



**SAN BERNARDINO COUNTY
FLOOD CONTROL DISTRICT**

F A S

CONTRACT TRANSMITTAL

FOR COUNTY US VLY									
E	New	Vendor Code			Dept.	Contract Number			
M	Change				SC 097	A	92-315 A-1		
X	Cancel								
County Department Transportation/Flood Control Department					Dept. 097	Orgn. 097	Contractor's License No.		
Flood Control District Contract Representative Charles L. Laird					Ph. Ext. 2799		Amount of Contract		
Fund	Dept.	Organization	Appr.	Obj/Rev	Source	Activity	GRC/PROJ/JOB Number		
RLF	099	099	200	9145			30101343		
Commodity Code				Estimated Payment Total by Fiscal Year					
				FY	Amount	I/D	FY	Amount	I/D
Project Name									

CONTRACTOR Co-Permittees: County of San Bernardino, Cities of Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa

Birth Date _____ Federal ID No. or Social Security No. _____

Contractor's Representative _____

Address _____ Phone _____

Nature of Contract: *(Briefly describe the general terms of the contract)*

AMENDMENT NO. 1 TO AGREEMENT NO. 92-315

Amend National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Implementation Agreement No. 92-315 in order to more accurately distribute the area-wide program costs based on redefined run-off coefficients and corresponding land uses.

The AGREEMENT shall remain unchanged, except for the following specific amendments:

1. Delete the second paragraph of Section IV, page 4; the said paragraph beginning on Line 183 and ending on Line 186. This paragraph is replaced by the following:

"Using the County Assessor's land use parcel data, the DISTRICT will determine the total number of assessable land use units as per the methodology described in Appendix A-1, on an annual basis. Vacant, undeveloped land; agricultural uses including dairies, poultry, livestock, groves, orchards, rain crops, field crops, vines or dry farming; and publicly-owned parcels which are parcels owned by a federal, state or local public entity or agency and used for public purposes are exempted land uses."

2. Appendix A is deleted and replaced by Appendix A-1 as attached hereto.
3. This amendment, and any amendments thereto, may be signed in counterparts.

(Attach this transmittal to all contracts not prepared on the "Standard Contract" form.)

Approved as to Legal Form

County Counsel

Date

Reviewed as to Affirmative Action

Date

Reviewed for Processing

Agency Administrator/CAO

Date

COUNTY OF SAN BERNARDINO

Maria Iuraci

Chairman, Board of Supervisors

Dated: DEC 12 1995
92-315 A-1

SIGNED AND CERTIFIED THAT A COPY OF THIS
DOCUMENT HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD

Clerk of the Board of Supervisors of the
County of San Bernardino

Nada Saiche
Deputy

(State if Corporation, Company, etc.)

By: _____
(Authorized Signature)

Dated: _____

Title: _____

Address: _____

SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT

Maria Iuraci

Chairman, Board of Supervisors

Dated: DEC 12 1995

SIGNED AND CERTIFIED THAT A COPY OF THIS
DOCUMENT HAS BEEN DELIVERED TO THE CHAIR-
MAN OF THE BOARD.

EARLENE SPINAT

Clerk of the Board of Supervisors
of the County of San Bernardino

By Nada Saiche
Deputy

(State if Corporation, Company, etc.)

By _____
(Authorized Signature)

Dated: _____

Title: _____

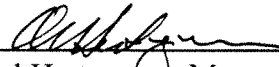
Address: _____

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER
PERMIT IMPLEMENTATION AGREEMENT NO. 92-315 - AMENDMENT NO. 1

IN WITNESS WHEREOF, the undersigned have executed this AGREEMENT

April 30, 1996

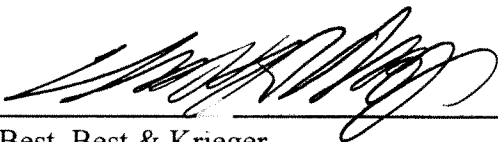
Date


Neal Hertzmann, Mayor
City of Big Bear Lake

ATTEST:

