

Resolution No. _____

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

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Resolution Authorizing Execution of Agreements Regarding Fees for Funding National Pollutant Discharge Elimination System Programs

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

WHEREAS, by the Board of Supervisors of the County of San Mateo, State of California, as the Governing Board of the San Mateo County Flood Control District (District), 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 formed Flood Control Zone 1 and Flood Control Zone 2 pursuant to the authority contained in the San Mateo Flood Control District Act; and

WHEREAS, in the past, this Board has levied charges on those properties in Zone 1 and Zone 2 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 NPDES programs. 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 or cities within the County, it is appropriate that County and cities indemnify District to the extent of the charges collected on their behalf to fund the NPDES program; and

WHEREAS, there has been presented to this Board agreements that provide for the indemnification of District by County or cities who wish to have District levy NPDES fees on their behalf; and

WHEREAS, this Board has reviewed and considered said agreements.

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

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