

Resolution No. _____

Board of Supervisors, County of San Mateo, State of California

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Resolution Authorizing Execution of an Agreement Regarding Fees for Funding the County's Share of the National Pollutant Discharge Elimination System Program in Zone 1 of the San Mateo County Flood Control District

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the County and the cities within the County are obligated under the federal Clean Water Act , 33 U.S.C. section 1251 et seq., to obtain a National Pollutant Discharge Elimination System ("NPDES") permit ("Permit"); and

WHEREAS, this Board, acting as the Governing Board of the San Mateo County Flood Control District (District), formed Flood Control Zone 1 pursuant to the authority contained in the San Mateo Flood Control District Act; and

WHEREAS, in the past, District has levied charges on those properties in Zone 1 within the County or cities within the County, when requested to do so by the County or cities within the County, for the purpose of funding the NPDES program in Zone 1. Said charges were levied and collected annually on the tax bill pursuant to the authority contained in the San Mateo Flood Control District Act; and

WHEREAS, the revenue collected through imposition of said charges are ultimately for the benefit of those cities within the County or the County on whose behalf the charges are levied; and

WHEREAS, in consideration of the District levying NPDES charges on behalf of the County it is appropriate that the County indemnify District to the extent of the charges collected on County's behalf to fund the NPDES program; and

WHEREAS, there has been presented to this Board an agreement that provides for the indemnification of District by County; and

WHEREAS, this Board has reviewed and considered said agreement.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of this Board be and is hereby authorized to execute said agreement for and on behalf of the County and the Clerk of this Board shall attest to the President's signature thereto.

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