APPROVED AS TO FORM:

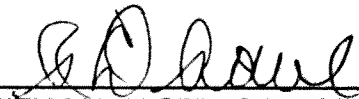
Katherine E. Jefferies
Katherine E. Jefferies
City Clerk


Best, Best & Krieger
City Attorneys

CITY OF CHINO

November 30, 1995

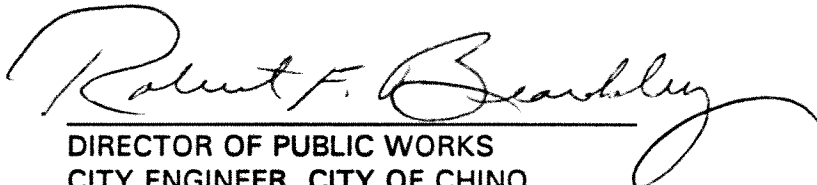
DATED


CITY MANAGER, CITY OF CHINO

ATTEST:

 11/30/95
CITY CLERK, CITY OF CHINO

APPROVED AS TO CONTENT:

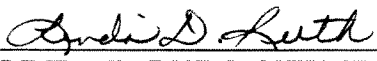

DIRECTOR OF PUBLIC WORKS
CITY ENGINEER, CITY OF CHINO

Amendment No. 1 to Agreement No. 92-315

BY:


MICHAEL G. WICKMAN, MAYOR
CITY OF CHINO HILLS

ATTEST:


LINDA D. RUTH, CITY CLERK
952-61

APPROVED AS TO FORM;


MARK D. HENSLEY, CITY ATTORNEY

CITY OF COLTON

SIGNATURE PAGE
FOR
AMENDMENT NO. 1 TO THE NPDES STORMWATER
IMPLEMENTATION AGREEMENT WITH THE
COUNTY OF SAN BERNARDINO, FLOOD CONTROL

NOVEMBER 7, 1995


George V. Fulp, Mayor

Date: Nov. 7, 1995

ATTEST:

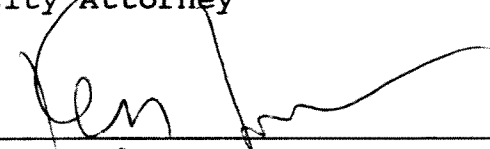

Helen A. Ramos, CMC
City Clerk

Date: Nov. 7, 1995

READ AND APPROVED AS TO LEGAL
FORM AND CONTENT:



Clark Alsop or
Stephen P. Deitsch
City Attorney



Ken Jeske
Public Services Director



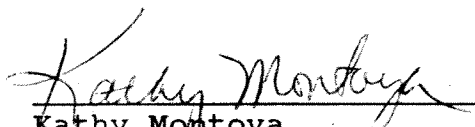
Arlene Peasnell/Robert Graham
Risk Management

CITY OF FONTANA
A Municipal Corporation



Gregory C. Devereaux
City Manager

ATTEST:

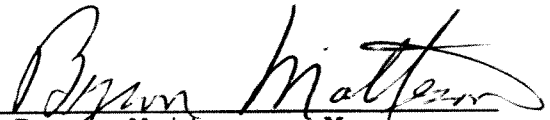


Kathy Montoya
City Clerk

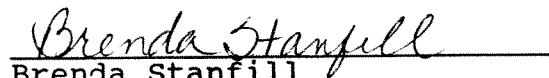
IN WITNESS WHEREOF, the undersigned have executed this AGREEMENT as of the dates set out.

Executed this 9th day of November, 1995.

