

RESOLUTION NO. 2013 - XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING A JOINT POWERS AGREEMENT WITH THE NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT TO FUND AND ADMINISTER THE NAPA COUNTY STORMWATER MANAGEMENT PROGRAM

AGREEMENT NO. _____

WHEREAS, on April 30, 2003, the State Board adopted Water Quality Order No. 2003-005-DWQ, NPDES General Permit CAS000004 Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems ("Phase II Permit") to comply with Clean Water Act; and

WHEREAS, in 2003, the City of Calistoga applied for and obtained coverage for City of Calistoga under the State Board's Phase II Permit; and

WHEREAS, on February 5, 2013, the State Board adopted a revised Phase II Permit, which goes into effect on July 1, 2013; and

WHEREAS, on June 24, 2013 the City of Calistoga applied for coverage under the new Phase II Permit as required by the State Board; and

WHEREAS, to prevent the necessity of each city in the County having to acquire a separate NPDES permit, the Napa County Flood Control and Water Conservation District (NCFWCW) has developed the Napa County Stormwater Management Program encompassing the City of Calistoga, City of Napa, City of St. Helena, City of American Canyon, Town of Yountville, and the County of Napa; and

WHEREAS, in addition to staff time and the annual State permit, the City of Calistoga's share of the costs for program administration are \$6,756 for fiscal year 2013/14; and

WHEREAS, funds are budgeted in Fiscal Year 2013/14 for these costs; and

WHEREAS, the City of Calistoga is authorized under State law to delegate to a designated representative its authority to bind the City under contract; and

WHEREAS, the City Council wishes to grant authority to the Mayor of the City of Calistoga to execute the Joint Powers Agreement to Fund and Administer the Napa County Stormwater Management Program on behalf of the City of Calistoga.

NOW, THEREFORE, BE IT RESOLVED that the Joint Powers Agreement with the Napa County Flood Control and Water Conservation District (attached) is hereby approved.

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BE IT FURTHER RESOLVED that the City Council of the City of Calistoga hereby authorizes the Mayor of the City of Calistoga to execute, on behalf of the City, the Joint Powers Agreement with the Napa County Flood Control and Water Conservation District to Fund and Administer the Napa County Stormwater Management Program, contingent upon approval of the City Attorney.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **16th day of July 2013**, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

CHRIS CANNING, Mayor

ATTEST:

AMANDA DAVIS, Deputy City Clerk