

RESOLUTION NO. 2020-_____

A 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 2020-21 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 2019-20 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 XIIID of the California Constitution states that existing assessments on the effective date of Article XIIID imposed exclusively to finance the capital costs or maintenance and operation expenses flood control and drainage systems are exempt from the provisions of Article XIIID; and,

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

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 2020-21 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 25th day of February, 2020.

Brian Tisdale, Mayor

Attest:

Candice Alvarez, MMC
City Clerk

Approved as to Form:

Barbara Leibold
City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2020-_____ was adopted by the City Council of the City of Lake Elsinore, California, at a regular meeting held on the 25th day of February 2020, and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Candice Alvarez, MMC
City Clerk