Staff Report

File #: REPORT 16-0114, **Version:** 1

Honorable Mayor and Members of the Hermosa Beach City Council
Regular Meeting of February 9, 2016

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HERMOSA BEACH, THE CITY OF MANHATTAN BEACH, THE CITY OF TORRANCE, THE CITY OF REDONDO BEACH, AND THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT REGARDING THE ADMINISTRATION AND COST SHARING FOR COORDINATION AND IMPLEMENTATION OF THE COORDINATED INTEGRATED MONITORING PROGRAM (CIMP IMPLEMENTATION MOU).

(Environmental Analyst Kristy Morris)

Recommended Action:

City Council approve a three-year memorandum of understanding (MOU) with option to extend for an additional three years.

Background:

The National Pollutant Discharge Elimination System permit (Permit) identifies conditions, requirements and programs that municipalities must meet to protect regional water resources from adverse impacts associated with pollutants in stormwater and urban runoff as mandated by the Federal Clean Water Act and the California Porter-Cologne Act. These requirements include a monitoring and reporting program as described in Attachment E of Order No. R4-2012-0175 Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, the current Permit applicable to City of Hermosa Beach and the other parties to the MOU. The monitoring program requirements described in Attachment E of the Permit provide the flexibility for Permittees to coordinate monitoring efforts on a watershed or subwatershed basis to increase cost-efficiency and effectiveness and to align the Coordinated Integrated Monitoring Program (CIMP) with the Enhanced Watershed Management Program (EWMP).

The Cities of Hermosa Beach, Manhattan Beach, Redondo Beach, Torrance and the Los Angeles County Flood Control District (Beach Cities Watershed Management Group (WMG) or Parties) have been working under a previously executed MOU to develop a CIMP and EWMP. On September 24, 2015 the Beach Cities WMG submitted a final CIMP satisfying Los Angeles Regional Water Quality Control Board (Regional Board) approval conditions. The Beach Cities WMG has now developed a new MOU for the joint implementation of the CIMP in order to carry out the monitoring and reporting program requirements of the Permit.

Analysis:

The CIMP Implementation MOU provides for the hiring of a:

- CIMP Implementation Consultant to accomplish the CIMP, and
- CIMP Coordination Consultant (McGowan Consulting) to assist the Beach Cities WMG in watershed planning and coordination.

The CIMP MOU further provides for the parties to the MOU to contribute funds to the City of Manhattan Beach who will act on behalf of the Beach Cities WMG (or Parties) to contract with the respective CIMP Coordination Consultant and CIMP Implementation Consultant. An administration fee of 5% will be paid to Manhattan Beach out of the CIMP Implementation funds to compensate the City for the cost of administering the contracts. The City of Manhattan Beach is also being credited for the upfront cost of developing the CIMP Implementation Request for Proposals and the CIMP Implementation MOU, which were developed through the services of McGowan Consulting.

The basis for cost sharing of CIMP Implementation and Coordination is illustrated in Tables 1 and 2 in Exhibit A of the MOU (Attachment 1). Having no jurisdiction over land use, but in consideration of its role as a co-Permittee and its responsibility for operation of significant portions of the storm drain system, the Los Angeles County Flood Control District (LACFCD) has agreed to assume a 5% share of the CIMP Implementation Total Costs shown in Table 1-this is consistent with its CIMP cost-sharing agreements with other watershed management groups under the Permit. Each of the cities in the Beach Cities WMG is allocated a percentage share of the remaining Total Cost, after subtraction of the LACFCD 5% cost share, based on each city's respective land area within the CIMP area. For the City of Hermosa Beach this share is 5% of the remaining Total Cost, and as shown in Table 2 of Exhibit A of the MOU, these costs will not exceed $27,420in FY15-16, $23,635 in FY16-17 and $24,411 in FY17-18.

The CIMP Implementation MOU was drafted and revised based on review and comment by the Beach Cities WMG staff representatives and their attorneys. The final CIMP Implementation MOU provided for your consideration was reviewed and revised by the City Attorney and approved as to form.

Fiscal Implications:

The FY2015-2016 Public Works Department's Storm Drain Fund (161-3109-4201) has $50,000 for professional services for the Combined Integrated Monitoring Plan.

Attachments:

Attachment:

1. Memorandum of Understanding Between the City of Manhattan Beach, the City of Torrance, the City of Redondo Beach, the City of Hermosa Beach and the Los Angeles County Flood Control District Regarding the Administration and Cost Sharing for CIMP Coordination and Implementation of the Coordinated Integrated Monitoring Program for the Beach Cities

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Watershed Management Group.

2. Exhibit A Beach Cities Watershed Funding Contributions for CIMP Implementation and Coordination

Respectfully Submitted by: Kristy Morris, Environmental Analyst
Concur: Andrew Brozyna, Public Works Director
Noted for Fiscal Impact: Viki Copeland, Finance Director
Legal Review: Mike Jenkins, City Attorney
Approved: Tom Bakaly, City Manager