



Agenda Report

Fullerton City Council

MEETING DATE: MARCH 17, 2025

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: STEPHEN BISE, PUBLIC WORKS DIRECTOR

PREPARED BY: JEROME JOAQUIN, ADMINISTRATIVE MANAGER
OLIVIA MARTINEZ, ENVIRONMENTAL SERVICES COORDINATOR

SUBJECT: AMENDED AND RESTATED AGREEMENT WITH COUNTY OF ORANGE FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER PERMIT IMPLEMENTATION

SUMMARY

Orange County cities participate in a cost-sharing agreement with the County of Orange to meet stormwater regulatory requirements. The first major update since 2002 adds an opt-in structure for joint stormwater projects. The update retains the County partnership and improves meeting National Pollutant Discharge Elimination System obligations.

PROPOSED MOTION

Approve the amended and restated agreement with the County of Orange (County) for National Pollutant Discharge Elimination System NPDES Stormwater Permit Implementation Agreement.

ALTERNATIVE OPTIONS

- Approve Proposed Motion
- Other Options brought by City Council.

STAFF RECOMMENDATION

Staff recommends the Proposed Motion.

CITY MANAGER REMARKS

None.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability
- Infrastructure and City Assets.

FISCAL IMPACT

This item generates no General Fund impact and does not require additional appropriation. The City will calculate its financial contribution annually based on the proportional share of land area and population as outlined in the Agreement. The City will include costs in the annual budget for stormwater compliance, with CPI increase already factored in, and funded by the Sanitation Fund (Fund 23).

BACKGROUND AND DISCUSSION

The City is a Permittee under the Municipal Separate Storm Sewer System (MS4) permits issued by the Santa Ana and San Diego Regional Water Quality Control Boards. The original NPDES Stormwater Permit Implementation Agreement (D90-094), executed in 1990 and amended in 1993 and 2002 (D02-048), established a cooperative framework to implement the Orange County Stormwater Program. This framework supports consistent regional compliance strategies, shared costs, staff training, watershed monitoring and other MS4-required program elements.

MS4 permit requirements and watershed-specific priorities have become significantly more complex since the last Agreement update, often requiring targeted solutions such as structural treatment projects to meet current and future compliance obligations.

The proposed Agreement restates and modernizes the original document to reflect updated regulatory requirements, current administrative practices and evolving program needs. It maintains the collaborative approach among permittees while allowing greater flexibility to design watershed-specific strategies, programs and projects using corresponding shared-cost sub-budget structures. It also formalizes the annual consultation process with the Orange County City Managers Association (OCCMA), strengthening an already established budget collaboration process.

The shared-cost budget developed annually under this Agreement continues using the existing cost-sharing formula, based on land area and population, for the unincorporated County and 34 Orange County cities, with the District contributing ten percent of total costs.

Attachments:

- Attachment 1- Amended and Restated Agreement

cc: City Manager Eddie Manfro