



# 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 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 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.
4. Insert the permit number in paragraph E.
5. Complete the property owner information in Section 8.
6. Indicate who will sign (name/title) in the signature block. Do not sign the document until the City has reviewed and approved it.
7. Provide documentation demonstrating signing authority for the person who will sign the O&M Agreement. See page two for signature requirements.
8. All pages in the document must have margins of at least ½ inch.
9. All pages must be legible when printed on 8.5" x 11" paper and all fonts must be at least 0.12 inches.
10. 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.
11. 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). Provide details for the stormwater treatment facilities. Include the DMA table. Include as reference drainage v-ditches, mitigation areas, and existing wetlands. No photographs or color drawings. **Reduced plan sheets are not allowed.**
12. 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.
13. 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>.
14. 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.
15. Provide an electronic draft of the complete agreement as part of the plan review submittal.
16. Once approved, provide one single-sided 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.