



Staff Report

File #: REPORT 20-0498, Version: 1

**Honorable Mayor and Members of the Hermosa Beach City Council
Regular Meeting of August 11, 2020**

**APPROVAL OF TRANSFER AGREEMENT BETWEEN
THE LOS ANGELES COUNTY FLOOD CONTROL
DISTRICT AND HERMOSA BEACH AGREEMENT
NO. 2020MP32 SAFE, CLEAN WATER PROGRAM -
MUNICIPAL PROGRAM**

(Environmental Programs Manager Douglas Krauss)

Recommended Action:

Staff recommends that the City Council approve the Transfer Agreement between the Los Angeles County Flood Control District and the City of Hermosa Beach for Safe Clean Water Funds and authorize the City Manager to execute the agreement.

Executive Summary:

In November 2018, Los Angeles County voters approved Measure W, the Safe Clean Water Program. This authorized a property tax to be charged to all Los Angeles County property owners. The estimated \$300 million in annual revenue from this tax is dedicated to fund storm water projects with an emphasis on multi-benefit storm water infrastructure. The Los Angeles County Board of Supervisors recently approved the transfer agreements for these funds. The City must now execute the transfer agreement and submit an annual plan to receive funds.

Background:

In July 2018, the L.A. County Board of Supervisors took action to place the Safe Clean Water (SCW) Program and Measure W on the ballot for consideration by voters on November 6, 2018. The measure was passed with the approval of nearly 70% of the voters. Measure W implements a special tax of 2.5 cents per square foot of impermeable surface on property owners in Los Angeles County and will generate approximately \$300 million per year of dedicated funding for municipal and regional stormwater programs. This tax is approximately \$83 a year for the average single-family homeowner and exempts low-income seniors. The program is administered by the Los Angeles County Flood Control District (District) and annual revenue will be distributed between: direct allocations to cities in proportion to the tax collected in each jurisdiction (40%), funding for regional projects (50%), and an administration fee for the District (10%). As a requirement of the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit (MS4 Permit), each city is responsible for implementing storm water projects in their jurisdiction (distributed projects) such as

green streets and source reduction programs, as well as larger, multi-jurisdictional (regional) projects. The Los Angeles County Department of Public Works has estimated that the total capital costs to implement these projects to comply with the MS4 Permit exceeds \$20 billion for the County and cities. The SCW Program will assist cities in meeting water quality compliance regulations by helping fund various projects and programs with an emphasis on implementing multi-benefit stormwater infrastructure.

Analysis:

The City of Hermosa Beach is scheduled to receive approximately \$160,000 annually from the SCW Program for its municipal share. This amount will vary depending on the number of exemptions granted and other adjustments to the assessments. This funding may be utilized for a variety of projects and programs that assist in achieving compliance with the MS4 permit. Multi-benefit projects and nature-based solutions are strongly encouraged.

Upon receiving the transfer agreement from the District, it must be executed by the City Manager and returned along with an annual plan detailing how the funds would be spent for the year. The District will transfer the funding within 45 days after receiving the executed transfer agreement and annual plan. Cities must spend 70% of annual allocations and each year's funds must be spent within 5 years of receipt. Cities must also submit expenditure reports at the end of each year detailing expenditures and maintenance and monitoring plans, as necessary. City staff has budgeted \$140,000 of the \$160,000 of anticipated initial funds for 2020-21 to support design and engineering of the Hermosa Avenue Green Street Project (CIP #164). The current project cost estimate is \$137,500, which is the amount included on the SCW Program Annual Plan. The difference would be utilized for unanticipated costs or carried forward for future years.

The transfer agreement has been reviewed by the City Attorney and is approved as to form. Staff recommends that the City Council authorize the City Manager to execute the transfer agreement and submit it to the District along with annual plan.

Past Council Actions

Meeting Date	Description
October 23, 2018	Approved Letter of Support for Measure W

General Plan Consistency:

This report and associated recommendation have been evaluated for their consistency with the City's General Plan. Relevant Policies are listed below:

Infrastructure

Goal 5. The stormwater management system is safe, sanitary, and environmentally and fiscally sustainable.

Policies:

- **5.1 Integration of stormwater best practices.** Integrate stormwater infiltration best practices when initiating streetscape redevelopment or public facility improvement projects.
- **5.5 Stormwater system maintenance.** Maintain, fund, and regularly monitor the City's stormwater infrastructure.
- **5.8 Low impact development.** Require new development and redevelopment projects to incorporate low impact development (LID) techniques in project designs, including but not limited to on-site drainage improvements using native vegetation to capture and clean stormwater runoff and minimize impervious surfaces.

Fiscal Impact:

The City will receive approximately \$160,000 annually in SCW Funds. These funds are set aside in a separate fund, allowing tracking and potential audits. This amount will fluctuate with the number of exemptions granted by the District and other adjustments to the assessments.

Attachments:

1. Transfer Agreement
2. Annual Plan

Respectfully Submitted by: Douglas Krauss, Environmental Program Manager

Concur: Marnell Gibson, Public Works Director

Noted for Fiscal Impact: Viki Copeland, Finance Director

Legal Review: Mike Jenkins, City Attorney

Approved: Suja Lowenthal, City Manager