



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
March 18, 2015**

TO: Mayor and City Council

FROM: Tim Tucker, City Engineer

SUBJECT: Establishing the rate per Equivalent Runoff Unit (ERU) for the 2015-16 Fiscal Year for the National Pollutant Discharge Elimination System (NPDES) Program

DATE: March 3, 2015

RECOMMENDATION:

Adopt resolution establishing the rate per Equivalent Runoff Unit for the Fiscal Year 2015-16 and request the Contra Costa County Flood Control and Water Conservation District to adopt an annual parcel assessment for the NPDES Program.

BACKGROUND:

On March 15, 1993, the City Council adopted a resolution establishing the first yearly Storm Water Utility Assessment Fee, with a maximum permissible rate of \$30.00 per Equivalent Runoff Unit (ERU). Over the last several years the fee has been set at the maximum rate of \$30.00 per ERU. This fee needs to be set each year by each community.

Based upon past expenditures and projected costs through June 2016, staff recommends that the Storm Water Utility Assessment (SUA) fee again be set at \$30.00 per ERU. With a fee of \$30.00 for 2015-2016, the City's Storm Water Utility Area will generate revenues of approximately \$633,000. Program Costs (Group Costs), Auditor's Assessment fee and other miscellaneous costs will reduce the City's expected net revenue from the SUA is \$500,000. The Group costs budget will continue to increase so as to fund the implementation of the Regional Water Quality Control District Board (Board) requirements. This will result in lower net revenues being available for the City unless additional funding sources are developed.

The approval of the San Francisco Bay and Central Valley Regional Water Quality Control Boards' Municipal Regional Permit (MRP 2) 2 is currently being negotiated. It is anticipated that the mandated requirements for Contra Costa County, its nineteen cities/towns and the Contra Costa County Flood Control & Water Conservation District will be increased. The financial impacts have substantially increased and will continue to escalate for the remainder of the five year permit. Additional revenue is needed to fully fund the program in future years. With the current Group budget cost will remain the same as last year. This is only accomplished with the use of previously accumulated reserves. These reserves are dwindling and increases in Group costs are anticipated in one to two years.

The Clean Water Program's goal is to eliminate non-stormwater discharges to our creeks and bay. As staff has reported, the Water Quality Board has focused on trash reduction in the old MRP. MRP 2 will continue emplacing trash reduction along with PCB. Cities are required to reduce trash by 40% by July 1, 2014 and 70% by 2017 and 100% by 2022. MRP 2 proposes to add interim reduction goals of 60% in 2016 and other milestones between 2017 and 2022. Utilizing Land Use maps a trash load baseline was established based on our current street sweeping, inlet cleaning and similar trash reducing activities. Unfortunately, as currently proposed, MRP 2 does not fully credit permittees for certain trash reductions they have achieved. To meet the future Water Board trash reduction goals the installation of storm drain inlet trash capture devices or other trash reducing activities on private commercial property will be needed. There are currently approximately 55 devices on public streets. Additional trash captures devices are envisioned for the future along with other trash reduction activities.

Other Permit requirements include:

1. Public Education
2. Monitoring and testing
3. Construction and new Development controls
4. Commercial / Industrial inspection program
5. Municipal activities including new pesticide toxicity controls

FISCAL IMPACT:

The assessment will be maintained at its current maximum rate of \$30.00 per ERU. It is anticipated that if Group costs continue to rise, and as additional requirements are placed on our local program by the Regional Water Board, the assessment will not fully fund our local program. Program tasks such as storm drain replacement, ditch and catch basin cleaning and street sweeping may need to be funded partially or in full by gas tax revenues in future years.

ACTION:

Adopt resolution establishing the rate per Equivalent Runoff Unit for the Fiscal Year 2015-2016 and request the Contra Costa County Flood Control and Water Conservation District to adopt an annual parcel assessment for the NPDES Program.

Attachments:
Resolution

APPROVED BY:


Acting City Manager

RESOLUTION NO. -15

**ESTABLISHING THE RATE PER EQUIVALENT RUNOFF UNIT FOR FY 2015-16
AND REQUESTING THE CONTRA COSTA COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT TO ADOPT AN ANNUAL PARCEL ASSESSMENT FOR
DRAINAGE MAINTENANCE AND THE NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM PROGRAM**

WHEREAS, under Federal Water Pollution Control Act, prescribed discharges of stormwater require a permit from the appropriate California regional water quality board under the National Pollutant Discharge Elimination System (NPDES) program; and

WHEREAS, the City of Martinez (CITY) did apply for, and did receive, a NPDES permit which requires the implementation of selected Best Management Practices to minimize or eliminate pollutants from entering stormwaters; and

WHEREAS, it is the intent of the CITY to utilize funds received from its Stormwater Utility Area (SUA) for implementation of the NPDES program and drainage maintenance activities; and

WHEREAS, at the request of the CITY, the Contra Costa County Flood Control & Water Conservation District (DISTRICT) has completed the process for formation of a SUA, including the adoption of the Stormwater Utility Assessment Drainage Ordinance No. 93-47; and

WHEREAS, The SUA and Program Group Costs Payment agreement between City and DISTRICT requires that CITY annually, by May 1, determine the rate to be assessed to a single Equivalent Runoff Unit (ERU) for the forthcoming fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Martinez does determine that the rate to be assigned to a single ERU for Fiscal Year 2015-16 shall be set at \$30.00.

BE IT FURTHER RESOLVED, that the City Council does hereby request the DISTRICT to adopt SUA levies based on said amount.

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I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a regular meeting of said Council held on the 18th day of March, 2015, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