

RESOLUTION NO. 3734

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTE SERENO AUTHORIZING THE WEST VALLEY CLEAN WATER PROGRAM AUTHORITY TO COLLECT THE STORM WATER FEE ON BEHALF OF THE CITY OF MONTE SERENO TO CONTINUE THE CLEAN WATER PROGRAM

WHEREAS, in 1992, the City of Monte Sereno (the "City") entered into an agreement with the West Valley Sanitation District (the "District") to manage the storm water program for the City known as the Clean Water Program; and

WHEREAS, this agreement provided a procedure for the District, as the agent of the City, to set and implement a fee to be used to fund the Clean Water Program for the City; and

WHEREAS, the District and the City followed the procedures in the agreement and set such a fee; and

WHEREAS, the fee has been collected since the 1994-95 fiscal year without modification or increase; and

WHEREAS, the District has provided notice of its intended withdrawal from the Clean Water Program in July 2020; and

WHEREAS, in response to the District's withdrawal, on April 2018, the City, along with the cities of Saratoga and Campbell and the Town of Los Gatos (collectively referred to as the "Cities"), formed the West Valley Clean Water Program Authority, a California Joint Powers Authority (the "JPA"), to take over the management of the Clean Water Program; and

WHEREAS, in the Joint Powers Agreement adopted by the Cities to form the JPA, the Cities gave the JPA the power to collect fees and charges to support the Clean Water Program; and

WHEREAS, the continued collection of the City's fee is essential to the continuation of the Clean Water Program; and

WHEREAS, the City desires to have the JPA collect the fee.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTE SERENO AS FOLLOWS:

1. The City hereby ratifies the amount of the fee that has been collected since the 1994-95 fiscal year and asks the JPA to take over the collection of the fee without increase or modification of the fee.
2. The City Manager or his designee is hereby directed to work with the JPA to transfer to the JPA the collection duties for the fee.

REGULARLY PASSED AND ADOPTED on this 7th day of MAY, 2019, by the following vote:

AYES: Council Members Ellahie, LaBouve, Leuthold and Mayor Turner

NOES: None

ABSTAIN: None

ABSENT: Council Member Lawler



Rowena Turner, MAYOR

ATTEST:



Andrea M. Chelemengos, CITY CLERK