



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JULY 26, 2016**

FROM: PUBLIC WORKS DEPARTMENT **WARDS: ALL**

SUBJECT: ADMINISTRATIVE SERVICES AGREEMENT WITH THE COUNTY OF RIVERSIDE FOR COUNTY SERVICE AREA 152 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

ISSUE:

The issue for City Council consideration is to approve an Administrative Services Agreement for the County Service Area 152 (CSA 152) National Pollutant Discharge Elimination System (NPDES) Program between the County of Riverside and City of Riverside.

RECOMMENDATIONS:

That the City Council:

1. Approve the Administrative Services Agreement for the CSA 152 NPDES Program between the County of Riverside and the City of Riverside, for a five-year term commencing on the date the agreement is fully executed by both the City and County;
2. Authorize the City Manager, or his designee, to execute the Administrative Services Agreement for the CSA 152 NPDES Program; and
3. Authorize the City Manager, or his designee, to execute future amendments to renew the Administrative Services Agreement for the CSA 152 NPDES Program for up to two (2) additional two-year terms.

BACKGROUND:

In 1987, Congress amended the Federal Clean Water Act to require that certain municipalities, construction, and industrial facilities obtain a NPDES Permit before discharging urban runoff into the waters of the United States.

The City of Riverside, along with 15 other local jurisdictions, is a "Co-Permittee" on an area-wide NPDES permit, Order No. R8-2010-0033, NPDES No. CAS 618033 ("Permit"), issued by the California Regional Water Quality Control Board, Santa Ana Region (Regional Board). Collectively, these entities are referred to as the "Permittees". The Permittees own and/or operate portions of the stormwater system through which urban runoff is discharged into waters of the United States within the jurisdiction of the Regional Board.

To facilitate the collection of funds for programs and services to comply with the NPDES Permit within the unincorporated areas of the County, the County Board of Supervisors created County Service Area No. 152 (CSA 152). The City of Riverside and others requested inclusion into CSA 152 to help fund their own NPDES compliance costs (by Resolution No. 18030, July 7, 1992). The County annexed the City of Riverside to CSA 152 on December 1, 1992.

The annexation allows the County to levy tax assessments upon parcels within the City, and entitles the City to request 100% of the revenue to reimburse NPDES compliance costs; minus a six (6%) percent annual administrative fee charged by the County.

On November 1, 1994, the County and City entered into an Administrative Services Agreement (Agreement) to establish each party's responsibilities concerning the management and financing of CSA 152. The Agreement was renewed on January 24, 2011 for an additional five-year term. The proposed Agreement would extend the duration for a period of five (5) years from the date of execution and include two (2) additional two-year renewal options, subject to the written consent of both parties.

The City would agree to provide to the County additions to the prior year's tax roll, annual CSA 152 levy and budget, changes to individual parcels to be placed on the tax roll, research any rejected parcels and notify County of any corrections, and submit to the County requests for reimbursement of actual NPDES expenditures. The County would agree to forward City provided assessor parcel numbers to the Auditor Controller for placement on the tax roll, notify City of rejected parcels, forward City's corrections to the Auditor Controller, provide spreadsheet of assessments placed on tax roll and fiscal year financial summary, collect assessment for CSA 152 on behalf of City, and reimburse for NPDES expenditures. The County would continue to charge the City six (6%) percent of new City CSA 152 annual revenue for administration.

The estimated annual CSA 152 revenue over the duration of the agreement is approximately \$1,400,000. These revenues currently fund the City's NPDES program which presently includes storm drain maintenance, high-frequency street sweeping, the Adopt-a-drain program, and other compliance management efforts. Absent CSA 152 revenues these efforts would otherwise require General Fund support.

FISCAL IMPACT:

There is no cost to the General Fund related to the proposed Agreement. Approval of this agreement would allow the County to collect the CSA 152 assessment on behalf of the City to reimburse ongoing NPDES compliance costs.

Prepared by: Kris Martinez, Public Works Director
Certified as to
availability of funds: Scott G. Miller, Interim Finance Director/Treasurer
Approved by: Al Zelinka, FAICP, Assistant City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachment: Administrative Services Agreement