By:


Byron Matteson, Mayor
City of Grand Terrace

Attest:


Brenda Stanfill
City Clerk

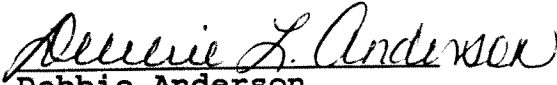
CITY OF HIGHLAND



Mayor
Dennis Johnson

November 14, 1995
Date

ATTEST:

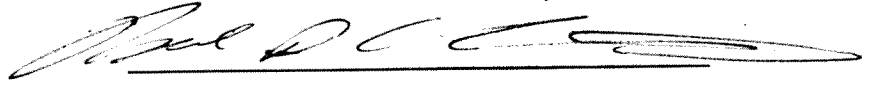


Debbie Anderson
City Clerk

November 14, 1995
Date

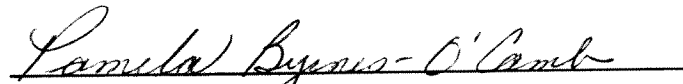
Approved by the City Council of the City of Loma Linda the 28th day of November 1995.

CITY OF LOMA LINDA

A handwritten signature in dark ink, appearing to read 'Robert H. Christman', written over a horizontal line.

Robert H. Christman, Mayor

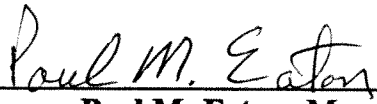
ATTEST:

A handwritten signature in dark ink, appearing to read 'Pamela Byrnes-O'Camb', written over a horizontal line.

Pamela Byrnes-O'Camb, City Clerk

In Witness Whereof, the parties have executed this Amendment on the dates set forth below:

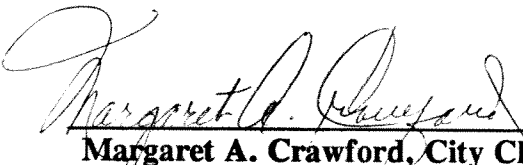
CITY OF MONTCLAIR,



Paul M. Eaton, Mayor

Date: 11/21/95

ATTEST TO:



Margaret A. Crawford, City Clerk

Date: 11/21/95

IN WITNESS WHEREOF, AMENDMENT NO. 1 TO SAN BERNARDINO COUNTY AGREEMENT NO. 92-315 has been executed as of the day and year first above written. Executed this 11-15-95 day of November 1995.

CITY OF ONTARIO

By:


Mayor

ATTEST:

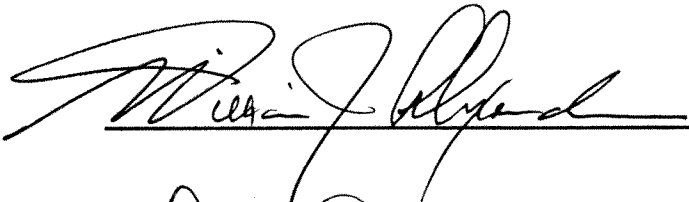

City Clerk

APPROVED AS TO FORM	
DATE.....	<u>10-26-95</u>
BY.....	<u></u>
Att'y. CITY ATTORNEY	
FOR ONTARIO, CALIFORNIA	

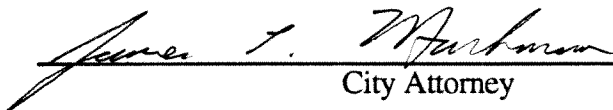


ACCEPTED: November 15, 1995

CITY OF RANCHO CUCAMONGA, A MUNICIPAL CORPORATION

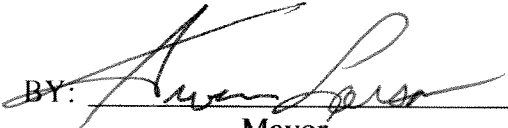
By:  Mayor

Attest: 
City Clerk

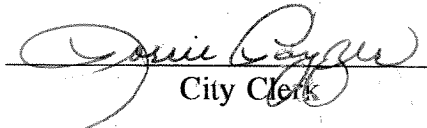
Approved: 
City Attorney

IN WITNESS WHEREOF, the AMENDMENT has been executed on the 7th day of November, 1995.

