



AGENDA

CITY COUNCIL - SPECIAL MEETING (WORKSHOP)

CITY OF BANNING, CALIFORNIA

September 24, 2024
4:00 p.m.
In Chambers

Council Chambers
99 E. Ramsey Street
Banning, CA 92220

The following information comprises the agenda for the regular meeting of the Banning City Council, a joint meeting of the City Council and Banning Utility Authority, and the Banning City Council sitting in its capacity as the Banning Successor Agency Board.

Per City Council Resolution 2016-44, matters taken up by the Council before 10 p.m. may be concluded, but no new matters shall be taken up except upon a unanimous vote of the council members present and voting. Such an extension shall only be valid for one hour and each hour thereafter shall require a renewed action for the meeting to continue.

1. **CALL TO ORDER**
2. **PUBLIC COMMENTS** - *Agenda Items Only*
3. **WORKSHOP**
 - 3.1 [City of Banning Reinstatement in County Service Area \("CSA"\) 152 - National Pollution Discharge Elimination System \("NPDES"\) Stormwater Assessment](#)
Recommendation: Discuss with and obtain City Council direction on reinstating the CSA 152 NPDES stormwater assessment originally approved in 1994.
4. **ADJOURNMENT**

AFFIDAVIT • DECLARACIÓN JURADA

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Caroline Patton, Administrative City Clerk
Secretario adjunto de la ciudad

PUBLIC NOTICE • NOTICIA PÚBLICA

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Public Comment

Agenda Items

Any member of the public may address this meeting of the City Council on any item appearing on the agenda. A five-minute limitation shall apply to each member of the public and no member of the public shall be permitted to share their time with any other person.

Non-Agenda Items

Any member of the public may address this meeting of the City Council on any item which does not appear on the regular meeting agenda but is of interest to the general public and is an item upon which the City Council may act. A three-minute limitation shall apply to each member of the public and no member shall be permitted to share their time with any other person. No action shall be taken, nor discussion held by the City Council, on any item which does not appear on the agenda, unless the action is otherwise authorized in accordance with the provisions of subdivision (b) of §54954.2 of the Government Code.

Special Assistance/Accessibility Requests

In compliance with the Americans with Disabilities Act, any member of the public may request that the agenda and agenda packet be mailed to them. If you need special assistance to participate in this meeting (such as translation services), please contact the City Clerk's Office. Advanced notification of at least 48 hours prior to the meeting will allow the city to make arrangements to ensure your accessibility.

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CONTACT • CONTACTO

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99 East Ramsey Street, Banning, California 92220



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Nate Smith, Deputy Director of Public Works/City Engineer
Art Vela, Director of Public Works

MEETING DATE: September 24, 2024

SUBJECT: City of Banning Reinstatement in County Service Area ("CSA") 152 - National Pollution Discharge Elimination System ("NPDES") Stormwater Assessment

RECOMMENDATION:

Discuss with and obtain City Council direction on reinstating the CSA 152 NPDES stormwater assessment originally approved in 1994.

BACKGROUND:

The National Pollutant Discharge Elimination System (NPDES) is a federally mandated program to control non-point sources of runoff pollution. The NPDES program is part of the Clean Water Act enacted by Congress in 1987. The California Regional Water Quality Control Board, Colorado River Basin, Region No. 7, in implementing the U.S. Environmental Protection Agency's storm water National Pollutant Discharge Elimination System (NPDES) permit program, requires that the Districts and Incorporated Cities within the Whitewater River Basin obtain a joint permit to discharge storm water into the various storm channels and washes throughout the Whitewater River Watershed area. The Riverside County Flood Control and Water Conservation District (RCFC&WCD) and Riverside County are acting as the Lead Agency with the City of Banning being a co-permittee, along with the various other agencies and municipalities located within the Whitewater River Basin. This current Permit was adopted by the Regional Board on June 20, 2013, expired on June 19, 2018 and has been negotiated and worked on with the affected parties over the past six years. A new permit (2025 NPDES Permit) that has been negotiated with the Regional Board is in review. It is anticipated to be adopted by the end of FY 2024/25 and will take effect 90 days later.

The City of Banning is required, through Best Management Practices (BMPs), to implement practices within our community which reduce pollutants entering into the storm drain system to the maximum extent practicable. The major components of the existing and 2025 NPDES Permit to implement the BMPs include: project management, attendance at Desert Task Force meetings, record keeping and Annual Report preparation; illegal dumping and illicit connection detection, inspection, spill prevention and cleanup activities; commercial and industrial facilities inspections (about 60 per year) and the review of all City issued business licenses for SB 205 compliance; implementing land development and plan review procedures including plan check, preparing Conditions of Approval, reviewing erosion control plans and WQMPs and ensuring post construction self-inspections are performed annually by required businesses; enforcing and implementing construction activities requirements of City and private development projects including construction site inspections, review of developer's BMPs, erosion control plans and SWPPPs (Stormwater Pollution Prevention Plans), and ensuring compliance with the Regional Board's Construction General Permit requirements; maintaining City facilities, including the City

Corporate and Water Yards and Fire Station, and storm drains and performing inspections and maintenance, removing trash and debris from the storm drain system, and from roads through street sweeping; and implementing public education and outreach programs by providing brochures to the public at City events and at the public counter, to businesses and contractors through inspections and storm water training of municipal staff.

The main new requirements of the 2025 NPDES Permit are:

- Asset Management
- Fiscal Cost Analysis/Cost Reporting
- Urban Pesticides
- Trash Amendment/Trash Capture Device Installation
- New Construction General Permit
- Continued SB 205 Compliance, business license verification of SIC Codes

The NPDES program costs the City about \$300,000 annually to manage the current NPDES Permit. The new 2025 NPDES Permit will cost more due to its new requirements. One way to generate revenue for the program would be to reinstate a “grandfathered” assessment from 1994, called the CSA 152 NPDES assessment. This stormwater assessment is currently collected by the County on behalf of a number of participating cities via property tax bills. The County administers and manages the CSA 152 program funds pursuant to CSA 152 Administrative Services Agreements with the participating cities. The County last collected the assessment in the City in 1994 at a rate of \$4.72/BAU/year. A BAU is a “benefit assessment unit” as defined by the County. If the assessment is resumed, an owner of a single-family home in the City would pay 1 BAU/year, amounting to \$4.72/year. Since the rate was adopted in 1994 prior to the passage of Proposition 218, any increase in the rate would require a Proposition 218 Hearing and vote through an assessment balloting proceeding.

Recent Updates

Engineering Division staff met with the Riverside County Economic Development Office and the City Attorney’s Office several times over the past year to gather information and determine if the City or County had ever withdrawn from the CSA 152 Administrative Services Agreement with the County. After researching this, it appears neither the City nor County ever withdrew from the CSA 152 Agreement and, if the City Council would be inclined to do so, the City could have the County resume collecting the assessment starting in FY 25/26. In essence, the stormwater assessment is “grandfathered in” as an allowable assessment prior to Proposition 218 so long as the rate is not increased.

Additionally, there appears to be a reserve of about \$46,000 collected by the County from 1994 that was not utilized for City stormwater expenses and thus is due to be reimbursed to the City, for qualified stormwater expenses. These funds could be used to pay a portion of the CSA 152 Assessment consultant or for other stormwater expenses.

Background on CSA 152 NPDES Assessment

LAFCO annexed the City of Banning into County Service Area 152 when the County of Riverside adopted Resolution No. 93-454 (Attachment 2) on December 21, 1993, at the City’s request, in order to have the County place an assessment on property owner’s tax bills to fund expenditures required by the NPDES Permit. On March 22, 1994, City Council Resolution No. 1994-028 (Attachment 3) was adopted to fund the City’s NPDES program, whereby the annual assessment rate for FY 94/95 for CSA 152 was set at \$4.72 per Benefit Assessment Unit.

On September 27, 1994 the City Council adopted Resolution No. 1994-107, approving the Administrative Services Agreement for the CSA 152 Program between the City of Banning and Riverside County, shown as Attachment 4. The County had formed CSA 152 to finance portions of its programs and obligations associated with its Municipal NPDES Permit. The Agreement sets forth the responsibilities of

the County and City with respect to the assessment. It provides for the City to annually approve a budget and report its activities in connection with its NPDES costs to the City. In addition, the City is responsible for updating parcel information for properties in the City. The County incorporates the City's budget and the budgets of other participating cities into the County's CSA 152 budget, holds an annual hearing, approves the assessments, and submits the assessments for collection on the Tax Roll. Both County and City Engineering Division staff performed research, and no records were found showing either party has ever withdrawn from this Agreement. Numerous other cities also joined CSA 152 to ensure funding of their NPDES program.

On July 11, 1995, by approving Resolution No. 1995-125 (Attachment 5), the City Council elected to use reserves (Option C) from the previous FY 94/95 instead of requiring that the property owners be assessed in FY 95/96. Therefore, the annual assessment was \$0.00 per BAU for FY 95/96. It should be noted there was a surplus that first year because the NPDES program was just starting. Further research shows that no annual staff reports or resolutions were approved by City Council to allow for collection of the annual assessment in subsequent years.

Calculation of the CSA 152 Assessment

In late 1993, the County of Riverside annexed the City of Banning into its County Service Area 152. The City, acting through the County and CSA 152, is able to collect an assessment on individual parcels within the City that contain a structure. Each parcel is assigned a certain number of "benefit assessment units" or "BAUs." For instance, a single-family home, regardless of its size, is assigned one BAU, while commercial property is assigned 12 BAUs per acre. One BAU costs the property owner \$4.72/year. Vacant and undeveloped land is exempt, regardless of its land use code.

When CSA 152 was formed, the County determined the formula and methodology to use to calculate the number of BAUs for each type of property. The details and examples of calculations for various land uses are shown on Resolution No. 1994-028 (Attachment 3), starting on page 4 of 12, which is County Ordinance No. 573. A parcel's land use was used to determine its runoff coefficient and BAU/acre (listed in the table), and the developed (assumed to be impervious) area in acres of the parcel is used to determine the number of BAUs and thus cost per year. If the CSA 152 stormwater assessment is proposed to resume, a municipal assessment consultant will be hired by the City to calculate the BAUs for each parcel to be placed on the Tax Roll.

As an example calculation, a Commercial/Industrial property (see below table, Group A, with 12 BAUs/Acre) that is a 10.0 acre commercial/industrial parcel, with a developed area of 8.0 acres, with a City of Banning BAU rate of \$4.72 per year:

No. of BAUs = (Developed Parcel Area) X 12 BAUs/Acre = 8 X 12 = 96 BAUs

Therefore, the assessment would be: 96 BAUs X \$4.72/BAU = \$453.12 per year.

The Table below shows the six (6) categories of land use, their respective runoff factors and the BAU per acre. Note that a single-family residence was used as the basis for one BAU. It is the proportionate runoff from a 1/6 acre or .17 acre property for one BAU and other sized parcels and land uses will have multiples of this basic unit.

BENEFIT ASSUSSMENT UNIT	(BAU's)		
Group	Land Use	Coefficient Factor	BAUs Per Acre
A	Commercial Industrial	0.8	12

B	Apartments/Mobile Homes, Churches, Schools	0.6	9
C	Single Family Residential*	0.4	6*
D	Poultry, Irrigated or Cultivated Crops, Vacant or Undeveloped	0	0
E	Golf Courses Private Parks	0.0067	0.1
F	Parcels with Miscellaneous Structures	0.0033	0.05
*For simplicity, all single family residential properties, regardless of size, have been assigned 1 BAU.			

Schedule of Requirements to Reenact CSA 152

If the City Council would like to pursue reinstating the CSA 152 assessment, a public participation and community outreach phase would occur in October and November of 2024. The Public Information Officer would perform outreach and let the residents and property owners know of public meetings held with the Public Works Dept. to explain the CSA 152 assessment and its purpose with regards to providing funds for the NPDES Program. A Request for Proposals (RFP) would simultaneously be released during this time to hire a municipal special district financing consultant firm. This RFP would provide for preparing the required Assessment/Levy Report to determine the number of benefit assessment units (BAUs) for each property within the City, identify which parcels within the City are eligible to be assessed and prepare any required assessment documents. The City would need to provide the County with the list of Assessor Parcel Numbers (APNs) to place on the FY 25/26 Tax Roll by mid May of 2025.

Cities must provide any updates/additional parcels from new development annually to the County. The same consultant used to identify the appropriate parcels for the fiscal year 2025/2026 levy could manage this process for the City.

The CSA 152 Agreement with the County of Riverside is being updated by the County and will be released in late 2024. No significant changes are expected; their Administration Fee for managing the assessment funds for the cities will remain at 6% of the revenues collected. If the Council decides to proceed with resuming the CSA 152 assessment, it is anticipated that in January of 2025, this new CSA 152 Agreement will be executed by the City of Banning and the Assessment Services professional services contract will need to be awarded by the City Council in December of 2024. Following this schedule will ensure the CSA 152 assessment can be collected on the FY 2025/2026 Tax Roll.

JUSTIFICATION:

The upcoming 2025 NPDES Permit will become effective in late 2025 and it has new and enhanced requirements that will significantly impact the City financially, as additional computer software, trash capture devices, consultant costs and City staff time will be needed.

FISCAL IMPACT:

No direct impacts from this workshop item, but potential impacts are discussed below.

