

**AMENDMENT TO DISSOLUTION OF MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF HERMOSA BEACH, THE CITY OF MANHATTAN BEACH, THE CITY OF REDONDO
BEACH, THE CITY OF TORRANCE, AND THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
RELATED TO DESIGN OF JOINT REGIONAL PROJECTS WITHIN THE SMB 6-01 ANALYSIS REGION
OF THE ENHANCED WATERSHED MANAGEMENT PROGRAM (EWMP)
FOR THE BEACH CITIES WATERSHED MANAGEMENT GROUP**

This document memorializes an amendment to the 2020 dissolution of the 2017 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HERMOSA BEACH, THE CITY OF MANHATTAN BEACH, THE CITY OF REDONDO BEACH, THE CITY OF TORRANCE, AND THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT FOR IMPLEMENTATION OF JOINT REGIONAL PROJECTS WITHIN THE SMB 6-01 ANALYSIS REGION OF THE ENHANCED WATERSHED MANAGEMENT PROGRAM (“EWMP”) FOR THE BEACH CITIES WATERSHED MANAGEMENT GROUP. Collectively, these entities shall be known herein as “PARTIES” or individually as “PARTY”.

RECITALS

A. In 2020, the Parties entered into a dissolution agreement. The purpose of the agreement was expressly stated to “wind down the obligations set forth in the September 26, 2017 cost sharing MOU and to memorialize an understanding of the Parties’ intent to consider implementing a new a joint regional structural project(s) within the SMB 6-01 analysis region of the EWMP Area identified in the EWMP due to the interconnected nature of the MS4, until such time as a new project site or sites are identified and the Parties enter into a new cost-sharing MOU for the project(s) to replace this agreement.

B. Under the dissolution agreement, Hermosa Beach committed to, among other things, “fund \$160,000 and Redondo Beach [would] manage a feasibility study to identify feasible location(s) for an alternative project or projects in Redondo Beach, and additional alternative location(s) within Hermosa Beach if the project or project locations in Redondo Beach do not feasibly and economically achieve the water quality limits set forth in the MS4 permit, in collaboration with Hermosa Beach staff, subject to the limitation that a project (or projects) in Hermosa Beach shall capture no more than 150% of Hermosa Beach’s contribution to the Herondo Storm Drain (approximately 20.4 %).

C. The EWMP is required to be updated by June 30, 2021. Due to the accelerated timeline of this EWMP update, the full feasibility study anticipated in the dissolution agreement was not completed. In lieu of that initial feasibility study, the parties (through their consultant) engaged in analysis of existing data and new modelling, and identified new project options that were not known at the time the dissolution agreement was negotiated. While feasibility studies will

commence soon, the parties agree that the funding commitment from Hermosa Beach will be removed from the dissolution agreement in light of this modified path forward and EWMP Update.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the PARTIES, and of the promises contained in this Amendment to Dissolution of MOU, the PARTIES agree as follows:

Section 1. Recitals. The recitals set forth above are incorporated into this Amendment to Dissolution of MOU.

Section 2. Amendment. The parties agree that the Dissolution of MOU is hereby amended to add the following additional new paragraph 3.h:

h. Notwithstanding the terms above, should the parties approve a revised EWMP that has not proceeded under process detailed above, the City of Hermosa Beach is relieved of its obligation to fund the first \$160,000 for the feasibility study referenced in subsections b and c above. The parties will proportionally share the cost of any future feasibility studies related to the EWMP Update in accordance with the Memorandum Of Understanding Between The City Of Redondo Beach, The City Of Hermosa Beach, The City Of Manhattan Beach, The City Of Torrance, And The Los Angeles County Flood Control District Regarding The Administration And Cost Sharing For Updating The Enhanced Watershed Management Program And Reasonable Assurance Analysis For The Beach Cities Watershed Management Group (executed by Hermosa Beach on October 27, 2020).

Section 3. The remaining terms of the Dissolution of MOU remain in force and effect, except as modified in this Amendment.

IN WITNESS WHEREOF, the PARTIES hereto have caused this MOU to be executed by their duly authorized representatives and affixed as of the date of signature of the PARTIES:

[SIGNATURE PAGES FOLLOW]

CITY OF MANHATTAN BEACH

By: _____
Bruce Moe
City Manager

Date: _____

ATTEST:

By: _____
Liz Tamura
City Clerk

APPROVED AS TO FORM:

By: _____
Special Counsel

CITY OF TORRANCE

By: _____
Patrick J. Furey, Mayor

Date: _____

ATTEST:

By: _____
Rebecca Poirier
City Clerk

APPROVED AS TO FORM:

By: _____
Patrick Q. Sullivan, City Attorney

CITY OF REDONDO BEACH

By: _____
William C. Brand, Mayor

Date: _____

ATTEST:

By: _____
Eleanor Manzano
City Clerk

APPROVED AS TO FORM:

By: _____
Mike Webb, City Attorney

CITY OF HERMOSA BEACH

By: _____
Justin Massey
Mayor

Date: _____

ATTEST:

By: _____
Eduardo Sarmiento
City Clerk

APPROVED AS TO FORM:

By: _____
Michael Jenkins, City Attorney