

RESOLUTION NUMBER 5299

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING AND ADOPTING THE DRAINAGE FEES FOR THE SAN JACINTO RIVER AREA DRAINAGE PLAN

WHEREAS, Section 66483 et seq. of the California Government Code authorizes the City of Perris to impose by local ordinance a requirement for the payment of fees for the purposes of defraying the actual and/or estimated costs of constructing planned drainage facilities for the removal of surface and storm waters from local or neighborhood drainage areas; and

WHEREAS, the San Jacinto River area, which is the subject of the San Jacinto River Area Drainage Plan and its amendments, which is attached hereto as **Exhibit 1**, has suffered flooding problems in the past, and

WHEREAS, a drainage system is required to safely convey storm runoff through the San Jacinto Regional area and to provide for orderly development; and

WHEREAS, on September 1, 1987, the Riverside County Board of Supervisors adopted the San Jacinto Area Drainage Plan and established the related drainage fees by adopting its Ordinance No. 460 and Resolution No. F86-26; and

WHEREAS, the City annexed the San Jacinto River area, and has been collecting the related drainage fees; and

WHEREAS, on September 1, 1987, the Riverside County Board of Supervisors adopted Resolution No. F86-26 and Ordinance No.460 which adopted the San Jacinto River Area Drainage Plan and established the related fees; and

WHEREAS, on August 11, 1987, Riverside County conducted a study and analysis which justifies the drainage fees contemplated by the San Jacinto River Area Drainage Plan and its amendments, which study and analysis is attached hereto and incorporated herein by this reference in **Exhibit 2**; and

WHEREAS, the data supporting the adoption of the fees contemplated by this Resolution was made available to the public at least ten days prior to consideration and adoption of this Resolution; and

WHEREAS, at a duly noticed public hearing held on May 29, 2018, the City Council received and considered oral and written testimony from City staff and members of the public, including but not limited to the study and analysis contained within **Exhibit 1**; and

WHEREAS, the City Council adopted Ordinance Number 1365 which established the fees relating to the San Jacinto River Area Drainage Plan; and

WHEREAS, based upon the forgoing, the City Council now desires to update and adopt drainage fees contemplated by the San Jacinto River Area Drainage Plan and as adopted by the Riverside County Board of Supervisors, and attached hereto as **Exhibit 2**.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals Incorporated. The City Council finds the above recitals are true and correct and incorporated herein by this reference.

Section 2. Findings. The City Council makes the following findings:

(a) The purpose of the fees is to defray the actual and/or estimated costs of constructing planned drainage facilities for the removal of surface and storm waters from local or neighborhood drainage areas, as more particular described in the San Jacinto River Area Drainage Plan and its amendments, which is attached in **Exhibit 1** and incorporated herein by this reference (“ADP”).

(b) The fees shall be used for the purposes identified in the ADP.

(c) The fees contemplated by the ADP bear a reasonable relationship to the fee’s use and the type of development project upon which is imposed as more particular described in the ADP.

(d) The fees are based upon the San Jacinto Regional Area Drainage Plan.

(e) Subdivision and development of property within the ADP will require construction of the facilities described therein because the San Jacinto Regional area experiences flood and drainage problems, which are more particularly described in the ADP.

(f) The fees contemplated by the ADP are fairly apportioned within such areas either on the basis of benefits conferred on property proposed for subdivision or on the need for such facilities created by the proposed subdivision and development of other property within such areas, as more particularly described therein.

(g) The fees contemplated by the ADP as to any property proposed for subdivision within the San Jacinto Regional area does not exceed the pro rata share of the amount of the total actual or estimated costs of all facilities within such area which would be assessable on such property, as more particularly described therein.

(h) The drainage or sanitary sewer facilities contemplated by the ADP are in addition to existing facilities serving the area at the time of the adoption of such a plan for the area.

Section 3. Adoption of ADP Fee Study & Analysis. Based upon the forgoing, the City Council hereby adopts the related ADP fee study and analysis, as provided in **Exhibit 1**.

Section 4. Adoption of ADP Fees. Based upon the forgoing, the City Council hereby adopts the ADP fees, as provided in **Exhibit 2**.

Section 5. Effective Date. This Resolution shall be effective upon the effective date of **Ordinance Number 1365**. The City Clerk shall certify the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 29th day of May, 2018.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 5299 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 29th day of May, 2018, and that it was so adopted by the following called vote:

AYES: CORONA, RABB, ROGERS, BURKE, VARGAS
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

City Clerk, Nancy Salazar

EXHIBIT 1

[San Jacinto River Area Drainage Plan Map]

EXHIBIT 2

San Jacinto River Area Drainage Plan Fees