CSA 152 provides a funding mechanism for the NPDES program. Eleven cities, including Palm Springs, Rancho Mirage, and Desert Hot Springs also joined CSA 152 to ensure funding of their NPDES program. The County adopted Resolution No. 2024-117 on July 9, 2024, adopting charges for the County Service Areas, including CSA 152, for FY 24/25, shown as Attachment 6.

Since assessments have not been collected from properties in the City since 1994, the funding source for the NPDES program is now absorbed by City of Banning Public Works Department, Streets Division (Fund 100). The Streets Division assists with the implementation and Engineering Division staff manages the NPDES program in-house. Consultants are utilized for Water Quality Management Plan and Erosion Control Plan review (the developer pays these fees through plan check deposits) and for NPDES stormwater and industrial waste inspections. The NPDES program costs the City about \$300,000 annually to manage the current NPDES Permit. Those costs are expected to be much higher (likely 35%) with the new permit given the new mandates. The municipal special district financing consultant will determine the estimated revenue to be collected from the assessment, a rough estimate of the revenues is between \$75,000 and \$110,000/year, which would substantially help with the NPDES program costs. Stormwater program responsibilities are completed by about ten (10) Public Works Dept. staff members on a part-time and as-needed basis; there are no full-time staff assigned to the program.

ALTERNATIVES:

This workshop is providing information to the City Council and staff is seeking direction on whether to move forward with the next steps to reinstate the stormwater assessment for FY 25/26.

BUDGETED?:

No

CONTRACT/AGREEMENT:

No

ATTACHMENTS:

1. [Attach 1 CSA 152 Assessment PowerPoint.pdf](#)
2. [Attach. 2 County Reso. No. 93-454, formation of CSA 152, 12.21.93.pdf](#)
3. [Attach. 3 CC Reso. No. 1994-028, approving initial CSA 152 rates, 3.22.94.pdf](#)
4. [Attach. 4, CC Reso. No. 1994-107, approving CSA 152 Agree..pdf](#)
5. [Attach. 5, CC Reso. No. 1995-125, asking Council to approve or cease CSA 152, 7.11.95.pdf](#)
6. [Attach. 6 County Reso. 2024-117, CSA adoption FY 2425, 7.9.24.pdf](#)

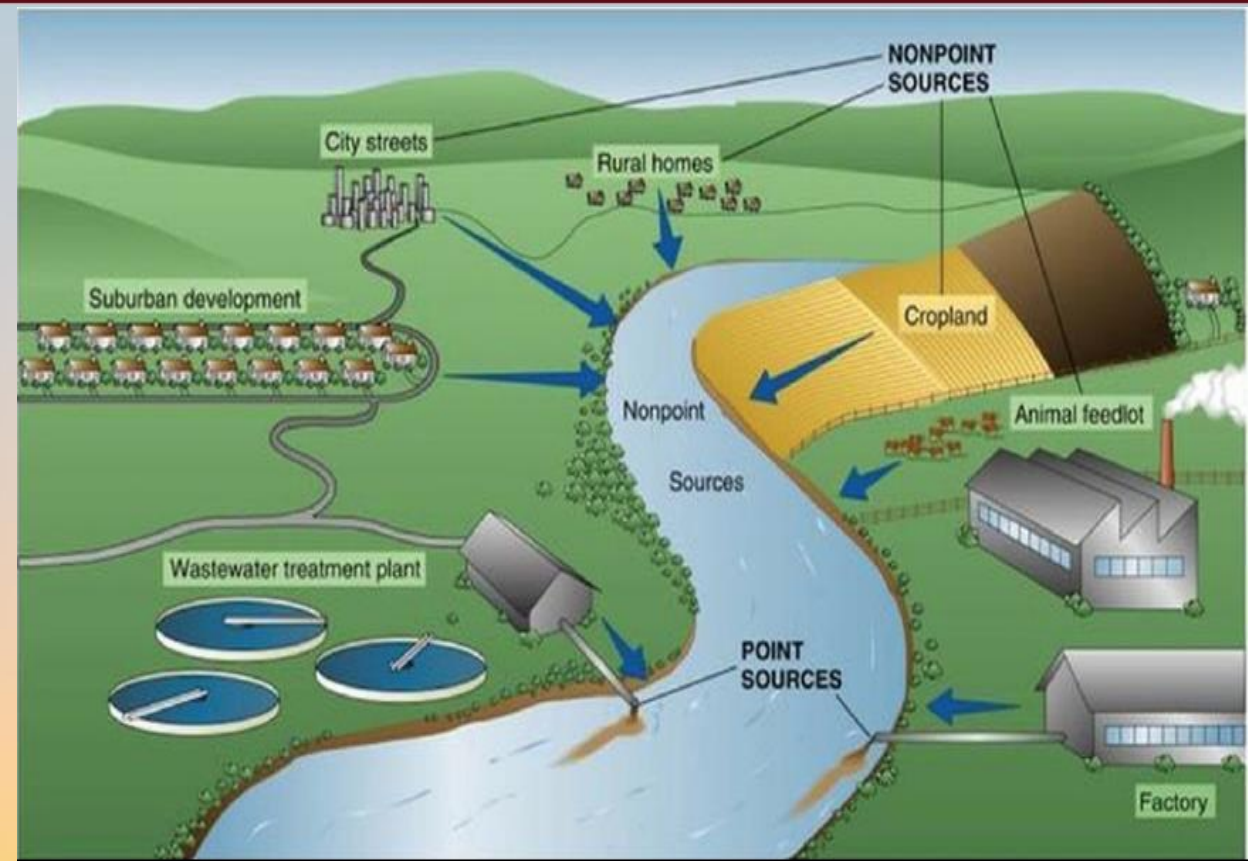
CSA 152 NPDES Stormwater Assessment

1. Discuss and Obtain City Council Direction
2. Background of CSA 152
3. Calculation of Assessment
4. New 2025 Permit Requirements
5. Schedule/Next Steps
6. Questions



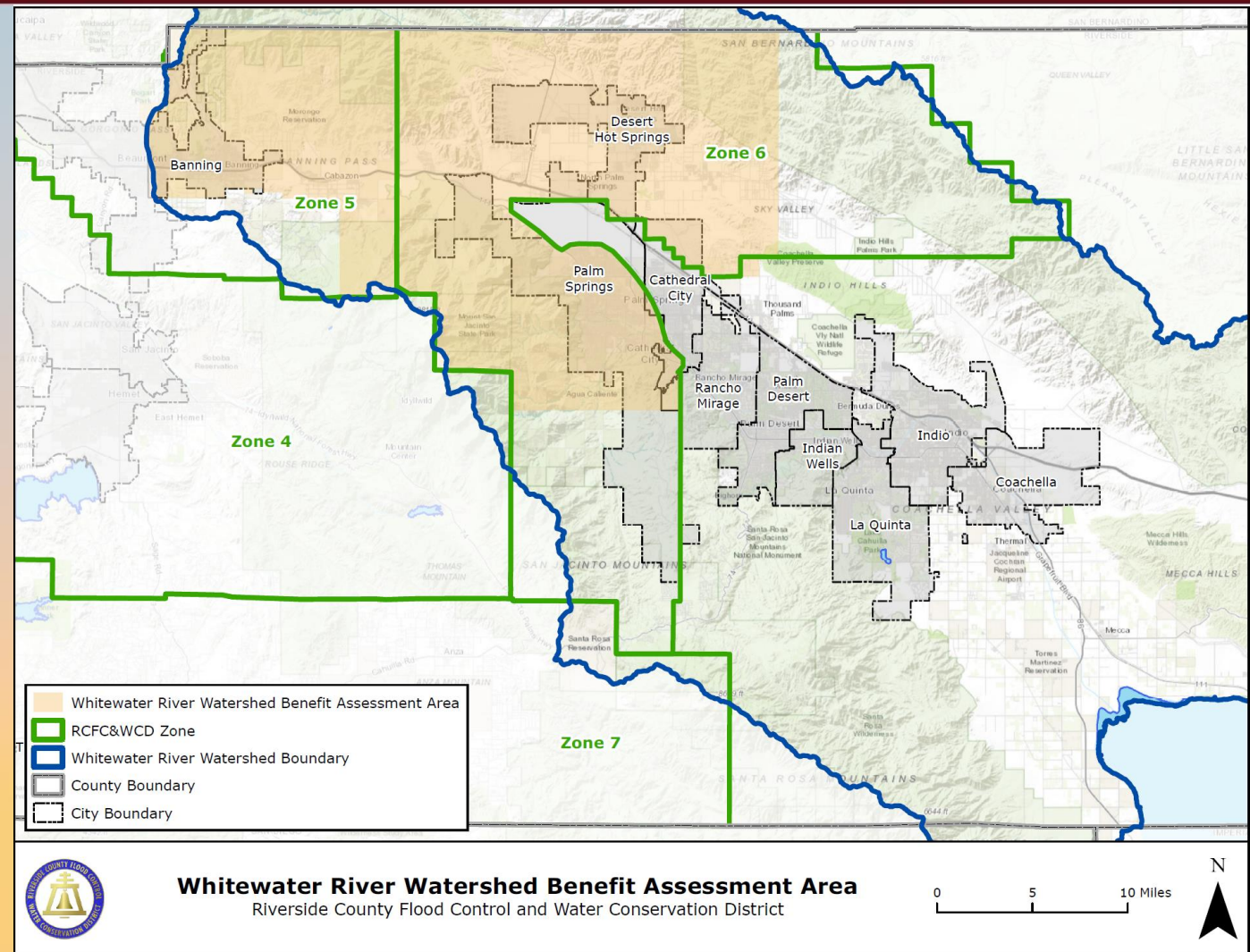
What is a NPDES Permit

- A National Pollutant Discharge Elimination System (NPDES) Permit regulates point and nonpoint source discharges of pollutants into Waters of the United States
- The Federal Clean Water Act prohibits discharges of pollutants from point and nonpoint sources unless regulated by an NPDES Permit
- A joint NPDES Permit to discharge storm water into the various storm channels and washes throughout the Whitewater River Watershed area was issued by the Colorado River Basin Regional Board No. 7



Whitewater River Region

- Two Principal Permittees – RCFC&WCD and Riverside County
- Eleven Co-Permittees – Ten cities and the Coachella Valley Water District
- Designated as a Phase I MS₄ in 1991
- Under the fourth term permit since 2013



Background of CSA 152

- On December 21, 1993, the County of Riverside adopted County Resolution No. 93-454, annexing the City of Banning to its County Service Area (CSA) 152 to fund a portion of its expenditures associated with the NPDES Permit by placing an assessment on property owners' tax bills.
- On March 22, 1994 the City Council approved Resolution No. 1994-028, setting the annual assessment rate for FY 1994/95 at \$4.72 per Benefit Assessment Unit (BAU) and following the formula and methodology of County Ordinance No. 573 to determine the number of BAUs for each type of property
- The City Council then approved the Administrative Services Agreement with the County for the CSA 152 Program on September 27, 1994, via Resolution No. 1994-107
- The following year, on July 11, 1995, the City Council approved Resolution No. 1995-125 and elected not to participate in CSA 152 and instead used the reserve funds from the previous FY to fund the NPDES Permit for FY 1995/96



Background of CSA 152

- From both City and County research, no records have been found showing that either party has ever withdrawn from the Agreement and therefore the City can reinstate the CSA 152 Assessment for the upcoming FY 25/26 if City Council is inclined to do so
- Since the rate was adopted in 1994 prior to the passage of Proposition 218, any increase in the rate would require a Proposition 218 Hearing and vote through an assessment balloting proceeding



Calculation of Benefit Assessment Unit (BAU)

- When CSA 152 was formed, the County determined the formula and methodology to use to calculate the number of BAUs for each type of property based on land use
- Each parcel that contains a structure is assigned a number of Benefit Assessment Units (BAUs). Vacant and undeveloped land is exempt
- A single family home is charged 1 BAU, regardless of its size, amounting to a charge of \$4.72/home/year
- The City has an estimated 10,700 residential and 650 commercial accounts
- A parcel's land use was used to determine its runoff coefficient and BAU/acre (listed in the table on the next slide), and the developed (assumed to be impervious) area in acres of the parcel is used to determine the number of BAUs and thus cost to the property owner per year
- If the CSA 152 stormwater assessment is proposed to resume, a municipal assessment consultant will be hired by the City to calculate the BAUs for each parcel to be placed on the Tax Roll



Calculation of Benefit Assessment Unit (BAU)

- As an example calculation, a Commercial/Industrial property (see below table, Group A, with 12 BAUs/Acre) that is a 10.0 acre commercial/industrial parcel, with a developed area of 8.0 acres, with a City of Banning BAU rate of \$4.72 per year:
- No. of BAUs = (Developed Parcel Area) X 12 BAUs/Acre = 8 X 12 = 96 BAUs
- Therefore, the assessment would be: 96 BAUs X \$4.72/BAU = \$453.12 per year.

BENEFIT ASSESSMENT UNITS (BAUs)			
Group	Land Use	Coefficient Factor	Per Acre
A	Commercial/Industrial	0.8	12
B	Apartments/ Mobile Homes, Churches, Schools	0.6	9
C	Single family, Residential*	0.4	6*
D	Poultry, Irrigated or Cultivated Crops, Vacant or Undeveloped	0	0
E	Golf Courses, Private Parks	0.0067	0.1
F	Parcels with Miscellaneous Structures	0.0033	0.05

* For simplicity, all single family residential properties regardless of size have been assigned 1 BAU.