CITY OF REDLANDS

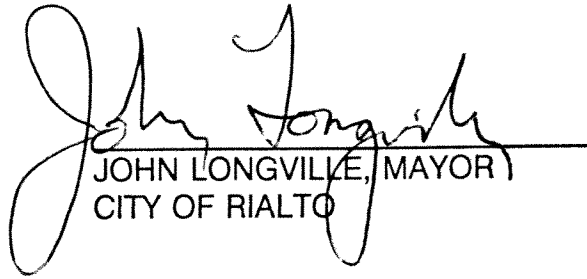
BY: 
Mayor

ATTEST:

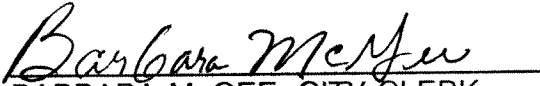

City Clerk

November 15, 1995
Date

PASSED, APPROVED AND ADOPTED this 7th day November, 1995.


JOHN LONGVILLE, MAYOR
CITY OF RIALTO

ATTEST:


BARBARA McGEE, CITY CLERK

APPROVED AS TO FORM:


ROBERT A. OWEN, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF RIALTO)

I, BARBARA McGEE, City Clerk of the City of Rialto, do hereby certify that the foregoing Amendment No. 1 to Agreement No. 92-315 was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the 7th day of November, 1995.

Upon motion of Council Member Sampson, seconded by Council Member Zupanic-Skaggs, the foregoing Amendment No. 1 to Agreement No. 92-315 was duly passed and adopted.

CITY OF SAN BERNARDINO

CITY OF SAN BERNARDINO,
a municipal corporation

ATTEST:

Rachel Clark
Rachel Clark, City Clerk

Tom Minor
Tom Minor, Mayor

Approved as to form
and legal content:

James F. Penman
City Attorney

By James F. Penman

IN WITNESS WHEREOF, the undersigned have executed this National Pollutant Discharge Elimination System Stormwater Permit Implementation Agreement Santa Ana Region as of the dates set out.

Executed this 13th day of November, 1995.

By: Tom R. Thomas
Tom R. Thomas, Mayor Pro Tem
CITY OF UPLAND

ATTEST:

Sheryll Schroeder
Sheryll Schroeder, City Clerk

IN WITNESS WHEREOF, the undersigned have executed this AMENDMENT NO. 1 TO AGREEMENT NO. 92-315 - CITY OF YUCAIPA as of the date set out.

Executed this 13th day of November 1995.


WILLIAM L. SEMANS, MAYOR

ATTEST:


NITA BROWN, CITY CLERK

APPENDIX A-1

The following formula will be used by the DISTRICT to determine the share costs for the area-wide program as required in the "National Pollutant Discharge Elimination System Stormwater Permit Implementation Agreement, Santa Ana Region", Section IV.

1. The total annual area wide program costs will be determined by the DISTRICT and allocated to the CITIES and the COUNTY by the following formula:

$$\text{Agency's annual contributing total} = (\text{total Program Costs} \times 0.95) \times \text{Agency's contributing percentage}$$

Agencies:

County of San Bernardino

Cities of: Big Bear Lake
Chino Hills
Fontana
Highland
Montclair
Rancho Cucamonga
Rialto
Upland

Chino
Colton
Grand Terrace
Loma Linda
Ontario
Redlands
San Bernardino
Yucaipa

2. Agency's contributing percentage is determined by the following:

1 Basic Unit (BU) = 1/6-acre single-family residential parcel with a runoff factor of 0.40

Number of Basic Units per Land Use

GROUP	LAND USE	RUNOFF FACTOR	NO. OF BUs PER ACRE
A	Commercial, Industrial, Poultry	0.80	12
B	Apartments/Mobile Home Parks	0.60	9
	Churches and Schools		
C	Single-Family Residential	0.40	*
D	Dairies, Livestock (Exempt)		
E	Irrigated Groves, Golf Courses	0.0067	0.10
F	Cultivated Crops, Undeveloped Land	0.0033	0.05

$$\text{number of basic units per acre} = \frac{(\text{area of parcel in acres}) \times (\text{runoff factor})}{1 \text{ Basic Unit}}$$

