



Legislation Text

File #: 20-0263, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Stephanie Katsouleas, Public Works Director
Shawn Igoe, Utilities Division Manager
Diane Pena, Management Analyst

SUBJECT:

Approve a Transfer Agreement Between the City of Manhattan Beach and the Los Angeles County Flood Control District for the Disbursement of Local Return Funds from the County's Safe, Clean Water Program, Also Known as Measure W (Public Works Director Katsouleas)

ADOPT RESOLUTION NO. 20-0097

RECOMMENDATION:

Staff recommends that City Council adopt the attached Resolution No. 20-0097 approving a transfer agreement between the City of Manhattan Beach and the Los Angeles County Flood Control District (District) and authorize City Manager to execute the agreement.

FISCAL IMPLICATIONS:

By adopting the attached transfer agreement, the City is eligible to receive approximately \$410,000 in local return funds for Fiscal Year (FY) 2020-2021 through the District's Measure W program for various water quality, water supply, storm water and urban runoff programs and projects. In future years, a single disbursement is expected to be made annually by the end of August, once the County Auditor-Controller has finalized revenues.

BACKGROUND:

The Los Angeles County Flood Control Act was established in 1915 by the Los Angeles County Flood Control District and it empowered the District to provide flood protection, water conservation, recreation, and aesthetic enhancement within its boundaries. In 2018, Chapter 16 of the District's Code was added to establish the Los Angeles Region Safe Clean Water Program and impose a special parcel tax within the Los Angeles County Flood Control District. This parcel tax, commonly referred to as Measure W, is intended to help support projects and programs that increase storm water capture and reduce storm water and urban runoff pollution within Los Angeles County. The goals of the Measure W Program are to:

- Improve and protect water quality;
- Capture rain/storm water to increase safe drinking water supply and prepare for future drought; and

- Protect public health and marine life by reducing pollution, trash, toxins and plastics entering Los Angeles County waterways, bays and beaches.

Per the guidelines, forty percent (40%) of the annual Measure W tax revenues shall be allocated to municipalities within the Los Angeles County in proportion to the tax revenue generated within each city's respective jurisdiction. To be eligible to receive Measure W local return funds, municipalities must enter into a transfer agreement with the District. The local return funds paid to Manhattan Beach must be held in a separate interest-bearing account and shall not be combined with other funds. Interest earned from each account must also be used on eligible expenditures consistent with the requirements of the program.

DISCUSSION:

Beginning in FY 2020-2021, the City will receive its first local return payment from the revenues generated by the Measure W parcel tax, which is currently estimated at \$410,000 annually. Of that amount, the City must spend at least 70%, or \$287,000, of this local return on new water quality or water quantity related projects and programs. All projects and programs implemented on or after November 6, 2018 are considered new. The remaining 30%, or \$123,000, may be used to pay for any continuing eligible costs and expenses for projects and programs initiated before or after November 6, 2018, so long as they are still active.

The City has a five-year window in which to expend its annual allocation and is required to prepare annual expenditure plans forecasting how these funds will be spent on eligible storm water program activities in conformance with the Measure W requirements. The first expenditure plan for FY 2020-2021 must be submitted within 45 days of executing the Municipal Program Transfer Agreement, and the second expenditure plan for FY 2021-2022 is due by April 1, 2021. Once this transfer agreement is approved by City Council, Public Works will prepare and submit an expenditure plan based on the FY 2020-2021 capital projects approved by City Council in the 5-Year Capital Improvement Plan, Storm Water Fund.

Therefore, staff recommends that City Council authorize the City Manager to execute the Transfer Agreement with the Los Angeles County Flood Control District.

PUBLIC OUTREACH/INTEREST:

No public outreach was conducted regarding executing the Transfer Agreement.

ENVIRONMENTAL REVIEW

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

ATTACHMENTS:

1. Resolution No. 20-0097
2. Transfer Agreement - Los Angeles County Flood Control District