Other Participating Cities and Collected Revenues

- Below is a list of revenue collected by some cities within CSA 152 for Tax Year 2024. Desert Hot Springs charges \$10.00/BAU with 9,477 parcels and Rancho Mirage \$4.68/BAU and 13,814 parcels



Riverside County Auditor-Controller Special Assessment Value Report - Summary

Criteria

Tax Year: 2024

8/8/2024 4:38:53 PM 68-1853-FC	68-1853-FC CSA 152-RIVERSIDE STORMWATER	72,013	\$1,547,149.50
8/8/2024 4:38:53 PM 68-1854-FC	68-1854-FC CSA 152-CORONA STORMWATER	39,986	\$822,410.20
8/8/2024 4:38:53 PM 68-1857-FC	68-1857-FC CSA 152-DHSPRINGS STORMWATER	9,477	\$153,740.12
8/8/2024 4:38:53 PM 68-1859-FC	68-1859-FC CSA 152-LA QUINTA STORMWATER	22,531	\$300,203.62
8/8/2024 4:38:53 PM 68-1860-FC	68-1860-FC CSA 152-MORENO VLY STORMWATER	47,136	\$708,057.80
8/8/2024 4:38:53 PM 68-1861-FC	68-1861-FC CSA 152-MURRIETA STORMWATER	32,973	\$540,444.08
8/8/2024 4:38:53 PM 68-1862-FC	68-1862-FC CSA 152-NORCO STORMWATER	7,211	\$138,162.80
8/8/2024 4:38:53 PM 68-1864-FC	68-1864-FC CSA 152-PLM SPRINGS STORMWATER	29,309	\$479,304.82
8/8/2024 4:38:53 PM 68-1865-FC	68-1865-FC CSA 152-RNCHOMIRAGE STORMWATER	13,814	\$136,929.64



Benefits of Reinstating the CSA 152 Annual Assessment

- CSA 152 provides a funding mechanism for the NPDES program. Eleven cities joined CSA 152 to ensure revenue is collected to fund a portion of their NPDES Program
- Since assessments have not been collected from properties in the City since 1994, the funding source for the NPDES program is now absorbed by City of Banning Streets Department (Fund 100).
- The NPDES program costs the City about \$300,000 annually to manage the current NPDES Permit. Those costs are expected to be much higher with the new permit given the new requirements and will keep rising over time
- The municipal special district financing consultant will determine the estimated revenue to be collected from the assessment, and a rough estimate would be between \$75,000 and \$110,000/year, which would substantially help with the NPDES program costs

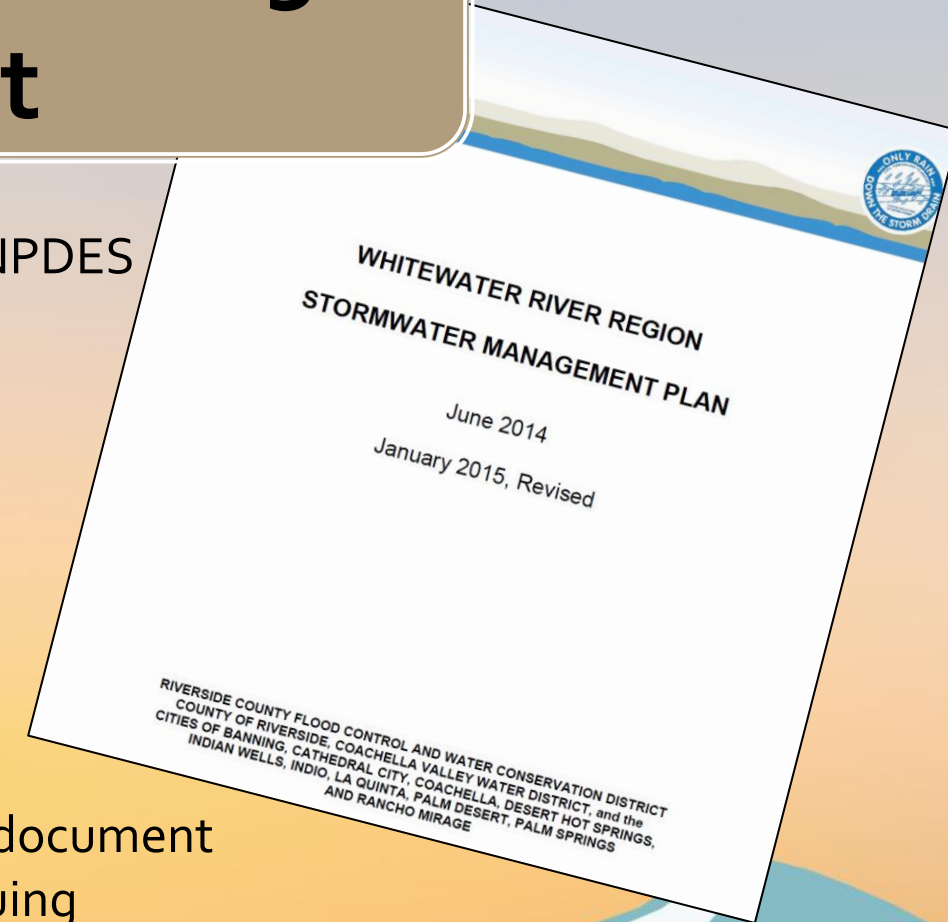


New Provisions in the 2025 NPDES Permit

The following **new** provisions will be incorporated into the 2025 NPDES Permit:

1. Asset Management
2. Fiscal Cost Analysis/ Cost Reporting
3. Urban Pesticides
4. Trash Amendment/Management
5. New Construction General Permit
6. Continued SB 205 Compliance re: Business Licenses

The WWR Stormwater Management Plan is the implementation document and it will be updated to incorporate these provisions and continuing provisions within 12 months of the effective date of the Permit.



Asset Management

40 CFR 122.41(e) *Proper operation and maintenance.* The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

- Permittees will develop an Asset Management Program:
 - Asset Inventory
 - Asset Management Plan



Asset Inventory

Due twelve months following the effective date of the Permit

Maintain a database consisting of:

- Municipal Facilities
- Municipal Storm Sewer Infrastructure (storm drains, basins, inlets, channels, outfalls)
- Full Capture Systems (FCS), trash capture devices

The Asset Inventory will require the following information:

- Name or ID of the facility
- Address or Coordinates
- Inspection frequency based on prioritization
- Last inspection date
- For trash control devices, whether the device is a certified FCS



Asset Management Plan

Complete 24 months following the effective date of the Permit

The Asset Management Plan shall contain the following:

- SOPs for routine maintenance of MS4 facilities, including visual monitoring, removal of trash and debris, reducing the discharge of contaminants during routine cleanouts, and proper disposal of waste
- MS4 facility prioritization – establish the frequency at which each facility/asset is maintained and establish procedures for reprioritization
- How to identify facilities/assets that require maintenance/repair
- Establish a schedule when facilities are expected to be rehabilitated/replaced or when new facilities are established



Fiscal Cost Analysis

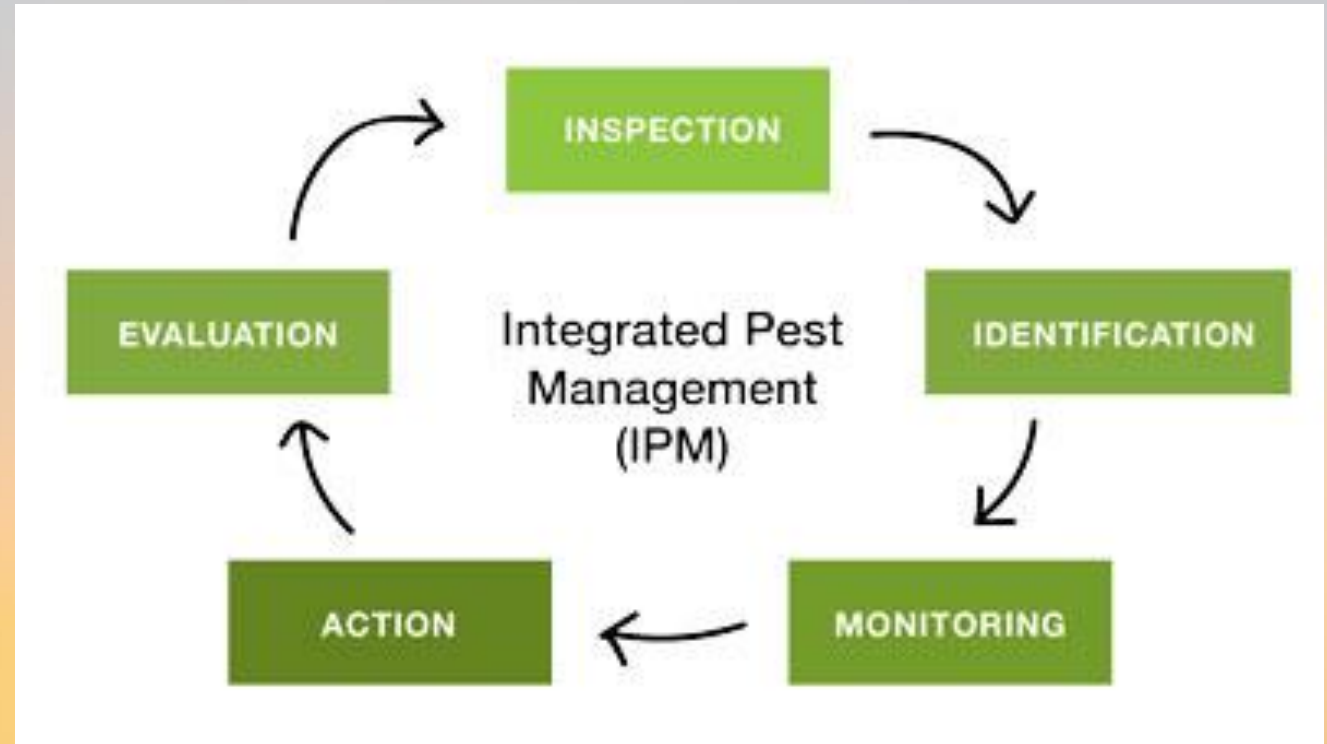
- Under the 2013 Permit, Permittees were not required to report on the costs of stormwater program implementation
- Under the 2024 Permit, Permittees will be required to report total stormwater program budgets for the preceding, current, and future fiscal years, and a description of the sources of funding
- Contingencies for asset failure or repair
- If the SWRCB adopts a new Order for Cost Reporting, extensive tracking of NPDES Permit costs including staff time, equipment and materials, amounting to about 100 categories, would be required
- Monthly reporting on storm water costs including street sweeping and storm drain cleaning and corresponding debris removed from the street, storm drains and catch basins would have to be measured

Category	Capital Expenditures ¹	Land Costs	Personnel Cost	Consultant (s) Cost	Overhead Costs	Construction Costs	Permit(s), Operation, and Maintenance (O&M) Costs	Total Expenditures for this Reporting Year	Program Budget for Next Reporting Year
(1) Program Management ²									
(2) NPDES MS4 Permit Fees									
(3) Minimum Control Measures (MCMs)									
PIPP									
Industrial / Commercial Facilities Program									
Planning & Land Development Program ³									
Construction Program									
Public Agency Activities Program									
IDDE Program									
Additional Institutional BMPs / "Enhanced" MCMs									
(4) TMDL Implementation Plan / Watershed Management Program Development ⁴									
(5) Projects ⁵									
Distributed Projects and Green Streets									
Regional Projects									
Other Structural BMPs									
(6) Trash Compliance									
Trash TMDLs ⁶									
Discharge Prohibitions - Trash ⁷									
(7) Monitoring									
Monitoring Plan Development ⁸									
Outfall and Receiving Water Quality Monitoring									
BMP Effectiveness Monitoring									
Regional Studies ⁹									
Special Studies ¹⁰									
(8) Other ¹¹									
TOTAL									

~100
cost
categories

Urban Pesticides

- Each Permittee will develop and implement policies, procedures, and ordinances to reduce the use of pesticides and fertilizers
- Each Permittee will develop an Integrated Pest Management (IPM) Plan within 18 months of the effective date of the Permit.



Integrated Pest Management Plan

Preventative Measures

- Only use pesticides/fertilizers when needed
- Use least-toxic alternatives
- Prohibit banned/unregistered products

Proper Application

- Do not use during rain, and establish a routine application schedule

Proper Storage and Disposal

- Store indoors within secondary containment
- List procedures to dispose of pesticides
- Keep manifests as a “chain of custody”

Applicator Management

- Ensure Permittee staff are trained to apply pesticides
- Pesticides application must be overseen by a certified pesticide applicator
- Contractors must implement Permittee’s IPM at municipal facilities/operations

Education and Outreach



PREVENT
the build-up
of pests



MONITOR
crops for pests
and natural control
mechanisms



INTERVENE
when control
measures are
needed



Trash Amendment/Management

Trash larger than a diameter of 5 mm must be captured and removed from Priority Land Uses (PLUs) or designated land uses include:

- High Density Residential
- Industrial
- Commercial
- Mixed Urban
- Public Transportation Stations

Interim Compliance Deadline: 50% trash capture devices installed in about 40 City catch basins by 2028

Requires full trash capture from PLUs by December 2, 2030

Annual Reporting

- Update Jurisdictional Map to show installed devices
- Total area, debris removed & percentage area served by device



New Construction General Permit

- New Permit became effective September 1, 2023
- The WDID number must be posted at the site
- Public construction projects now require QSD and QSP involvement
- WQMPs and post construction maintenance plans to be uploaded to SMARTS, allowing for public viewing
- Reissuance Training for QSDs and QSP.



