

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 MAY 31 AM 11:42

## OAKLAND CITY COUNCIL

Approved as to Form and Legality

City Attorney

RESOLUTION No. 83915 C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER  
DESIGNEE TO AMEND AND RENEW THE EXISTING AGREEMENT  
PROVIDING FOR IMPLEMENTATION OF THE ALAMEDA  
COUNTYWIDE CLEAN WATER PROGRAM (CLEAN WATER  
PROGRAM)**

**WHEREAS**, the City of Oakland is required to obtain a National Pollutant Discharge Elimination System (NPDES) municipal stormwater discharge permit as prescribed by the 1972 Federal Clean Water Act; and

**WHEREAS**, the City of Oakland has met its requirement to obtain an NPDES permit since 1999 through participation in the existing *Agreement Providing for Implementation of the Alameda County Urban Runoff Clean Water Program* (Agreement); and

**WHEREAS**, the City of Oakland seeks to renew its participation in the existing Agreement; and

**WHEREAS**, the other parties to the Agreement include Alameda County, all 14 cities of Alameda County, and two special districts, the Alameda County Flood Control and Water Conservation District (District), and Alameda County Zone 7 (Zone 7), collectively known as "member agencies"; and

**WHEREAS**, the activities, benefits, duties, and responsibilities of the Agreement are implemented by member agencies through a program known as the Alameda Countywide Clean Water Program (Clean Water Program); and

**WHEREAS**, the NPDES permit is administered by the San Francisco Bay Regional Water Quality Control Board (Regional Board); and

**WHEREAS**, in October 2009 the Regional Board re-issued the permit as the Municipal Regional Stormwater NPDES Permit No. CAS612008 (MRP); and

**WHEREAS**, the MRP imposes additional requirements on permittees that could result in significant cost increases for each member agency; and

**WHEREAS**, the City of Oakland has determined that participation in implementation of the

Agreement through the Program to be the most cost-effective strategy for meeting MRP requirements; and

**WHEREAS**, the cost sharing allocation system has been amended under the new Agreement such that while overall Program costs have risen, Oakland's cost share will decrease; now, therefore, be it

**RESOLVED:** That the City Council authorizes the City Administrator or Her designee to adopt the amendment to the existing Agreement and that said agreement shall be reviewed and approved for form and legality by the City Attorney's Office and shall be filed with the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That the Agreement shall be for a term of fifteen (15) years; and be it

**FURTHER RESOLVED:** That the City Administrator, or Her Designee, is authorized to negotiate, execute and amend Agreement within the fifteen (15) year term.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 19 2012, 2012

**PASSED BY THE FOLLOWING VOTE:**

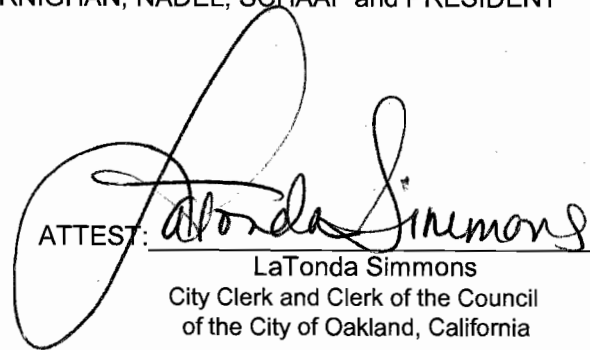
AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT

REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California