LAKE ELSINORE }

I, Mark Mahan, Deputy City Clerk of the City of Lake Elsinore, California, hereby certify that Resolution No. 2019-_____ was adopted by the City Council of the City of Lake Elsinore, California, at a regular meeting held on the 9th day of April 2019, and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mark Mahan, MMC
Deputy City Clerk