Senate Bill 205

Effective January 1, 2020

Codified under California Business and Professions Code, Section 16000.3 and California Water Code 13383.10

Requires Cities and Counties that have a business license program to:

- Update business license permit applications to provide SIC codes and WDIDs, NEC identification numbers, or NONA numbers
- Identify whether the business license applicant's provided SIC codes require IGP coverage (see IGP Attachment A)
- Enforce SB 205 provisions, which may include withholding/suspending business licenses for facilities that require IGP coverage and do not have a WDID



Industrial General Permit (IGP)

- The IGP, adopted in 2014, and amended in 2015 and 2018, regulates industrial stormwater discharges and non-stormwater discharges from industrial facilities
- Industrial sites can contribute pollutants such as Nutrients (Nitrate, Nitrite, Ammonia) and Heavy Metals (Copper, Lead, Zinc) to receiving waters
- Attachment A of the IGP identifies 9 categories of facilities requiring coverage under the IGP. Those businesses are identified by their SIC Codes



Proposed Schedule and Next Steps

September 24, 2024
CSA 152 Workshop

Discuss the reinstatement of CSA 152 and obtain City Council direction

Public Outreach in October and November, 2024

Provide outreach to residents with PIO's assistance and hold meetings to explain CSA 152 and its purpose

September - November, 2024

Release RFP for Assessment Services, solicit and select a consultant

December 12, 2024

Provide feedback on community outreach and award Assessment Services Contract to a consultant

January, 2025

City Council approves the new CSA 152 Agreement with the County

April, 2025

Consultant completes the final Assessment/ Levy Report for Engineering staff to review

March, 2025

City Council approves the BAU levy and the City's CSA 152 budget for FY 25/26 and submits the Resolution to the County

May, 2025

Engineering staff submits the Assessment/Levy Report for the FY 25/26 Tax Roll to the County

June – August, 2025

The County prepares their staff report and budget and submits the FY 25/26 CSA 152 assessments to the County Assessor's Office



Questions?

Contact Information

Nate Smith, P.E. Deputy Director of
Public Works/ City Engineer

nsmith@banningca.gov



2 RESOLUTION NO. 93-454

3 RESOLUTION ORDERING TERRITORY DESIGNATED AS
4 LAFCO NO. 93-39-ALL ANNEXED
5 TO COUNTY SERVICE AREA NO. 152

6 WHEREAS, the Local Agency Formation Commission of the County
7 of Riverside adopted its Resolution No. 74-93 on October 28, 1993,
8 making determinations and approving the proposed annexation to County
9 Service Area 152 of territory described in Exhibit "A" attached hereto
10 and by this reference incorporated herein; and

11 WHEREAS, the reasons for this proposed annexation are to
12 provide a revenue collection mechanism for the implementation of the
13 National Pollutant Discharge Elimination System Program (NPDES); and

14 WHEREAS, the regular county assessment roll is utilized by
15 this district; and

16 WHEREAS, the affected territory will not be taxed for existing
17 general bonded indebtedness of this district; and

18 WHEREAS, this annexation is exempt from the California
19 Environmental Quality Act pursuant to CEQA Guidelines Section
20 15061(b)(3); and

21 WHEREAS, a public hearing on this annexation was called for
22 and held by this Board at the place and time noticed therefore on
23 December 21, 1993, and this Board finds and determines that the value of
24 written protests filed and not withdrawn is less than 25 percent of the
25 registered voters residing within the territory to be annexed and less
26 than 25 percent of the number of owners of land owning less than 25
27 percent of the assessed value of land within the territory.
28

1 NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED, by the
2 Board of Supervisors of the County of Riverside in regular session
3 assembled on December 21, 1993, that it hereby orders the territory
4 described in Exhibit "A" annexed, and directs the Clerk of the Board to
5 transmit a certified copy of this resolution with applicable fees
6 required by Section 54902.5 of the Government Code to the executive
7 officer of the Local Agency Formation Commission of Riverside County.
8

9 Roll Call:

10 Ayes: Buster, Dunlap, Cenicerros, Larson, Younglove

11 Noes: None

12 Absent: None

13
14 The foregoing is certified to be a true copy of a
resolution duly adopted by said Board of Super-
visors on the date therein set forth.

15 GERALD A. MAULNEY, Clerk of said Board

16 By _____ Deputy
17
18
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24 JSR:dbf-f:\prop\db\resoluti\93reso-121393
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1
2 The boundaries of the subject territory are: the entire
3 corporate boundaries of the cities of Banning, Cathedral City,
4 Coachella, Desert Hot Springs, Indio, La Quinta, Moreno Valley,
5 Murrieta, Norco, Palm Desert, Palm Springs and Rancho Mirage.
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EXHIBIT "A"

RESOLUTION NO. 1994-28

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING
SETTING RATES FOR COUNTY SERVICE AREA 152 - TO FUND
CITY'S NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
(NPDES) PROGRAM**

WHEREAS, the County of Riverside, by its Resolution No. 93-454 adopted December 21, 1993, annexed the City of Banning to its County Service Area (CSA) 152 at the City's request to meet the Environmental Protection Agency's requirement to obtain operating permits for discharges from storm drain systems and to pay for anticipated project costs that places an assessment on property owners' tax bills to fund expenditures required by the permit; and

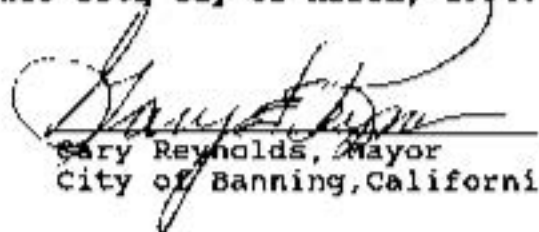
WHEREAS, City staff has estimated the stormwater management program requirements will cost the City approximately \$53,600 annually; and

WHEREAS, a "Benefit Assessment Unit" is defined in the Riverside County Flood Control and Water Conservation District Manual, the portion of which defining Benefit Assessment Unit is attached as exhibit 1 and by this reference made a part hereof; and

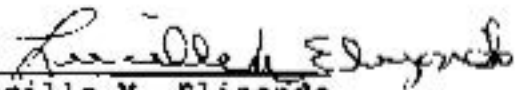
WHEREAS, this City Council has determined, based on staff's calculations, that annual assessments are anticipated to be \$4.72 per Benefit Assessment Unit.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Banning that the annual assessment rate for fiscal year 1994-95 for CSA 152 - Banning is hereby set at \$4.72 per Benefit Assessment Unit.

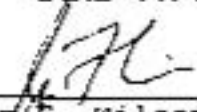
PASSED, APPROVED, AND ADOPTED this 22th day of March, 1994.


Gary Reynolds, Mayor
City of Banning, California

ATTEST:


Lucille M. Elizondo
City Clerk of the City of
Banning, California

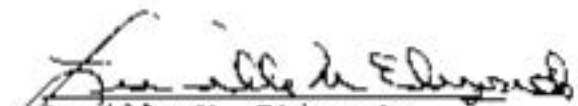
APPROVED AS TO FORM
AND LEGAL CONTENT


John F. Wilson, Esq.
City Attorney

CERTIFICATION

I, Lucille M. Elizondo, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 1994-28, was duly adopted by the City Council of the City of Banning, California, at a Regular Meeting thereof held on the 22th day of March, 1994, by the following vote, to wit;

AYES: Councilmembers Anderson, Lewis, Williams, Mayor Reynolds
NOES: Councilmember Smith
ABSENT: None
ABSTAIN: None


Lucille M. Elizondo
City Clerk, City of Banning
California

Res 1994-28

ORDINANCE NO. 573, AUTHORITY FOR CSA 152

The purpose of this ordinance is to establish a procedure for the levy and collection of charges for extended governmental service provided in county service areas, under the authority of the County Service Area Law as set forth in Government Code Section 25210.1 et. seq. The charges established hereunder shall be levied to pay in whole or part the cost of providing such extended governmental services.

BENEFIT ASSESSMENT UNIT (BAU) BACKGROUND AND METHODOLOGY

The assessment computation methodology adopted for this CSA is the BAU method developed by Riverside County Flood Control District.

This method spreads the total assessment to parcels within the benefit assessment area in proportion to each parcel's runoff. Runoff is determined by first knowing a parcel's size in acres its present land use (Residential, Commercial, Industrial, etc.) and then assigning a runoff factor to its general land use category. Runoff factors are estimates of how much rainfall runs off a parcel in comparison to the amount of rainfall that fall on a parcel. In other word, the runoff factor is a way of expressing the relative degree of imperviousness of parcels with different land uses. Paved and improved parcels have runoff factors closer to 1.0 (where 1.0 equals 100% runoff) than do unpaved or unimproved parcels. Reducing the large number of land uses in the County to six general categories for estimating runoff under the benefit assessment procedure provides for a manageable and reasonable computation method.

For the National Pollutant Discharge Elimination System (NPDES) Program additional factors have been brought in to the analysis which consider the type of activity on that land use. This program is required by Federal Regulation to focus its attention on urbanized areas or developments and to exclude agricultural properties. Therefore agricultural and vacant undeveloped properties have been completely exempted from assessments even though they obviously may have some amount of runoff.

The computation of the assessment for any parcel is based on the number of BAUs assigned to that parcel. A single-family residential parcel of 7,200 square feet (1/6 acre) in size with a runoff factor of 0.40 was selected as the standard BAU. The number of BAUs for any other parcel can be computed by relating its size and land use to the BAU as described under the heading "Computation of Units for Each Parcel".

Again, the principle involved is relating storm runoff to the amount of impervious area present (actual developed acreage).

03/02/94

The table below shows the six categories of land use, their respective runoff factors and the BAU per acre.

BENEFIT ASSESSMENT UNITS

GROUP	LAND USE	FACTOR PER ACRE	
A	Commercial, Industrial	0.80	12
B	Apartments/Mobile Home Parks, Churches, Schools	0.60	9
C	Single-Family Residential	0.40	6
D	Poultry, Irrigated/Cultivated Crops, Livestock, Vacant Undeveloped	0.00	0
E	Golf Courses, Private Parks	0.0067	0.10
F	Parcels with Miscellaneous Structures	0.0033	0.05

EXAMPLES OF TYPICAL LAND USE CODES

GROUP A - COMMERCIAL/INDUSTRIAL

Land Use Codes: CI - Commercial Properties
 CL - Commercial Buildings on leased land

GROUP B - APARTMENTS/MOBILE HOME PARKS, CHURCHES, SCHOOLS

Land Use Codes: CA - Apartment Buildings (4 or more units)
 CE - Churches
 EP - Mobile Home Rental Park (3 or more units)
 RS - Apartment Buildings (4 or more units)
 SC - Schools

GROUP C - SINGLE-FAMILY RESIDENTIAL

Land Use Codes: AR - Agricultural Residential
 CR - Single-Family Residential (3 or less units)
 MF - Individually owned parcel with mobile home
 MO - Individually owned parcel with mobile home
 MP - Mobile Home on leased land
 PR - Residential on agricultural preserve
 R1 - Single-Family Residential
 R2 - Residential (2 or 3 units)
 RC - Condominiums with private entry
 RD - Condominiums with common entries
 RI - Single-Family Residential
 RM - Individually owned mobile home lot
 RR - Single-Family Residential
 RX - Exceptional Residential

GROUP E - GOLF COURSE, PRIVATE PARKS

Land Use Codes: CS - Cemeteries (Excluding non-profit)
 GC - Golf Course

GROUP F - PARCELS WITH MISCELLANEOUS STRUCTURES

Land Use Codes: AS - Vacant with miscellaneous structure
 VS - Land with miscellaneous structure only
 Examples: Old foundations, pump houses or sheds not in use

COMPUTATION OF UNITS FOR EACH PARCEL

As previously stated, the BAU is the proportionate runoff from a single-family residential parcel with an area of 1/6 (0.17) acre. Other sized parcels and land use categories will have multiples of the basic unit.

$$\text{One (1) Unit} = (0.17 \text{ Acre}) \times (\text{Single-Family Residential Runoff Factor})$$

or,

$$\text{One (1) Unit} = (0.17 \text{ Acre} \times 0.40)$$

For simplicity all single-family residential properties regardless of size have been assigned 1 BAU.