Example:

For 1-acre commercial parcel.

$$\text{No. of basic units/acre} = \frac{1\text{-ac} \times 0.8}{1/6\text{-ac} \times 0.4} = 12$$

*To further define single-family residences (S.F.R.), the following formula were used:

S.F.R.: 0-7,200 S.F. parcels

number of basic units = (1 basic unit) x (number of parcels)

S.F.R.: 7,201 S.F. - 2.5-acre parcels

number of basic units = (1 basic unit) x (number of parcels) + (total acres - number of parcels
x 0.17) x 0.1 basic unit/acre

S.F.R.: on greater than 2.5-acre parcels

number of basic units = (1.23 basic units) x (number of parcels) + (total acres - 2.5
acres/parcel x number of parcels) x 0.05 basic units/acre

AGENCY'S CONTRIBUTING PERCENTAGE = $\frac{\text{AGENCY'S TOTAL BASIC UNITS}}{\text{TOTAL BASIC UNITS IN PERMIT AREA}}$

**MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA**

FCD, Gen'l.
Inc. Cities/Listed
on back
Agree. No. 92-315

December 12, 1995

FROM: KEN A. MILLER, Director
Transportation/Flood Control

SUBJECT: NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
STORMWATER PERMIT IMPLEMENTATION AGREEMENT, SANTA ANA
REGION - FILE#10(NPD)-2.11

RECOMMENDATION: Acting as the governing body of the Flood Control District and as the governing body of the County, approve Amendment No. 1 to Implementation Agreement No. 92-315 between the Flood Control District and the Co-Permittees listed in this agreement.

BACKGROUND INFORMATION: On October 19, 1990, the Flood Control District and the County (unincorporated areas), and the incorporated Cities in the County within the Santa Ana River watershed, as Co-Permittees, obtained an area-wide National Pollutant Discharge Elimination System (NPDES) Permit, Order No.90-136, NPDES No. CA8000200, as required by the Clean Water Act, Amended in 1987. Under the requirements of the permit, the Co-Permittees entered into an Implementation Agreement for delegation of responsibilities and funding of program costs on a shared cost basis. This Amendment No. 1 to the Agreement revises the mechanism of funding the program costs by the Co-Permittees. The District's share of funding will remain at 5% of the program cost while the County's will reduce from 26% to 12.3%.

REASON FOR RECOMMENDATION: Board approval is required to effect this Amendment.

REVIEW BY OTHERS: This item was reviewed by Deputy County Counsel Charles S. Scolastico on September 25, 1995, by Fourth and Fifth District Supervisorial Staffs on October 3, 1995, by Second District Supervisorial Staff on October 5, 1995, and by Third District Supervisorial Staff on October 12, 1995.

FINANCIAL DATA: The Flood Control District and the County will incur costs of approximately \$23,700.00 and \$58,500.00 respectively, for Fiscal Year 1995/1996 as their share of the area-wide program costs. Funding is available from the Flood Control District budget to provide for these costs.

PRESENTER: Ken A. Miller

cc: Flood Control Dist. w/5
agr. for signature
Cities (16) c/o FCD
Auditor
Contract Compliance
Risk Management
PWG
File w/agr.

vg

Action of the Board of Supervisors
AGREEMENT NO. 92-315 A-1
**APPROVED BOARD OF SUPERVISORS
COUNTY OF SAN BERNARDINO**

MOTION	AYE 1	SECOND 2	ABSENT 3	AYE 4	MOVE 5
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EARLENE SPROAT, CLERK OF THE BOARD
BY *Earlene Sproat* Deputy
DATED: December 12, 1995