



PUBLIC WORKS DEPARTMENT

Instructions to Complete the Stormwater Management Maintenance Agreement (O&M Agreement)

Follow the steps listed below to complete the Stormwater Management Maintenance Agreement:

1. Complete the information block, as applicable, at the top of page 1.
2. Insert the name of the property owner and type of legal entity in the opening paragraph on page 1 of the Agreement. Write the name/legal entity precisely as it is reported on the title report for the property.
3. Insert the property address(es), APN(s), and/or parcel/tract map information in paragraph D on page 1 of the Agreement.
4. Insert the permit number in paragraph E.
5. Complete the property owner information in Section 8.
6. Complete the signature block. After the O&M Agreement has been approved by the City, obtain the notarized signature of the property owner on one, single-sided original document.
7. Provide documentation demonstrating signing authority for the person signing the O&M Agreement. See page two for signature requirements.
8. Exhibit A: Provide the complete legal description of the property as shown in the title report. For tracts or parcel maps, use Alameda County Recorder's Office map book pages.
9. Exhibit B: Provide a black/white drawing of the property indicating the location, type and manufacturer/model number(s) of stormwater controls (stormwater treatment measures, hydromodification management facilities, self-retaining areas, pumps, diversion structures, full trash capture devices, etc., as applicable) installed on the property. The exhibit must be no larger than 8.5" x 11" and all fonts must be at least 0.12 inches. No photographs or color drawings are allowed.
10. Exhibit C: Include general good site housekeeping (residential or commercial, as relevant) and specific maintenance plans for each stormwater control. Maintenance plans for select stormwater controls are available at <https://dublin.ca.gov/1656>. No photographs or color drawings are allowed.
11. Exhibit D: Include the inspection and maintenance checklists for each stormwater control. Checklists for select stormwater controls may be obtained at <https://dublin.ca.gov/1656>.
12. Exhibit E: Complete Sections I-IV of the template annual inspection report form available at <https://dublin.ca.gov/1656>. Include the entire template inspection report form (including uncompleted sections) in the document.
13. Provide an electronic draft of the complete agreement as part of the plan review submittal.
14. Once approved, provide one wet original of the notarized O&M Agreement to the Public Works Department at 100 Civic Plaza, Dublin, CA 94568.

SIGNATURE REQUIREMENTS

When signing documents, it is important that they be properly executed to guarantee their validity and recordation. The following procedures must be followed when processing a Stormwater Management Maintenance Agreement:

- I. FOR ALL SIGNATURES.** The name and title of the signer should be typed or printed beneath the signature. The name must be signed exactly as it is typed or printed.
- II. SIGNATURES FOR INDIVIDUALS.** The name must be signed exactly as it is printed or typed. The signer's title or interest in the property (e.g. "owner") must be stated.
- III. SIGNATURES FOR PARTNERSHIPS.** The signing party must be either a general partner or be authorized in writing to have the authority to sign for and bind the partnership.
- IV. SIGNATURES FOR CORPORATIONS.** Authorization to sign contracts and other documents on behalf of the corporation must be demonstrated by the following method:

(Notarized Officer Signature). Authorization may be shown by the signature of either the corporation's president, vice president, secretary, or assistant secretary accompanied by a notary acknowledgment in the form prescribed by Civil Code §1189. (ref. Civil Code §1190)
- V. SIGNATURES FOR LIMITED LIABILITY COMPANIES (LLC's).** Authorization must be demonstrated by providing the portion of the operating agreement authorizing the person signing the instrument to execute instruments of the type in question, and if the LLC does not have an operating agreement, then by providing the articles of incorporation for review by the City Attorney's Office. (ref. Corp Code §§17151, 17154, 17157.)
- VI. DOCUMENTS TO BE RECORDED.** For maps documents to be recorded, including all transactions affecting title to real property, all signatures must be properly notarized and accompanied by a certificate of acknowledgement in the form prescribed by Civil Code section 1189. (ref. Gov't Code §§ 27287, 66436, 66439, 66447) The names and titles of the people signing the documents must be listed on the notary flag.