

RESOLUTION NO. 1-10

A RESOLUTION APPROVING THE STORMWATER UTILITY AREA AGREEMENT BETWEEN THE CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AND THE CITY OF RICHMOND

WHEREAS, the City of Richmond, in conjunction with the Contra Costa County Flood Control and Water Conservation District (“DISTRICT”) and other governmental entities has been required by the Federal Government and the San Francisco Bay and Central Valley Regional Water Quality Control Boards to participate in the development and implementation of a Joint Municipal National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharges; and

WHEREAS, on October 14, 2009, the San Francisco Bay Regional Water Quality Control Board issued a Municipal Regional NPDES Permit (“MRP”) to public agencies under its jurisdiction, including DISTRICT and CITY, with an effective date of December 1, 2009; and

WHEREAS, eighteen (18) municipalities have previously approved a Stormwater Utility Area Agreement between the Contra Costa County Flood Control and Water Conservation District and each participating municipality delineating activities to be taken jointly and the implementation of stormwater utility assessments; and

WHEREAS, a separate agreement delineating only activities to be implemented by all participating municipalities entitled “Contra Costa Clean Water Program Agreement” has been approved collectively by all participating municipalities; and

WHEREAS, the City of Richmond (“CITY”) now wishes to participate with the other co-permittees in the joint permit activities and in a joint program for the inspection of industrial and commercial facilities and the control of illicit discharge activities.

NOW, THEREFORE the City Council of the City of Richmond **RESOLVES** as follows:

1. Approve and authorize the City Manager to execute the Stormwater Utility Area Agreement between the DISTRICT and the CITY, a copy of which is attached to this Resolution as Exhibit A.
2. Approve and authorize the DISTRICT to execute the joint inspection agreement titled “AGREEMENT AMONG THE CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (ON BEHALF OF THE CONTRA COSTA CLEAN WATER PROGRAM), THE CENTRAL CONTRA COSTA SANITARY DISTRICT, THE DELTA DIABLO SANITATION DISTRICT, AND THE EAST BAY MUNICIPAL UTILITY DISTRICT REGARDING THE CONTRA COSTA CLEAN WATER PROGRAM’S INSPECTION ACTIVITIES,” a copy of which is attached to this Resolution as Exhibit B.
3. This Resolution shall become effective immediately upon its passage and adoption.
4. Three (3) certified copies of this Resolution and two (2) executed copies of the Stormwater Utility Area Agreement shall be promptly forwarded to the Contra Costa Clean Water Program.

I certify that the foregoing resolution was passed and adopted by the members of the Richmond City Council at a regular meeting held on Tuesday, January 5, 2010, by the following vote:

AYES: Councilmembers Bates, Butt, Rogers, Viramontes, and Mayor McLaughlin

NOES: None

ABSTENTIONS: None

ABSENT: Vice Mayor Lopez and Councilmember Ritterman

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 1-10**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on January 5, 2010.