

RESOLUTION NO. 36-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND
AUTHORIZING THE CITY MANAGER TO CAST BALLOTS FOR THE 2012
COMMUNITY CLEAN WATER INITIATIVE FOR ALL PARCELS OWNED BY THE
CITY**

WHEREAS, the City of Richmond is a member of the Contra Costa Clean Water Program (Program) and a co-permittee under the San Francisco Regional Water Quality Control Board's Municipal Regional Permit; and

WHEREAS, in the years since the stormwater utility assessment has been in place inflation and everexpanding permit mandates have progressively increased the costs of stormwater permit implementation and drainage system maintenance, thereby creating a situation where the co-permittees are mandated to perform activities well beyond their current funding capacity; and

WHEREAS, the Program has developed a proposal known as the 2012 Community Clean Water Initiative whereby a property-related fee structure was crafted for all municipalities in the County that would provide funding for stormwater permit implementation and drainage system maintenance; and

WHEREAS, such fee structure that should be submitted to property owners for approval as a mail ballot pursuant to Proposition 218; and

WHEREAS, the Contra Costa County Board of Supervisors, acting as the governing board for the Contra Costa County Flood Control and Water Conservation District, voted on December 6, 2011 to accept the engineer's report and begin the Proposition 218 process; and on February 7, 2012 held a public hearing and voted to proceed to the mail ballot phase; and on February 21, 2012 ballots were mailed to all owners of parcels subject to the assessment under the 2012 Community Clean Water Initiative and said ballots must be returned to the designated authority by April 6, 2012; and

WHEREAS, the City of Richmond owns multiple parcels that would be subject to said assessment and has received ballots accordingly; and the City has an opportunity to cast ballots for all parcels so assessed;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Richmond that the City of Richmond the City Manager is authorized to cast ballots for the 2012 Community Clean Water Initiative in the affirmative for all parcels owned by the City of Richmond, and to submit those ballots to the proper authority by April 6, 2012.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon passage and adoption.

I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting held on March 20, 2012, by the following vote:

AYES: Councilmembers Bates, Beckles, Butt, Ritterman, and Vice Mayor Rogers.
NOES: Councilmember Booze.
ABSTENTIONS: None.
ABSENT: Mayor McLaughlin.

DIANE HOLMES

CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of Resolution No. 36-12, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on March 20, 2012.