The number of assessment units for all parcels (other than single-family residential larger than 0.17 acres) is determined by the following equation:

$$\text{Number of Units} = \frac{(\text{Area of Parcel in Acres}) \times (\text{Runoff Factor})}{\text{One Basic Assessment Unit}}$$

Therefore,

- Group A: Commercial, Industrial
Runoff Factor = 0.80
BAUs = (Area of Parcel Developed) X 12 BAU/Acre
- Group B: Apartments, Mobile Home Parks, Churches, Schools
Runoff Factor = 0.60
BAUs = (Area of Parcel Developed) X 9 BAU/Acre
- Group C: Single-Family Residential
Runoff Factor = 0.40
BAUs = (.17 Acres) X 6 BAU/Acre
- Group D: Poultry, Irrigated Crops, Cultivated Crops, Dairies, Livestock Feeding Yards, Vacant Undeveloped
Runoff Factor = 0.00
BAUs = 0.00
- Group E: Golf Courses, Private Parks
Runoff Factor = 0.0067
BAUs = (Area of Parcel Developed) X 0.10 BAU/Acre
- Group F: Parcels with miscellaneous structures
Runoff Factor = 0.0033
BAUs = (Area of Parcel Developed) X 0.05 BAU/Acre

EXAMPLES OF TYPICAL ASSESSMENTS

1. Commercial/Industrial (Group A)

ASSUME: A 10.0 acre commercial/industrial parcel with a developed area of 8.0 acres which has a BAU rate of \$4.00 per year:

$$\begin{aligned} \text{No. of BAUs} &= (\text{Developed Parcel Area}) \times 12 \text{ BAU/Acre} \\ &= 8 \times 12 = 96 \text{ BAUs} \end{aligned}$$

Therefore, the assessment would be:
 $96 \text{ BAUs} \times \$4.00/\text{BAU} = \$384.00 \text{ per year}$

2. Apartments, Mobile Home Parks (Group B)

ASSUME: A 10.0 acre mobile home park with a developed area of 8.0 acres which has a BAU rate of \$4.00 per year:

$$\begin{aligned} \text{No. of BAUs} &= (\text{Developed Parcel Area}) \times 9 \text{ BAU/Acre} \\ &= 8.0 \times 9 = 72 \text{ BAUs} \end{aligned}$$

Therefore, the assessment would be:
 $72 \text{ BAUs} \times \$4.00/\text{BAU} = \$288.00 \text{ per year}$

3. Residential (Group C)

ASSUME: A 10.0 acre single-family residential parcel in which has a BAU rate of \$4.00 per year:

$$\begin{aligned} \text{No. of BAUs} &= (0.17 \text{ acres}) \times 6 \text{ BAU/Acre} \\ &= 0.17 \times 6 = 1 \text{ BAU} \end{aligned}$$

Therefore, the assessment would be:
 $1 \text{ BAU} \times \$4.00/\text{BAU} = \$4.00 \text{ per year}$

4. Poultry, Irrigated Crops, Cultivated Crops, Dairies,

Livestock, Vacant Underdeveloped (Group D)

ASSUME: A 10.0 acre Poultry parcel which has a recommended BAU rate of \$4.00 per year:

$$\begin{aligned} \text{No. of BAUs} &= (\text{Developed Parcel Area}) \times 0 \text{ BAU/Acre} \\ &= 10.0 \times 0 = 0 \text{ BAUs} \end{aligned}$$

Therefore, the assessment would be:
 $0 \text{ BAU} \times \$4.00/\text{BAU} = \$0.00 \text{ per year}$

5. Golf Courses, Private Parks (Group E)

ASSUME: A 10.0 acre Golf Course or Private Park with a developed area of 8.0 acres which has a recommended BAU rate of \$4.00 per year:

$$\begin{aligned}\text{No. of BAUs} &= (\text{Developed Parcel Area}) \times 0.10 \text{ BAU/Acre} \\ &= 8.0 \times 0.10 = 0.80 \text{ BAUs}\end{aligned}$$

Therefore, the assessment would be:
 $0.80 \text{ BAUs} \times \$4.00/\text{BAU} = \$3.20 \text{ per year}$

6. Parcels with miscellaneous structures (Group F)

ASSUME: A 10.0 acre parcel with 8.0 acres of old foundations, or pump houses not occupied or being used which has a recommended BAU rate of \$4.00 per year:

$$\begin{aligned}\text{No. of BAUs} &= (\text{Developed Parcel Area}) \times 0.05 \text{ BAU/Acre} \\ &= 8.0 \times 0.05 = .40 \text{ BAUs}\end{aligned}$$

Therefore, the assessment would be:
 $0.40 \text{ BAUs} \times \$4.00/\text{BAU} = \$1.60 \text{ per year}$

EXCEPTIONS

The assessment system is designed to identify and compute assessments on "TYPICAL" properties closely meeting those land use descriptions. However the system is flexible enough to accommodate situations which do not meet the average or typical land use within the 6 categories. In those instances "EXCEPTION RULES" have been established to provide a consistent method to evaluate those properties.

1. RV Parks having seasonal occupation will have a 50% reduction rate applied to the calculated assessment
2. Even though agricultural parcels are exempt a single-family residential unit on an agricultural parcel is not exempt and will be assessed at the normal single-family residential calculation
3. All vacant/undeveloped land is exempt regardless of the land use code
4. All agricultural parcels are exempt, packing sheds or storage buildings used in conjunction with the agricultural activity are exempt
5. Indian Federal lands and Bureau of Land Management lands are exempt, however Indian lands leased to non-Indian entities with structures are not exempt

PROCEDURE FOR TYPICAL CSA 152 RE-EVALUATION

For property owners who feel that their parcel does not meet the typical situation, a system for evaluation has been established.

Using the following Sample Form to re-evaluate a property owner's CSA 152 assessment, City staff should determine if the assessment is incorrect by reviewing aerial photos or by field inspection if necessary.

The evaluation form could be provided to the property owner by mail or made available at the counter. The top half of the form (Property Information) can be completed by the property owner and mailed back to staff or information can be gathered by staff over the telephone. The bottom half of the form is for staff use to record the information about the property gathered during the evaluation which is necessary to determine if a corrected assessment is necessary.

Questions regarding the re-evaluation procedure may be directed to:

Judy Watterlund
(909) 275-6829
Special Programs Section
Riverside County Transportation Department

Completed forms should be transmitted to:

Riverside County Transportation Department
1695 Spruce Street
Riverside, CA 92507
Attn: Judy Watterlund

SAMPLE FORM

**CSA 152
ASSESSMENT RE-EVALUATION**

OWNER'S NAME _____ DATE _____

PROPERTY ADDRESS _____ TAX YEAR 93-94

MAILING ADDRESS _____

TELEPHONE NO. _____ CONTACT PERSON _____

ASSESSOR PARCEL NO. _____ ASSESSMENT \$ _____

FOR STAFF USE ONLY

PARCEL ACREAGE _____ AC. DEVELOPED ACREAGE _____ AC.

PROPERTY EVALUATION: AERIAL PHOTO _____ SITE VISIT _____

PROPERTY DESCRIPTION/COMMENTS _____

ASSESSMENT DATA

LAND USE	BAU/ ACRE	* DEVELOPED: \$ RATE ACREAGE /BAU	\$ ASSESSMENT

RECOMMENDED CORRECTED ASSESSMENT \$ _____

CSA 152 FUND NUMBER _____

- * APPROXIMATE DEVELOPED ACREAGE ROUNDED TO THE NEAREST HUNDRETH OF AN ACRE FOR THIS CALCULATION.

QUESTIONS REGARDING THIS ASSESSMENT, PLEASE CONTACT:

PROCESSING CSA 152 ASSESSMENT RE-EVALUATIONS PRIOR TO PROPERTY TAX STATEMENTS BEING MAILED (Before September, 1)

Re-evaluation forms should be submitted to the Special Programs Section of the County Transportation Department prior to property tax statements being mailed (prior to September 1 of every year). The approved corrections to the assessments will be updated to the computer data base assessment roles prior to generation of property tax statements. There is no charge for corrections made prior to issuance of property tax statements.

PROCESSING CSA 152 ASSESSMENT RE-EVALUATIONS AFTER PROPERTY TAX STATEMENTS ARE MAILED

Re-evaluation forms submitted to the Special Programs Section after property tax statements have been mailed will be forwarded to the County Auditor-Controller's office for processing. The Auditor Controller will make the correction to the property tax statement using one of two methods; 1) issue a revised property tax statement or 2) issue a refund check. The correction to the computer data base assessment roles will be made by the Special Programs Section prior to the next tax year.

Method 1:

If 1/2 of the property taxes were paid on the first installment, the Auditor Controller will issue a revised property tax statement showing the second installment balance reduced by the difference between the actual assessment and the recommended corrected assessment.

The property owner will not see a reduction in the actual CSA 152 assessment on the revised tax statement, the only noticeable difference will be in the second installment balance due.

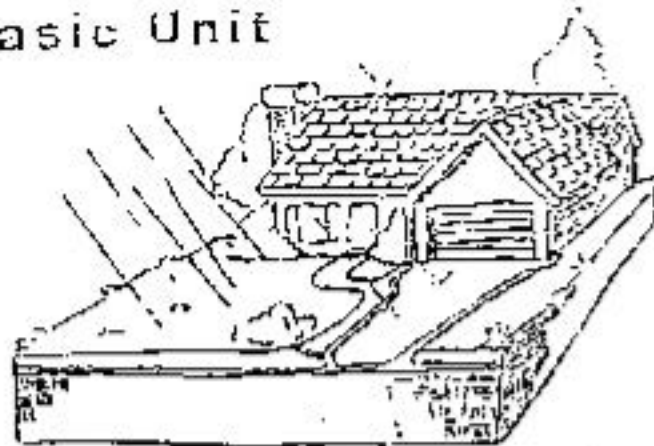
Method 2:

If the property taxes were paid in their entirety on the first installment and the difference between the actual assessment and the recommended corrected assessment exceeds \$10.00 the Auditor Control will issue a refund check to the property owner. This may take anywhere from 3 to 6 months to occur.

Each revised property tax statement or refund check processed by the Auditor Controller will cost \$15.00 which will be charged to the corresponding CSA 152 fund number.

RESIDENTIAL

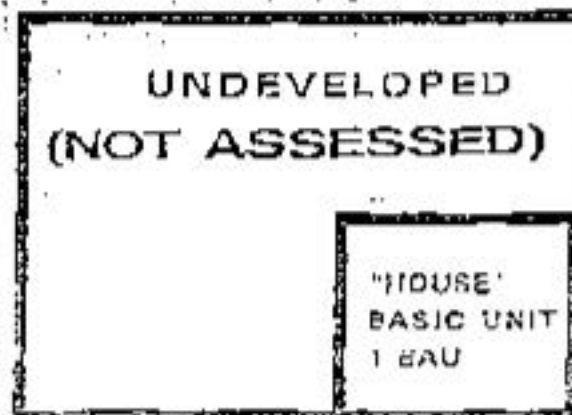
Basic Unit



1/6 Acre Single Family Residential Parcel
Run off Factor 0.40 or 40%

BAU's 1.00

Sample: 2.17 Acre Parcel



1/6 ACRE = .17
ACRE

HOUSE (BASIC UNIT 1/6 acre) = 1 BAU

1 BAU X BAU RATE = \$ ASSESSMENT

COMMERCIAL / INDUSTRIAL

UNDEVELOPED 10 ACRES (NOT ASSESSED)
DEVELOPED 5 ACRES

SAMPLE:

12 BAU / ACRE X 5 ACRES DEVELOPED = 60 BAU'S

60 BAU X BAU RATE = \$ ASSESSMENT

Resolution No. 1994-107

APPROVING ADMINISTRATIVE SERVICES AGREEMENT
FOR CSA 152 PROGRAM BETWEEN THE CITY OF BANNING
AND RIVERSIDE COUNTY

WHEREAS, Section 402(p) of the Federal Clean Water Act requires municipalities to obtain a National Pollutant Discharge Elimination System (NPDES) Permit before discharging stormwater into the waters of the United States; and,

WHEREAS, County has formed CSA 152 to finance a portion of its programs and obligations associated with the municipal NPDES permits and individual General NPDES Permits; and,

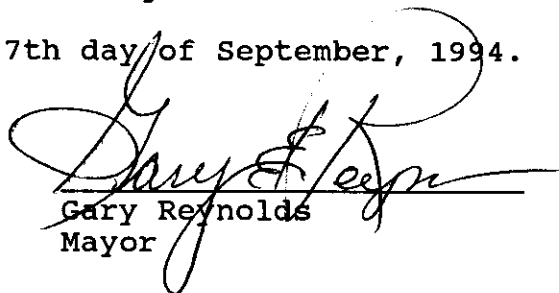
WHEREAS, cooperation between County and City in the administration and implementation of the NPDES Permits is in the best interests of County and City; and,

WHEREAS, City was formally annexed into CSA 152 by County Resolution No. 93-454 on December 21, 1993; and,

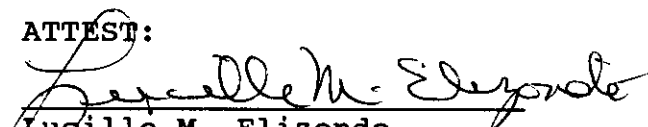
WHEREAS, County and City are to perform certain duties prescribed in this Agreement that will benefit all parties;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Banning that the attached Agreement labeled Exhibit "A" be approved and the Mayor is authorized to execute the agreement.

PASSED, APPROVED, AND ADOPTED this 27th day of September, 1994.


