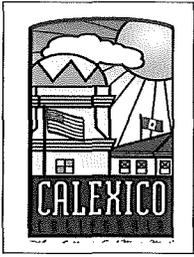


**AGENDA
ITEM**

9



AGENDA STAFF REPORT

DATE: June 5, 2019

TO: Mayor Pacheco and Council Members

APPROVED BY: David B. Dale, City Manager *MF for D.D.*

PREPARED BY: David B. Dale, City Manager *MF for D.D.*

SUBJECT: Adopt a Resolution Authorizing the County of Imperial to Administer and Enforce its Underground Storage Tank and Water Well Regulations Within the City of Calexico City Limits

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Recommendation:

Adopt a resolution authorizing the County of Imperial to administer and enforce its underground storage tank and water well regulations within the City of Calexico city limits.

Background:

The County of Imperial has enacted Divisions 11 and 21 of Title 9 of the Codified Ordinances which regulate underground storage tanks and water wells. These ordinances explicitly grant the authority to the County Planning and Development Services Department to regulate underground storage tanks and water wells in both unincorporated and incorporated areas in the County.

Discussion & Analysis:

The City of Calexico does not have the resources nor expertise to regulate the construction of underground storage tanks and/or water wells. The County has requested that the city grant it the authority to regulate underground storage tanks and water wells within city limits to ensure that they comply with applicable health and safety standards, to the extent that such regulation does not conflict with the regulatory responsibilities of the Certified Unified Program Agency (CUPA) or any other State or Federal agency with jurisdiction over underground storage tanks and water wells.

Fiscal Impact:

None.

Coordinated With:

City Attorney.

Attachments:

1. Resolution Authorizing the County of Imperial to Administer and Enforce its Underground Storage Tank and Water Well Regulations within the City of Calexico City Limits.



RESOLUTION NO. 2019-_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUTHORIZING THE COUNTY OF IMPERIAL TO ADMINISTER AND ENFORCE ITS UNDERGROUND STORAGE TANK AND WATER WELL REGULATIONS WITHIN THE CALEXICO CITY LIMITS.

WHEREAS, the County of Imperial ("County") has enacted Divisions 11 and 21 of Title 9 of its Codified Ordinances, which regulate Underground Storage Tanks and Water Wells, respectively; and

WHEREAS, Division 11 of Title 9 of the County's Codified Ordinances explicitly grants authority to the County's Planning and Development Services Department to regulate Underground Storage Tanks in both the unincorporated and incorporated areas of the County; and

WHEREAS, the City of ("City") does not currently regulate Underground Storage Tanks or Water Wells that are located within the City's limits; and

WHEREAS, the County has requested that the City grant it authority to regulate Underground Storage Tanks and Water Wells within the City's limits in order to ensure that such activities comply with applicable health and safety standards, to the extent that such regulation does not conflict with the regulatory responsibilities of the Certified Unified Program Agency ("CUP A"), or any other State or federal public agency with jurisdiction over Underground Storage Tanks and Water Wells; and

WHEREAS, the City recognizes that the County possesses the resources and expertise to regulate Underground Storage Tanks and Water Wells located within the City's limits, and is the most qualified local public agency to undertake these tasks.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. The above recitals are true, correct, and adopted.
2. The County of Imperial is authorized to regulate Underground Storage Tanks and Water Wells within the City's limits, in conformance with Division 11 and 21 of the County's Codified Ordinances, to the extent that such regulation does not conflict with the regulatory responsibilities of CUP A, or any other State or federal public agency with jurisdiction over Underground Storage Tanks and Water Wells, and in adherence to applicable State and federal laws, regulations, rules, policies, and procedures.



PASSED AND ADOPTED by the City Council of the City of Calexico, California, this 5th day of June, 2019 by the following roll call vote:

AYES:

NOES:

ABSENT:

Lewis Pacheco, Mayor

ATTEST:

Gabriela Garcia, City Clerk

APPROVED AS TO FORM:

Carlos Campos, City Attorney