



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of April 14, 2026

TO: Mayor and Members of the City Council

VIA: Patrick Tang, Interim City Manager

SUBMITTED BY: Glenn Dombeck, Public Works Director/City Engineer

SUBJECT: Approve the Resolution to Execute the Group Program Inspection Agreement between the City of Hercules, West County Wastewater District and the Contra Costa County Flood Control and Water Conservation District

RECOMMENDED ACTION:

Approve the resolution authorizing the City Manager to execute the Group Program Inspection Agreement between the City of Hercules, West County Wastewater District and the Contra Costa County Flood Control and Water Conservation District.

EXECUTIVE SUMMARY:

The existing Group Program Inspection Agreement, which supports compliance with stormwater permit requirements, needs to be updated to incorporate new and enhanced inspection obligations under the Municipal Regional NPDES Permit (MRP 3.0), which became effective on May 11, 2022.

BACKGROUND:

The existing Group Program Inspection Agreement, which facilitates shared inspection services through Central Contra Costa Sanitary District and West County Wastewater District has proven essential for meeting the MRP 3.0 permit obligations efficiently and cost-effectively. Without an updated agreement to reflect compliance with new requirements, individual permittees, such as the City of Hercules, would face significant challenges in maintaining compliance, including:

- Resource Constraints: The City of Hercules lacks the staffing and technical expertise to independently meet the expanded inspection requirements.

- **Cost Implications:** Shared services reduce duplication of effort and allow economies of scale, minimizing overall program costs.
- **Continuity of Compliance:** The renewed agreement ensures continued inspection activities in compliance with NPDES permit conditions.

ANALYSIS:

The renewal of the Group Program Inspection Agreement is critical to ensure continued compliance with MRP 3.0 and introduced new and enhanced requirements for **Provision C.4 – Commercial and Industrial Site Controls**. These updates significantly expand inspection obligations for permittees, including:

- **Inspection Frequency and Coverage:** MRP 3.0 mandates periodic inspections of commercial and industrial facilities to verify stormwater best management practices (BMPs) and pollutant source controls.
- **Enhanced Documentation and Reporting:** The permit requires detailed tracking of inspection findings, corrective actions, and follow-up activities, which must be accurately reported in annual compliance reports.
- **Expanded Facility Categories:** Additional facility types now fall under inspection requirements, increasing the workload and complexity for individual permittees.
- **Integration with Enforcement Protocols:** MRP 3.0 emphasizes timely enforcement actions for non-compliance, requiring coordinated efforts and consistent application of enforcement procedures across jurisdictions.

The renewed agreement (Attachment 2) incorporates administrative updates, invoicing improvements, backup staffing provisions, and alignment with MRP 3.0 requirements, ensuring that the Group Program remains a robust and collaborative mechanism for compliance. Additionally, the updated Agreement includes a provision to maintain the existing agreement in effect until the new one is executed will safeguard against service interruptions during the renewal process. City Council will be asked to approve the resolution authorizing the City Manager to execute the Group Program Inspection Agreement (Attachment 1).

FISCAL IMPACT:

The City of Hercules estimates that approximately 13 commercial and industrial facility inspections will be completed annually to be in compliance with the MRP 3.0 requirements. The projected inspection costs paid to the West County Wastewater District are based on the labor costs per inspector for time spent, plus an overhead multiplier for benefits, administrative overhead, supplies, equipment and insurance. Past years have been budgeted at \$11,800 with actual costs sometimes reaching \$17,000 depending on the amount of reinspection required. The projected inspection costs to be paid to the West

County Wastewater District for Fiscal Year 2026-27 is \$12,390. These costs, along with the Clean Water Program administrative costs, are deducted from the Stormwater Utility Assessment fees collected by the County, with the balance being returned to the City of Hercules.

ATTACHMENTS:

Attachment 1	Resolution
Attachment 2	Group Program Inspection Agreement (Final Draft)