Gary Reynolds
Mayor

ATTEST:


Lucille M. Elizondo
City Clerk

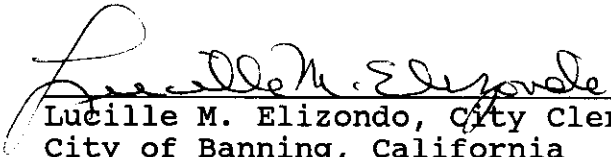
APPROVED AS TO FORM
AND LEGAL CONTENT:


John F. Wilson
City Attorney

CERTIFICATION

I, LUCILLE M. ELIZONDO, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 1994-107 was duly adopted by the City Council of the City of Banning at a regular meeting thereof held on the 27th day of September, 1994, by the following vote, to wit:

AYES: Councilmembers Anderson, Lewis, Smith, Mayor Reynolds
NOES: None
ABSTAIN: None
ABSENT: Councilmember Williams



Lucille M. Elizondo, City Clerk
City of Banning, California

Resolution No. 1994-107

ADMINISTRATIVE SERVICES AGREEMENT
FOR CSA 152 PROGRAM
BETWEEN
RIVERSIDE COUNTY AND CITY OF BANNING

This Agreement, entered into as of this _____ day of _____ 1994 by the COUNTY OF RIVERSIDE, hereinafter called "COUNTY", and the CITY OF BANNING, hereinafter called "CITY", establishes the responsibilities and obligations of each party concerning the management and financing of COUNTY SERVICE AREA 152, hereinafter called "CSA 152".

RECITALS

WHEREAS, Congress in 1987 added Section 402(p) to the Federal Clean Water Act (CWA) [33 U.S.C. 1342(p)]; and,

WHEREAS, Section 402(p) requires certain municipalities, construction and industrial facilities to obtain a National Pollutant Discharge Elimination System (NPDES) Permit before discharging stormwater into the waters of the United States; and,

WHEREAS, COUNTY and CITY have obtained or will obtain a municipal NPDES Permit for each of the three watersheds of the County; and,

WHEREAS, COUNTY has formed CSA 152 to finance a portion of its programs and obligations associated with the municipal NPDES Permits and individual General NPDES Permits; and,

WHEREAS, cooperation between COUNTY and CITY in the administration and implementation of the NPDES Permits is in the best interests of COUNTY and CITY; and,

WHEREAS, CITY was formally annexed into CSA 152 by COUNTY Resolution No. 93-454 on December 21, 1993; and,

WHEREAS, COUNTY and CITY are to perform certain duties prescribed in this

1 Agreement that will benefit all parties;

2 NOW, THEREFORE, the parties hereto do mutually agree as follows:

3 1. DELEGATION OF RESPONSIBILITIES. The responsibilities of each party shall be
4 as follows:

5 A. COUNTY shall assume the responsibilities and meet the requirements
6 of CSA 152 administration for COUNTY and CITY by:

7 (1) Preparing CSA 152 budget and reports in compliance with County
8 Ordinance No. 573.

9 (2) COUNTY shall also:

10 (a) Prepare the required narrative for said budget and reports
11 along with COUNTY'S individual budget or report on COUNTY
12 activities.

13 (b) Annually prepare and forward to the appropriate agency computer
14 tape information on individual assessments of parcels within CITY for
15 generation of Benefit Assessment Units (BAU) totals and assessments
16 for CITY.

17 (c) Forward CITY corrections to assessments and tax bills to Auditor-
18 Controller/Tax Collector.

19 (d) Review and coordinate CITY CSA 152 budget with overall
20 CSA 152 budget.

21 (e) Reimburse CITY for actual expenditures incurred under provision
22 of approved CITY CSA 152 budget and allocations.

23 (f) Conduct mailing of proposed tax rate assessment for CITY for FY
24 94/95 and any year CITY requires notices. COUNTY shall bill CITY
25 for these services at cost.

26 (g) Provide to CITY annual property assessment printouts and a BAU
27

summary.

(h) Provide to CITY standardized forms including but not limited to assessment re-evaluation forms, budget and expense reimbursement formats.

(i) Serve as administrative and technical advisor on CSA budget preparation and assessment re-evaluations.

(j) Assess CITY an annual six percent (6%) administrative fee on new revenue for CITY CSA 152 budget.

(k) Be responsible to CITY for reasonable requests by CITY for information, billing tapes, data, changes, corrections, refunds, issuances of new CITY tax bills or revisions. Said requests will be at expense of CITY.

(l) Conduct annual County public budget hearing of CSA 152.

(m) Assist CITY with first year CITY public information forum on NPDES program and CSA 152 administration by providing administrative and technical guidance.

(n) Provide CITY with copy of CSA 152 budget prior to submittal to COUNTY Board of Supervisors.

B. CITY shall assume the responsibilities and meet the requirements of CSA 152 administration for CITY by:

(1) Preparing CITY CSA 152 budget and reports on its activities using COUNTY format, hereto attached as Exhibit A and incorporated herein by reference. Said budget and reports shall be submitted to COUNTY for incorporation with COUNTY CSA 152 budget narrative and in accordance with Schedule of Events, hereto attached as Exhibit B and incorporated herein by reference.

1 (2) CITY shall also:

2 (a) Conduct NPDES and CSA 152 public forum for CITY constituents
3 prior to COUNTY CSA 152 public hearing for new or increased CSA
4 152 assessment over prior fiscal year assessment.

5 (b) Be responsible for CITY updates, corrections or revisions to be
6 entered into COUNTY data base for CSA 152 or any corrections,
7 revisions, refunds or issuance of new CITY tax bills through
8 COUNTY at CITY expense.

9 (c) Be responsible to COUNTY for any proposed tax assessment
10 printing and/or mailings CITY may want COUNTY to perform at
11 CITY expense.

12 (d) Be responsible for replies to CITY taxpayer inquiries and
13 requests for CITY CSA 152 budget information and NPDES Program
14 within CITY boundaries.

15 (e) Provide COUNTY with CITY telephone numbers and public forum
16 dates for CITY taxpayer inquiries on CITY CSA 152 program and for
17 inclusion on CITY CSA 152 assessment mailings or proposed
18 assessment increases by February 15 of each year, and keep such
19 numbers updated as necessary.

20 2. FEES AND PAYMENT. COUNTY shall administer CSA 152 for the benefit of
21 COUNTY and CITY. CITY share of annual CSA 152 administration shall be a six percent
22 (6%) fee of CITY CSA 152 annual budget.

23 A. CITY shall be responsible for payment to COUNTY, at cost, for services that
24 require:

25 (1) COUNTY to provide information, billings tapes, data changes, corrections,
26 refunds, issuances of new CITY tax or revisions to CITY. COUNTY shall
27

1 provide an itemized billing of completed work to CITY.

2 (2) COUNTY to perform printing and/or mailing of proposed tax assessment
3 rates of CITY assessed parcel numbers.

4 3. SHARE OF COSTS. In the event CSA 152 requires the services of a consultant, as
5 mutually determined by COUNTY and CITY, to prepare manuals and/or perform studies
6 such as, but not limited to, management audits and fiscal reports that are relevant to the
7 entire CSA 152 boundary, the cost of said consultant services will be shared by COUNTY
8 and CITY using the methodology of this Section.

9 A. Share of Cost Methodology. The individual percentage contribution from
10 COUNTY and CITY shall be a function of population. Contribution shall be calculated as
11 the population of COUNTY or CITY, divided by the aggregate total population of all CSA
12 152 members, thusly:

13 (1) Contribution (%) = X_n/X_t

14 X_n = population of COUNTY or CITY

15 X_t = total population of all CSA 152 members combined.

16 (2) The population of COUNTY, CITY and CSA 152 member cities will be
17 based on the latest California State Department of Finance population figures
18 issued in May of each year.

19 B. COUNTY shall keep CITY apprised and notified of COUNTY requests for
20 proposal (RFP), selection of consultant, consultant's fee, any contract timetables and
21 consultant schedule of payments.

22 4. TERM OF AGREEMENT. The term of this Agreement shall commence on the date
23 the last duly authorized representative of COUNTY or CITY executes it. The term of the
24 agreement shall be indefinite or as long as required for the Clean Water Act.

25 5. WITHDRAWAL FROM AGREEMENT. Either Party may withdraw from this
26 Agreement thirty (30) days after giving written notice to other Party. In event withdrawal
27

1 becomes effective, withdrawal shall constitute forfeiture by the withdrawing party of its share
2 of costs and administrative fees paid as described in Sections 2 and 3 of this Agreement up
3 to the effective date of withdrawal. The withdrawing party shall be responsible for all
4 lawfully assessed penalties as a consequence of withdrawal.

5 6. **AMENDMENTS TO THE AGREEMENT.** This Agreement may be amended by
6 mutual consent of the parties to the Agreement. No amendment to this Agreement shall
7 be effective unless it is in writing and signed by the duly authorized representatives of the
8 parties.

9 7. **NOTICES.** All notices shall be deemed duly given when delivered by hand; or five (5)
10 days after deposit in the U. S. mail, postage prepaid.

11 8. **GOVERNING LAW.** This Agreement will be governed and construed in accordance
12 with laws of the United States and the State of California. If any provision or provisions
13 of this Agreement shall be held to be invalid, illegal or unenforceable, the validity, legality
14 and enforceability of the remaining provisions shall not in any way be affected or impaired
15 hereby.

16 9. **CONSENT TO BREACH NOT A WAIVER.** No term or provision hereof shall be
17 deemed waived and no breach excused, unless such waiver or consent is in writing and
18 signed by the party so waiving or consenting. Any consent by any party to, or waiver of, a
19 breach by the other party, whether expressed or implied, shall not constitute a consent to,
20 waiver of, or excuse for any other different or subsequent breach.

21 10. **APPLICABILITY OF PRIOR AGREEMENTS.** This Agreement and the Exhibits
22 attached hereto constitute the entire agreement between the parties with respect to the
23 subject matter; all CSA 152 prior agreements, representations, statements, negotiations and
24 understandings are superseded hereby.

25 11. **HOLD HARMLESS.** Each Party shall indemnify and hold harmless the other party
26 from liability or damages resulting from its own acts or omissions including those of its
27

1 officers or employees in the performance of this Agreement.

2 IN WITNESS WHEREOF, this Agreement has been executed as of the day and year first
3 above written.

4 CITY OF BANNING

5 ATTEST:

6 City Clerk

7 By _____

8 Mayor

9
10 _____
11 City Manager

12 Form Approved

13 County Counsel

14 COUNTY OF RIVERSIDE,

15 BY _____

on behalf of CSA 152

16 Deputy

17 _____
18 Chairman, Board of Supervisors
19

20 ATTEST:

21 Gerald A. Maloney

22 Clerk of the Board

23 By _____

24 Deputy

25 /

26 /

BUDGET FORMAT*

EXHIBIT A

CITY CSA 152 (NPDES)
FY ____

APPROPRIATIONS**

Storm Drainage System Inspection -

(36" and larger)

Initial Inspection -----

Underground/Open Channel -----

Water Quality Testing -----

Document Violations -----

Inspection Preparation Plan -----

Updating Construction/

Facilities Drawings -----

Drainage Area Management Plan (DAMP) -

DAMP Preparation -----

Implementation of Best Management Practices (BMPs)

Inspection Forms for Building/Public

Works Inspectors -----

Additional Catch Basin Maintenance -----

Additional Street Sweeping in Industrial/

Commercial/Central Business Areas -----

Administration of Volunteer Catch Basin

Basin Stenciling -----

Development of Grading Ordinance -----

Develop BMP Manual for New Development -----

Inspection of Construction Sites for

Compliance of Grading Ordinance -----

Testing of Sediment in Sediment Basin -----

Spot Inspection of Commercial/Industrial

Areas for Illegal Dumping -----

Education

Pesticide Training for City Personnel -----

Permit Training Requirements for Inspectors,

Plan Checkers, Engineers and Planners -----

Training for Review/Inspection of BMP and

Inspection for Illegal Dumping -----

Utility Bill Inserts with information on

Impacts of Fuel Spills, Illegal

Dumping, Erosion, etc.. -----

Administration of NPDES Permit -	----
Contingencies -	----
Other -	
Legal Mailings	----
Assessor Line Item Charge	----
Riverside County Flood Control BAU computer time	----
Public Education Program ***	----
CSA 152 Administration Fee (6%)	----
 TOTAL PROJECTED APPROPRIATIONS	 ----

* Illustrative budget format. Line items may vary with Cities.

** A brief narrative and cost breakdown to each appropriation.

*** NPDES Public Education as provided by Flood Control/County.

SCHEDULE OF EVENTS *

January

- 2 Cities and County begin CSA 152/NPDES budget process for upcoming fiscal year.
- 15 County provides updated BAU summary to first year CSA 152 Cities.
- 20 County provides statement of accounts to each City for first tax collection period of fiscal year (December). Statement reflects year to date CSA 152 revenue collected from each City and its zone of benefit (incorporated city boundaries).
- 30 City prepares and submits to County a statement of expenses for City CSA 152/NPDES program.

February

- 10 County receives expense statement of Cities and effects reimbursement to Cities. Reimbursement is limited to the amount of City CSA 152 revenue collected less County expenses as outlined in CSA 152 agreement. County shall submit to City on a quarterly basis County expenses for inclusion in City expense statement.
- 15 Deadline for City to notify County of proposed increase in City CSA 152 assessment rate.

March

- 1 Cities and County finalize individual CSA 152 budgets and proposed BAU assessment rates.
- 10 Deadline for first year CSA Cities or Cities with CSA rate increase to submit information for CSA legal mailing of estimated assessments. Required information includes times, dates, appropriate addresses of public forum/offices including phone numbers and proposed BAU rate of City.
- 15 City CSA 152 budgets due to County for consolidation of overall CSA 152 budget.
- 15 County conducts BAU computer and print services of CSA legal mailings for first year CSA Cities and Cities with rate increases.

April

- 1 County submits total CSA 152 budget for review and inclusion into overall County Budget.
- 10 Legal mailing date for estimated assessments on parcels for any new or proposed increases in City CSA 152 rates. County provides list of assessor parcel numbers and estimated assessments to those CSA Cities with new/increased rates.
- 10 Second installment of taxes/assessments due.

May		
	1	County provides Cities with second statement of accounts for year to date City CSA 152 revenue collected.
	10	Cities prepare and submit statement of expenses for reimbursement of CSA 152/NPDES program costs.
	15	Cities with proposed increased CSA 152 assessments over the current year hold public forums to address City constituents and questions.
	20	County reviews/approves expense statement of Cities and effects reimbursement to Cities.
June/July		County Board of Supervisors conducts public hearings on CSA assessments rates including CSA 152 rates or proposed rate increases. Changes may occur to CSA rates at discretion of Board.
July		
	15	Reconciliation of statement of accounts for County and each CSA 152 City (zone of benefit). Balanced statement reflects total revenue collected for prior fiscal year. Cities may apply for balance to cover reimbursement of underfunded City NPDES expenses or balance is carried forward into next fiscal year within CSA 152 City account (zone of benefit).
July/August		County Board approves final County budget including CSA budgets. Budgets may change at the discretion of the Board.
September		First County and City tax/assessments bills of the fiscal year are mailed.
October		
	15	Cities provided with update BAU summary and list of assessor parcel numbers and <u>actual</u> assessments.
October		Cities respond to taxpayer requests for parcel re-assessments or re-evaluations and forward recommendations and corrections to County.
November		
	1	City provides BAU and assessor parcel corrections to County for updating in file.
December		
	10	First installment of taxes and assessments due/collected by County for current fiscal year.

* Use schedule for CSA 152 planning purposes.

June 30, 1995

CITY COUNCIL MEETING
JULY 11, 1995

TO: City Council

FROM: Paul Toor, Public Works Director/City Engineer

SUBJECT: **RESOLUTION NO. 1995-125, "APPROVING THE BUDGET FOR CITY OF BANNING NPDES PROGRAM FOR FISCAL YEAR 1995-96"**

RECOMMENDATION: Adopt Resolution No. 1995-125:

I) Approving the budget for the National Pollutant Discharge Elimination System (NPDES) Program for fiscal year 1995-96 for an amount of \$43,844.00.

II) Direct staff to coordinate with the County of Riverside to record assessments under CSA - 152 with estimated annual assessment Option A or Option B:

Option A) assess \$3.85/BAU to fund the program for fiscal year 1995/96.

Option B) to assess \$1.79/BAU utilizing a portion of reserves collected under this program,

Option C) not assess any charges utilizing the reserves collected under this program and other revenues if needed.

JUSTIFICATION: It is essential to appropriate the funds for implementation of the NPDES program.

BACKGROUND: The National Pollutant Discharge Elimination System (NPDES) is a federally mandated program to control non-permit source of water pollution enacted as part of the Clean Water Act in 1987. The Federal government did not provide any funding for the program, assigning the responsibility to the cities and county to implement and fund the same. Local Agency Formation Commission (LAFCO) of the County of Riverside approved the formation of the community service area (CSA) 152 to fund the NPDES program. Riverside County Flood Control & Water Conservation District is the lead agency and all the cities are participating as co-permittees to coordinate the program effectively and to minimize the costs. The implementation of the program has been delayed due to extensive planning work involved and the Regional Quality Control Board is in the process of issuance of permit.

FISCAL DATA: Due to the delays in the implementation of the program, a small expenditure has been made during fiscal year 1994-95. The assessments for fiscal year 1994-95 were \$4.72/BAU. Total

169

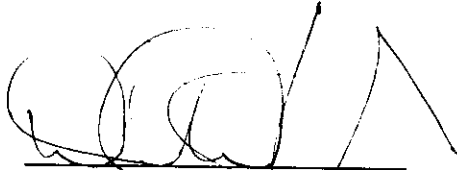
revenues collected as of June 1995 are \$54,183 and total expenditure by the County charged to City is \$7,185. In addition, there are some expenses incurred by the city which are minimal. Three options are proposed for City Council's review and approval. Under *Option I*, all the budget amounts will be assessed city wide, setting an estimated annual assessment of \$3.85/BAU. Under *Option II*, a sum of \$ 23,449, 50% of available cash balance will be utilized from the reserves collected in fiscal year 1994-95 resulting into annual assessments of \$1.79/BAU. *Option III*, it is proposed to use the reserves available from 1994-95 and does not call for any assessments for Fiscal Year 1995-96.

RECOMMENDED BY:



Paul Toor, Public Works Director/
City Engineer

APPROVED BY:



David C. Weitzel, City Manager

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RESOLUTION NO. 1995-125

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING,
CALIFORNIA, APPROVING THE BUDGET FOR COUNTY SERVICE
AREA 152 TO FUND CITY'S NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES) PROGRAM FOR FISCAL YEAR 1995-
96**

WHEREAS, the County of Riverside, by this Resolution No. 93-454 adopted December 21, 1993, annexed the City of Banning to its County Service Area (CSA) 152 at the City's request to meet the Environmental Protection Agency's requirement to obtain operating permits for discharges from storm drain systems and to pay for anticipated project costs that places an assessment on property owner's tax bills to fund expenditures required by the permit; and

WHEREAS, City staff has estimated the storm water management program requirements will cost the city approximately \$43,844.00 annually; and

WHEREAS, a "Benefit Assessment Unit" is defined in the Riverside County Flood Control and Water Conservation District Manual, the portion of which defining Benefit Assessment Unit is attached as Exhibit 1 and by this reference make a part hereof; and

WHEREAS, this City Council has determined, based on staff's calculations, that annual assessments are anticipated to be approximately \$ per Benefit Assessment Unit.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Banning hereby approves the annual budget for fiscal year 1994-95 NPDES program attached as Exhibit "A".

PASSED, APPROVED, AND ADOPTED this 11th day of July, 1995.

Donald E. Smith, Mayor
City of Banning, California

ATTEST:

City Clerk of the City of Banning

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APPROVED AS TO FORM AND
LEGAL CONTENT:

John F. Wilson
City Attorney

CERTIFICATION:

I, Marie Calderon, City Clerk of the City of Banning, California, do hereby certify that the foregoing **Resolution No. 1995-125**, was duly adopted by the City Council of the City of Banning, California, at a Regular Meeting thereof held on the 11th day of July, 1995, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marie Calderon, City Clerk,
City of Banning, California

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EXHIBIT "A"

CITY OF BANNING
NPDES BUDGET FOR CSA 152
FY 1995-96

PERSONNEL - SALARIES AND BENEHTS \$14,424

EACH CO-PERMITTEE OF THE MUNICIPAL NPDES PERMIT MUST
SUBMIT ANNUAL PROGRESS REPORTS, ADMINISTER BMP PROGRAMS,
PERFORM RECONNAISSANCE SURVEY, PREPARE ANNUAL BUDGET,
AND PERFORM VARIOUS OTHER TASKS AS REQUIRED BY THE
RWQCB.

ASSISTANT ENGINEER (57950 x .10)
PUBLIC WORKS INSPECTOR (48675 x .10)
ENGINEERING TECHNICIAN (37615 x .10)

STORM DRAIN SYSTEM INSPECTION \$4,600

INITIAL INSPECTION (1200)
MAP EXISTING S.D. FACILITIES (2000)
WATER QUALITY TESTING (1000)
DOCUMENT VIOLATIONS (400)

DRAINAGE AREA MANAGEMENT PLAN (DAMP) \$8,650

DAMP PREPARATION (RCFC & WCD)
IMPLEMENTATION OF BEST MANAGEMENT PRACTICES
INSPECTION FORMS FOR PUBLIC WORKS INSPECTOR (250)
ADDITIONAL CATCH BASIN MAINTENANCE (2000)
ADDITIONAL STREET SWEEPING (1800)
CATCH BASIN STENCILING (1500)
DEVELOPMENT OF GRADING ORDINANCE (1800)
DEVELOPMENT OF BMP MANUAL FOR NEW DEVELOPMENT (800)
SPOT INSPECTION OF COMMERCIAL/INDUSTRIAL
AREAS FOR ILLEGAL DUMPING (500)

EDUCATION \$5,700

PESTICIDE TRAINING FOR CITY PERSONNEL (1200)
PERMIT TRAINING REQUIREMENTS FOR INSPECTORS, PLAN
CHECKERS, ENGINEERS AND PLANNERS (500)
INSPECTOR TRAINING TO ENFORCE BMP'S (500)
UTILITY BILL INSERTS WITH INFORMATION ON IMPACTS FUEL
SPILLS, ILLEGAL DUMPING, EROSION, ETC. (3500)

CONTINGENCIES 10%
OTHeR

\$3,340
\$5,930

LEGAL MAILINGS 29 X 7448 (2160) ASSESSOR LINE ITEM CHARGE .25 X 7448
(1870) RCFC & WCD BAU COMPUTER TIME (1900)

CSA ADMINISIRATION FEE

\$1,200

TOTAL

\$43,844

ESTIMATED BAU'S INCLUDING 10% DEFAULT RATE

11,368

ESTIMATED BAU RATE:

\$3.85

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**COUNTY SERVICE AREA 152 - NPDES
CITY OF BANNING ACCOUNT
FISCAL YEAR 94/95 - AS OF JUNE 23, 1995**

1.	FY 94/95 Secured Tax Roll Revenue Fixed Charges	59,859	
2.	FY 94/95 City Parcel Paid Listing Revenue Collected ¹		54,183
	January	31,185	
	May	22,998	
	June	Due	
	July	Due	
3.	FY 94/95 City CSA 152 Expenses	7,185	
	Mailing	2,138	
	Assessor Line Charge	1,247	
	Flood BAU Charge	560	
	CSA Admin Fee	3,240 ²	
4.	FY 94/95 City of Banning NPDES Expenses To Date	0	
5.	Total City of Banning/CSA 152 Expenses	7,185	
6.	Balance Available As of June 23, 1995		46,998

¹ Actual revenue collected/posted to City account.

² Admin Fee is 6% of projected FY 94/95 revenue - \$54,000 (\$3,240).

CSA 152 FY 95/96 PARCEL FEES/BUDGET

<u>CSA 152 Zone</u>	<u>FY 95-96 Budget</u>	<u>New Revenue</u>	<u>FY 95/96 Parcel Fee*</u>	<u>Parcel Count</u>	<u>FY 94/95 Parcel Fee</u>
CSA 152	3,596,000	3,531,383	—	507,647	—
Banning	54,000	54,000	\$4.72 ¹	9,773	\$4.72
Cathedral City	167,000	167,000	\$8.48	16,815	\$8.48
Coachella	0	0	\$0.00	3,844	n/a
Corona	223,000	223,000	\$5.82	24,449	\$5.82
Desrt Ht Srp	11,000	11,000	\$1.57	9,385	\$1.57
Indio	0	0	\$0.00	12,347	n/a
La Quinta	105,000	105,000	\$9.99	12,719	\$9.99
Lake Elsinore	149,000	149,000	\$13.88	12,000	n/a
Moreno Valley	387,000	387,000	\$8.15 ²	38,648	\$1.55
Murrieta	130,000	130,000	\$10.00	13,708	\$10.00
Norco	50,000	50,000	\$5.78	6,404	\$5.78
Palm Desert	0	0	\$0.00	19,028	n/a
Palm Springs	337,000	337,000	\$9.50	25,810	\$9.50
Rancho Mirage	68,000	68,000	\$4.68	10,230	\$4.68
Riverside City	270,000	270,000	\$2.83	65,626	\$2.83
San Jacinto	45,000	45,000	\$4.26	10,950	n/a
	<u>1,996,000</u>	<u>1,996,000</u>	—	<u>289,988</u>	
Riverside Co	<u>1,600,000</u>	<u>1,430,383</u>	\$7.97 ^{**}	<u>218,260</u>	\$7.97
	3,596,000	3,531,383	—	507,647	—

* Parcel Fee is Benefit Assessment Unit (BAU) rate. FY 95/96 fees remain the same as FY 94/95 except for Moreno Valley (\$8.15), Lake Elsinore (\$13.88 - new CSA member) and San Jacinto (\$4.26 - new CSA member).

** Riverside County has two zone rates per Board action Feb 1, 1994. Urban rate is \$7.97 and rural rate is \$4.09 for 27,000 parcels.

Post-it® Fax Note 7671		Date 6/30	# of pages 1
To Brian Coulter	From Coulter		
Co./Dept. Danny Peltier	Co. Ray		
Phone # 40-105	Phone # 775-1137		
Fax #	Fax #		

TOTAL .01
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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN • REGION 7**

73-720 FRED WARING DR., SUITE 100
PALM DESERT, CA 92260
Phone (619) 346-7491
FAX (619) 341-6820



APR 02 1994

CITY ENGINEER

APR 28 1994

Bruce C. Daniels, City Manager
City of Coachella
1515 Sixth Street
Coachella, CA 92236

RE: Areawide Municipal Storm Water Program for the Coachella Valley

This letter is to inform you that the City of Coachella is required to finance a storm water pollution prevention program. Title 40 of the Code of Federal Regulations, Part 122, Section 26 (40 CFR 122.26) requires that a National Pollutant Discharge Elimination System (NPDES) Permit be obtained for discharges of storm water in areas designated by the Director of the NPDES Program. In a letter dated March 14, 1991, the Regional Board's Executive Officer designated the Whitewater River Basin Region as an area subject to the statutory requirements for municipal separate storm sewer system permits.

