

OAKLAND CITY COUNCIL

RESOLUTION No. 78544 C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Paul G. Gino

2004 APR 15

RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO AMEND THE AGREEMENT WITH THE ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM TO CHANGE VOTING ALLOCATIONS AND CONTRACTING AUTHORIZATION TO IMPLEMENT THE ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM

WHEREAS, the City of Oakland is required to hold an National Pollutant Discharge Elimination System (NPDES) permit as prescribed by the Federal Clean Water Act that regulates stormwater pollution from discharges of storm water through its storm water drainage and collection systems; and

WHEREAS, the City of Oakland is a member of the Alameda Countywide Clean Water Program (Countywide Clean Water Program) along with Alameda County, its 14 Cities, and two special districts (Alameda County Flood Control and Water Conservation, and Zone 7); and

WHEREAS, membership in the Countywide Clean Water Program provides the most cost-efficient means for these municipalities and districts to obtain the NPDES permit; and

WHEREAS, the activities, benefits, duties, and responsibilities of the Countywide Clean Water Program and its members are outlined in an agreement known as *Agreement to Implement the Alameda Countywide Clean Water Program* (Agreement) as approved in 1991 and amended in 1999 and 2002; and

WHEREAS, the City of Oakland participates in the activities, duties, and responsibilities of the Countywide Clean Water Program as outlined in the Agreement:

WHEREAS, the Countywide Clean Water Program's Management Committee is recommending that each of the parties to the Agreement amend the Agreement to accomplish the following objectives:

1. Allocate cost share responsibility to both the District and Zone 7, and voting rights to Zone 7 who has not previously had voting rights in the Countywide Clean Water Program (the District has voting rights through a previous amendment). Both districts will be allocated a 1% voting right and cost share for the overall program. This results in minor changes in allocations of Countywide Clean Water Program's costs and voting shares.
2. Facilitate the ease of Countywide Clean Water Program's operations by allowing parties to the Agreement to, under certain circumstances, let and administer consultant contracts.
3. Improve the clarity of the Agreement by cleaning up out-dated language.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Oakland hereby approves the Amendment to the *Agreement to Implement the Alameda Countywide Clean Water Program* which provides the following:

1. Allocates cost share responsibility to both the District and Zone 7, and voting rights to Zone 7 who has not previously had voting rights in the Countywide Clean Water Program (the District has voting rights through a previous amendment). Both districts will be allocated a 1% voting right and cost share for the overall program. This results in minor changes in allocations of Countywide Clean Water Program's costs and voting shares.
2. Facilitates the ease of Countywide Clean Water Program's operations by allowing parties to the Agreement to, under certain circumstances, let and administer consultant contracts.
3. Improves the clarity of the Agreement by cleaning up out-dated language.

MAY 18 2004

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:


AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and ~~PRESIDENT DE LA FUENTE~~ - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

EXCUSED - DE LA FUENTE - 1

ATTEST 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California