

**HERCULES CITY COUNCIL  
RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES TO  
APPROVE AN AMENDED AND RESTATED CONTRA COSTA CLEAN WATER  
PROGRAM AGREEMENT EFFECTIVE JULY 1, 2026 THROUGH JUNE 30, 2041**

**WHEREAS**, the Municipal Regional Stormwater NPDES Permit, NPDES Permit No. CAS612008 issued by the San Francisco Bay Regional Water Quality Control Board (“Municipal Regional Permit”), requires the City of Hercules, as a permittee, to implement best management practices and other control measures in order to control the discharge of pollutants through its municipal stormwater system; and

**WHEREAS**, the cities of Antioch, Brentwood, Clayton, Concord, El Cerrito, Hercules, Lafayette, Martinez, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon, and Walnut Creek; the towns of Danville and Moraga; and the County of Contra Costa and Contra Costa County Flood Control and Water Conservation District (“Co-Permittees”) are joint permittees under the Municipal Regional Permit; and

**WHEREAS**, the Co-Permittees have historically been parties to a joint program agreement to establish the “Contra Costa Clean Water Program” for the purpose of administering joint obligations under the Municipal Regional Permit on behalf of the Co-Permittees; and

**WHEREAS**, the Co-Permittees desire to extend the joint program agreement by entering into an amended and restated agreement effective July 1, 2026 through June 30, 2041 which has been updated to include current practices and requirements; and

**WHEREAS**, the City of Hercules desires to remain a party to the Contra Costa Clean Water Program by entering into the amended and restated joint program agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hercules as follows:

1. The City Council hereby approves the Amended and Restated Contra Costa Clean Water Program Agreement (July 1, 2026 - June 30, 2041) attached hereto as Exhibit “A”.
2. The City Council hereby authorizes and directs the City Manager to execute the Agreement on behalf of the City of Hercules.
3. Approval of this Agreement is not a project under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378 because it is an administrative activity that does not authorize any

action that would impact the environment. Even if this approval was considered to be a project, it would be exempt from CEQA review pursuant to CEQA Guidelines sections 15307, 15308, and 15061(b)(3).

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 14<sup>th</sup> day of April, 2026 by the following vote of the Council:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

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Chris Kelley, Mayor

ATTEST:

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Eibleis Melendez, City Clerk