There is no question that the storm water program is federally mandated and support funding is not available. However, this program does provide significant benefits for the citizens of Coachella and all the citizens of the Coachella Valley. Many citizens are unaware that storm water runoff is a leading cause of water quality impairment throughout the nation. This program emphasizes pollution prevention, a common sense and much more cost effective approach, rather than cleaning up polluted storm water. Examples of such measures include public education, regulatory powers (e.g., ordinances), programs to detect illegal connections and discharges, and land use planning, all of which emphasize elimination of storm water pollution at its source.

Since all municipalities contribute to the cumulative storm water pollution problem, a cooperative, coordinated approach to its management and control is essential. For this reason, the ten cities in the Coachella Valley (including the City of Coachella), along with the County of Riverside, Riverside County Flood Control and Water Conservation District, and Coachella Valley Water District, have formed together as a group to be regulated under a single permit. Part 1 of the permit application was submitted on May 17, 1992, and Part 2 of the application is expected to be submitted on May 17, 1994. As a requirement of the Part 2 application, a fiscal analysis must be provided showing how the co-applicants will provide the operational and maintenance expenditures necessary to accomplish the activities specified in the storm water management program (40 CFR 122.26(d)(2)(vi)).

Most of the co-applicants of the permit have decided to finance their storm water programs through County Service Agreement 152 (CSA 152), a tax assessment on properties within the areas serviced by the agreement. It is our understanding that Coachella has decided to join CSA 152, but proposes not to assess a fee to

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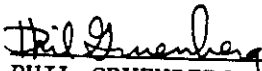
Bruce C. Daniels, City Manager
City of Coachella
Page 2

property owners within the City, thereby, generating no revenues to support the program.

Unless there is an alternative plan for financing, the City will be unable to effectively implement its storm water program. This could eventually lead to violations of the areawide municipal storm water permit for the Coachella Valley, which is expected to be adopted by the Regional Board in early 1995. Violations of this permit could lead to significant enforcement action by the Regional Board against the City including issuance of a Cease and Desist Order, administrative imposition of civil monetary liability, or referral to the Attorney General for judicial assessment of up to \$50,000 per day of violation, in addition to injunctive relief.

Please submit a response to this letter by May 17, 1994, indicating the action(s) the City of Coachella intends to take to finance its storm water program.

If you have any questions or comments regarding this letter, please contact Vincent Christian of the Regional Board staff at (619) 776-8933.


PHIL GRUENBERG
Executive Officer

VC/ci

cc: All co-applicants (see attached list)
Elizabeth Jennings, OCC
Bruce Fujimoto, DWQ
Mike Cohen, CVAG
Jennifer Cohen, Woodward and Clyde
Gilbert Rangel, County of Riverside, Administrative Office

File Ref: STW MUN GC 1.0

178 67

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 19.1
(ID # 25313)

MEETING DATE:
Tuesday, July 09, 2024

FROM : OFFICE OF ECONOMIC DEVELOPMENT

SUBJECT: OFFICE OF ECONOMIC DEVELOPMENT: Public Hearing on the Adoption of Resolution No. 2024-117, County Service Area Charges for Fiscal Year 2024-2025. All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Conduct a Public Hearing to Allow Public Testimony Regarding Enactment of the Proposed County Service Area Charges for Fiscal Year 2024-2025, as Shown in Exhibit A of Resolution No. 2024-117; and
2. At the Close of the Public Hearing, Adopt Resolution No. 2024-117, a Resolution of the Board of Supervisors of the County of Riverside Adopting Charges for Extended Services Provided in County Service Areas for Fiscal Year 2024-2025.

ACTION: Policy

Suzanne Holland
Suzanne Holland, Director of Office of Economic Development 6/20/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Gutierrez, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: July 9, 2024
xc: OED

Kimberly A. Rector
Clerk of the Board

By: *Naomy L.*
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: N/A			Budget Adjustment: N/A	
			For Fiscal Year: 24/25	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The State legislature enacted the County Service Area Law to provide broad statutory authority for county Boards of Supervisors to County Service Areas (CSA) as a method to finance and provide needed public facilities and services within unincorporated areas of the county. Pursuant to Riverside County Ordinance No. 573 and Government Code section 25215 et seq., the proposed fiscal year 2024-2025 charges are attached as Exhibit A. County Service Areas provide municipal services to residential neighborhoods such as landscape maintenance, street lighting, street sweeping and road maintenance. The services each community receives are determined during the planning phase of new development, and the cost associated with providing those services are unique to each community. All new residential development is required to prepare an engineer's report that allows for annual adjustments by the greater of two percent or the cumulative percentage increase in the Consumer Price Index for all Urban Consumers (CPI-U), as applicable. Rising utility costs for electricity, water, and trash services as well as increases in labor costs require some CSA charges to increase to ensure the successful delivery of municipal services. Further, Riverside County Ordinance No. 573 Section 3 sets the parameters for the annual setting of charges for CSAs. A written report of (1) the extended services provided in the County by county service areas, and each county service area extending each such service, (2) each parcel of real property within each county service area, and which extended services each such parcel receives, and (3) the amount of charge to each such parcel for each extended service provided thereto. At the public hearing the Board of Supervisors shall hear and consider all objections and protests, if any, to the report. At the conclusion of the hearing, the Board of Supervisors may by resolution adopt, revise, change, reduce, or modify any charge and shall make a determination upon each charge as described in the report.

Impact on Residents and Businesses

County Service Areas allow communities in unincorporated areas to pay for and receive specific municipal services. These services are unique to each community and offer a quality-of-life enhancement.

ATTACHMENT

- ☐ Resolution No. 2024-117
- ☐ Exhibit A – Proposed County Service Areas Charges

SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA


Scott Bruckner 6/28/2024


Aaron Gettis, Chief of Deputy County Counsel 6/27/2024

2
3
4 RESOLUTION NO. 2024-117

5 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

6 ADOPTING CHARGES FOR EXTENDED SERVICES

7 PROVIDED IN COUNTY SERVICE AREAS

8 FOR THE FISCAL YEAR 2024-2025

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10
11 WHEREAS, pursuant to California Government Code section 25215.4, the Board of
12 Supervisors (the "Board") is permitted, by resolution or ordinance, to establish user fees, rates,
13 or other charges that are not property-related and to collect said fees, rates, or charges for the
14 services and facilities that the County Service Area ("CSA") provides;

15 WHEREAS, Section 2 of Ordinance No. 573 of the County of Riverside provides that all
16 parcels of real property within the boundaries of a CSA shall be subject to a charge for each
17 extended service provided in the service area, and that all such charges shall be computed on
18 the basis of benefit conferred to each parcel, without regard to the assessed value of such parcel;

19 WHEREAS, Section 6 of Ordinance No. 573 ordains the Board of Supervisors, for every
20 fiscal year, to determine the nature, extent and cost of the extended services to be provided by
21 and within each County Service Area, in conjunction with the proceedings for adoption of the
22 budget for the County;

23 WHEREAS, Section 6 of Ordinance No. 573 further provides that the rate of charge for
24 each service shall be computed by dividing the net cost of each such service by the total number
25 of parcels in the service area receiving the particular service;
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FORM APPROVED COUNTY COUNSEL
BY: *Stephanie K. Nelson* 6/25/24
DATE: *Stephanie K. Nelson*

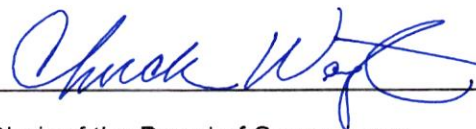
1 WHEREAS, Ordinance No. 573 requires that the Board of Supervisors conduct a public
2 hearing to hear and consider testimony regarding extended services and charges to be applied
3 within County Service Areas within the County of Riverside;

4 WHEREAS, any person affected by the proposed charges may submit written comments
5 to the Clerk of the Board before the hearing or may appear in support of, or opposition to, the
6 proposals at the time of the hearing; and
7

8 WHEREAS, a public hearing pursuant to Government Code Section 25215 et seq. was
9 conducted by this Board of Supervisors on July 09, 2024, to determine the appropriate charges
10 for the fiscal year 2024-2025 shown on Exhibit "A";

11 NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board
12 of Supervisors of the County of Riverside, in regular session assembled on July 09, 2024, at
13 9:30 am or soon thereafter in the meeting room of the Board of Supervisors located on the 1st
14 floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, that the
15 County Service Area charges as shown on Exhibit "A" attached hereto and incorporated herein
16 by reference are adopted for fiscal year 2024-2025.
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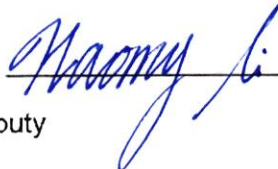
21 Chair of the Board of Supervisors

22 Chuck Washington

23 ATTEST:

24 Kimberly A. Rector

25 Clerk to the Board of Supervisors

26
27 By: 

28 Deputy

2
3 RESOLUTION NO. 2024-117

4 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

5 ADOPTING CHARGES FOR EXTENDED SERVICES

6 PROVIDED IN THE COUNTY SERVICE AREAS

7 FOR THE FISCAL YEAR 2024-2025

8
9 ROLL CALL:

10
11 Ayes: Jeffries, Washington, Spiegel, Perez, and Gutierrez

12 Nays: None

13 Absent: None

14
15
16 The foregoing is certified to be a true copy of a resolution duly adopted by said Board of
17 Supervisors on the date therein set forth.

18
19 KIMBERLY A. RECTOR, Clerk of said Board

20
21 By:  _____

22 Deputy

23
24
25 07/09/2024 19.1

**COUNTY SERVICE AREA CHARGES
EXHIBIT A**

The report below reflects the extended services currently provided along with the assessment range from lowest to highest. The exact charge and extended services provided for a particular parcel may be obtained by calling the Office of Economic Development at 866.504.2067.

CSA#	SERVICES PROVIDED	PARCELS⁽¹⁾	FY 2024-2025⁽²⁾
1	Lighting	83	\$12.28
13	Lighting	166	\$9.36
22	Lighting	483	\$1.76 to \$45.95
27	Lighting	432	\$20.66 to \$79.80
36	Lighting, Park & Recreation	3,565	\$35.00
43	Lighting	379	\$13.20 to \$91.64
*51	Lighting, Water, Sewer	169	\$529.00 to \$59,700.00
59	Lighting	70	\$21.02
62	Lighting, Water, Sewer	331	\$60.00
69	Lighting	3,214	\$7.54 to \$246.55
84	Lighting	2,360	\$39.34 to \$109.95
*85	Lighting, Park Maintenance	3,310	\$20.00 to \$338.58
87	Lighting	621	\$32.32 to \$88.84
89	Lighting	457	\$51.70
91	Lighting	2,606	\$51.24 to \$79.39
94	Lighting	49	\$6.04
*97	Lighting	1,054	\$18.06 to \$3,486.37
103	Lighting	11,919	\$27.10 to \$136.45
104	Roads	1,311	\$65.00
105	Roads	395	\$125.00
108	Roads	151	\$85.00
113	Lighting	12	\$55.00
115	Lighting and Road Maintenance	569	\$34.35
117	Lighting	598	\$12.17 to \$225.72
*121	Lighting, Drainage Basin	4,900	\$7.38 to \$373.06
122	Lighting, Water	404	\$110.00
124	Roads	547	\$5.00
*126	Lighting, Landscaping, Park & Rec, Sheriff	3,246	\$120.00 to \$8,021.52
128E	Roads	432	\$75.00
128W	Roads	113	\$75.00
132	Lighting	3,199	\$22.43 to \$229.88
*134	Lighting, Landscaping, Park & Recreation	7,216	\$28.86 to \$1,707.81
135	Lighting	209	\$6.52 to \$68.08
142	Lighting	258	\$31.50 to \$111.31
*143	Lighting, Landscaping, Park & Recreation	3,971	\$98.14 to \$14,749.24
146	Street Lighting	33	\$124.50
149	Roads	1,541	\$200.00 to \$292.98
*149A	Landscaping	46	\$3,352.21 to \$4,176.49
*152	NPDES	73,005	\$3.06 to \$4,597.98
152	Drainage Basin	5,895	\$42.75 to \$839.76
152B	Regional Sports Facilities	2,152	\$250.00 to \$996.16
152 NPDES	City of Corona	39,610	\$10.00 BAU
	City of Desert Hot Springs	9,373	\$10.00 BAU
	City of Lake Elsinore	19,462	\$13.88 BAU
	City of La Quinta	22,323	\$9.98 BAU
	City of Moreno Valley	47,083	\$8.14 BAU
	City of Murrieta	32,677	\$10.00 BAU
	City of Norco	7,180	\$10.00 BAU
	City of Palm Springs	28,977	\$9.50 BAU
	City of Rancho Mirage	13,782	\$4.68 BAU
	City of Riverside	71,994	\$10.00 BAU
	City of San Jacinto	13,505	\$10.00 BAU

1. The actual parcels / lots may change depending upon parcel splits / changes.

2. The exact charge for a particular parcel may be obtained upon request by calling the Office of Economic Development 866.504.2067.

*These CSAs include residential, multi-family and commercial parcels