

RESOLUTION NO. 22-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE APPROVING
AMENDMENT NO. 3 TO THE AGREEMENT TO JOIN THE LAKE ELSINORE AND CANYON
LAKE WATERSHED TOTAL MAXIMUM DAILY LOAD (TMDL) TASK FORCE**

WHEREAS, On October 2, 2012 the City of Menifee ("City"), via the signature of its Mayor, approved an agreement with other public agencies in the Lake Elsinore and San Jacinto Watersheds ("Task Force Agreement") to create ADN the Lake Elsinore and Canyon Lake TMDL Task Force ("Task Force"); and

WHEREAS, the Task Force Agreement is set to expire on June 30, 2022; and

WHEREAS, the Task Force still has additional tasks to accomplish, and it is in the best interest of the City to fund those tasks via an amendment to the Task Force Agreement rather than individually funding such tasks; and

WHEREAS, the Lake Elsinore and San Jacinto Watersheds Authority ("LESJWA") administers required tasks on behalf of the Task Force in accordance with the Task Force Agreement and has prepared a document entitled Amendment No. 3 to the Task Force Agreement ("Amendment No. 3") that would allow the Task Force to continue funding and administering water quality related tasks in the Lake Elsinore and San Jacinto Watersheds through 2025, while also allowing LESJWA to extend the term of the Task Force Agreement through 2027; and

WHEREAS, this Resolution will be transmitted with, and incorporated into, the City's approval of Amendment No. 3 to the Task Force Agreement, thereby clarifying that the City's participation in and funding of future Task Force tasks is conditioned as stated herein.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA,
DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

Section 1. The recitals above are true, correct and valid.

Section 2. The City hereby approves Amendment No. 3 to the Task Force Agreement, thereby extending the Task Force Agreement through 2025, subject to the following conditions:

- a. Task Force tasks and activities will only be funded by the City each year upon approval of such expenditures, individually or as part of the annual budget, by the City Council.
- b. Paragraphs 5.A and 5.B can be read to extend Exhibit "A" of the Task Force Agreement without updating current tasks and associated costs for Task Force Members. City staff must agree to any new or revised Task Force tasks prior to the City funding such tasks.
- c. Paragraph I of Amendment No. 3 to the Task Force Agreement purports to authorize the LESJWA Administrator to unilaterally extend the term of the Task Force Agreement from 2022 to 2025 for all parties. City's participation in the Task Force Agreement after 2022 will be contingent upon the City Council approving such continued participation.

Section 3. Subject to the conditions in Section 2 above, the City approves Amendment No. 3 to the Task Force Agreement attached hereto as Exhibit A.

Section 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 1ST day of June 2022.

Bill Zimmerman, Mayor

Attest:

Approved as to form:

Stephanie Roseen, Acting City Clerk

Jeffrey T. Melching, City Attorney