



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 07/03/01

AGENDA ITEM 2

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Authorization for City Manager to Execute Amendments to the Inter-Agency Agreement to Implement the Alameda Countywide Clean Water Program

RECOMMENDATION:

It is recommended that the City Council adopt a resolution authorizing the City Manager to execute specific amendments to the Agreement to Implement the Alameda Countywide Clean Water Program.

BACKGROUND/DISCUSSION:

The federal Clean Water Act includes a 1987 amendment requiring stormwater discharges for municipal storm sewers to be regulated under a National Pollution Discharge Elimination System (NPDES) permit. The local Water Quality Control Plan, administered by the San Francisco Bay Regional Water Quality Control Board, also requires that an NPDES permit be obtained for stormwater discharges from all cities in Alameda County, including Hayward.

The most cost effective way for the fourteen cities in Alameda County, Alameda County, the Alameda County Flood Control and Water Conservation District, and Zone 7 of the District to meet this requirement is to work together to secure and comply with an NPDES permit, with all of the agencies listed as co-permittees. Using this format, the first five-year permit was issued in 1991 and renewed in 1996. In order to comply with permit conditions, all of the agencies entered into an Inter-Agency Agreement to Implement the Alameda County Urban Runoff Clean Water Program in 1991. On November 18, 1997, in order to make some minor improvements, the City Council authorized the City Manager to execute the first amendment to the Inter-Agency Agreement.

The Inter-Agency Agreement enables cities in Alameda County to conduct NPDES permit activities that can be done more cost effectively on a countywide basis, including implementation of regional public information campaigns, watershed-based monitoring programs, special studies to identify cost-effective best management practices, and consolidation of required reports. The general program activities are coordinated by the Alameda County Flood Control and Water Conservation District (District) and funded through

contributions from participating agencies. The general program's budget has remained a constant \$2.1 million per year since fiscal year 1996-1997.

Both the Inter-Agency Agreement and NPDES permit further specify that each agency shall remain responsible for controlling the discharge of pollutants from the municipal storm drain system that it owns and operates. A Management Committee, comprised of representatives from each agency, provides oversight and policy direction.

The Management Committee of the Alameda Countywide Clean Water Program has developed the second amendment to the agreement, which is described below. Amendments require approval from the governing bodies of at least two-thirds of the participating agencies.

Purpose of the Second Amendment

The primary purpose of the second amendment is to extend the agreement for an additional six-year period and, provided there are no objections by the participating agencies, an automatic renewal for an additional five years. If not extended, the current Agreement would end on April 1, 2002.

This amendment also allows the District and other member agencies to collectively re-apply for their NPDES permit coverage. It further decreases the frequency of periodic reporting from quarterly to a less frequent interval, but at least annually, which should result in modest general program cost-savings. Since the current NPDES permit requires the submission of a new application by August 2001, it is important to consider the agreement's renewal now so the Clean Water Program agencies can begin the NPDES permit re-application process. Copies of the second amendment, as well as the entire Agreement, are available for review in the office of the City Clerk.

Prepared by:

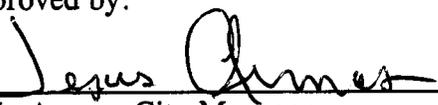


Alex Ameri, Deputy Director of Public Works/Utilities

Recommended by:

for 
Dennis Butler, Director of Public Works

Approved by:


Jesús Armas, City Manager

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

*mul
4/28/01*

**RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE AMENDMENTS TO THE INTER-
AGENCY AGREEMENT TO IMPLEMENT THE
ALAMEDA COUNTYWIDE CLEAN WATER PROGRAM**

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized to execute on behalf of the City of Hayward specific amendments to the Inter-Agency Agreement to Implement the Alameda Countywide Clean Water Program.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2001

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward