

**RESOLUTION NO. 2319-08**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR  
APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A  
PROFESSIONAL SERVICES AGREEMENT WITH WINZLER & KELLY  
CONSULTING ENGINEERS TO PROVIDE ASSISTANCE IN THE IMPLEMENTATION  
OF THE TOWN'S STORM WATER MANAGEMENT PLAN FOR REPORTING  
YEARS 2007-08 AND 2008-09**

**WHEREAS**, the U.S. Environmental Protection Agency published its Storm Water Phase II Final Rule in the Federal Register on December 8, 1999, and under said rule the Town of Windsor is required to implement programs and practices to manage storm water runoff through the National Pollutant Discharge Elimination System (NPDES) permit program; and

**WHEREAS**, on April 30, 2003, the State Water Resources Control Board (SWRCB) adopted SWRCB Water Quality Order No. 2003-0005-DWQ, NPDES General Permit No. CAS000004 (the Statewide General Permit), affording NPDES permit coverage to operators of municipal separate storm sewer systems, including the Town of Windsor, under the provisions of the Statewide General Permit; and

**WHEREAS**, on June 18, 2003, the Town Council adopted Resolution No. 1401-03, approving the Town's Storm Water Management Plan and authorizing its submittal to the North Coast Regional Water Quality Control Board; and

**WHEREAS**, on November 22, 2005, the Regional Board informed the Town that its Storm Water Management Plan was found in compliance with the Statewide General Permit and that as of November 15, 2005, discharges from the Town's storm sewer system were authorized under the Statewide General Permit, with the requirements that the Town implement its Storm Water Management Plan and comply with the provisions of the Statewide General Permit; and

**WHEREAS**, the Statewide General Permit requires that the Town submit annual reports to the Regional Board summarizing implementation of its Storm Water Management Plan during the preceding reporting year (July 1 through June 30); and

**WHEREAS**, Winzler & Kelly Consulting Engineers (Winzler & Kelly) has previously provided professional services to assist the Town in the development and implementation of its Storm Water Management Plan, including preparation of the plan and required annual reports for Reporting Year 1 (November 15, 2005, through June 30, 2006) and Reporting Year 2 (July 1, 2006, through June 30, 2007); and

**WHEREAS**, additional professional services are now required for the preparation of the annual report for Reporting Year 3 (July 1, 2007, through June 30, 2008) and for implementation of the Storm Water Management Plan and preparation of the annual report for Reporting Year 4 (July 1, 2008, through June 30, 2009); and

**WHEREAS**, through the previous provision of similar services, for both the Town and other local municipalities, Winzler & Kelly has acquired extensive experience and knowledge of the Town's Storm Water Management Plan and the associated regulatory requirements; and

**WHEREAS**, the Town has solicited and received a proposal from Winzler & Kelly for provision of the additional professional services now required, and said proposal has been evaluated by Town staff and is recommended for acceptance;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Windsor hereby approves and authorizes the Town Manager to execute a professional services agreement with Winzler & Kelly Consulting Engineers in an amount not to exceed \$135,000.00 for preparation of the annual Storm Water Management Program report for Reporting Year 3 (July 1, 2007, through June 30, 2008) and for assistance in the implementation of the Town's Storm Water Management Plan and preparation of the annual report for Reporting Year 4 (July 1, 2008, through June 30, 2009); and

**BE IT FURTHER RESOLVED** that the Town Council authorizes the Administrative Services Director to pay all proper claims for the performance of services provided in accordance with said agreement.

**PASSED, APPROVED AND ADOPTED** this 16<sup>th</sup> day of July 2008, by the following vote:

**AYES: COUNCILMEMBERS PARKER, SALMON AND MAYOR FUDGE**  
**NOES: NONE**  
**ABSTAIN: NONE**  
**ABSENT: COUNCILMEMBERS ALLEN AND GOBLE**

  
**DEBORA FUDGE, MAYOR**

**ATTEST:**

  
**MARIA DE LA O, TOWN CLERK**