



## Legislation Text

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**File #:** 18-0314, **Version:** 1

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**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

**SUBJECT:**

Resolution No. 18-0106 Approving Contract Amendment No. 2 with McGowan Consulting, LLC for \$151,400 for Professional Services to Assist the City and the Enhanced Watershed Management Group with the National Pollutant Discharge Elimination System Permit Requirements (Public Works Director Katsouleas).

**ADOPT RESOLUTION NO. 18-0106**

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**RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution No. 18-0106:

1. Approving Contract Amendment No. 2 for \$151,400 with McGowan Consulting, LLC, as follows:
  - a. \$69,402 for additional professional services to assist the City of Manhattan Beach with the National Pollutant Discharge Elimination System Permit requirements; and
  - b. \$81,998 for regional storm water permit compliance activities, of which \$16,462 is Manhattan Beach's share and \$65,536 will be reimbursed to Manhattan Beach under an existing Cooperative Agreement with Torrance, Redondo Beach, Hermosa Beach, and the Los Angeles County Flood Control District.
2. Authorizing the City Manager to execute the Contract Amendment.

**FISCAL IMPLICATIONS:**

A total of \$85,864 is available in the Fiscal Year 2018-2019 Public Works Department's Storm Drain Maintenance operating budget for Manhattan Beach's share of the services listed above. The remaining \$65,536 will be reimbursed to Manhattan Beach under an existing Cooperative Agreement with Torrance, Redondo Beach, Hermosa Beach, and the Los Angeles County Flood Control District.

**BACKGROUND:**

**Manhattan Beach NPDES Permit Assistance**

The National Pollutant Discharge Elimination System (NPDES) permit (Permit) identifies conditions, requirements and programs that municipalities must implement or meet to protect regional water resources from adverse impacts associated with pollutants in storm water and urban runoff. The requirements and programs are mandated by the Federal Clean Water Act and the California Porter-Cologne Act. Attachment 6 includes a comprehensive summary of the Los Angeles County NPDES

Program and the activities undertaken by the City of Manhattan Beach individually and in partnership with surrounding jurisdictions toward compliance with its requirements.

Given the technical nature of the Permit and numerous required tasks, the City of Manhattan Beach has proactively utilized professional expertise to assist the City in meeting and maintaining Permit compliance. Specifically, the City selected McGowan Consulting, LLC nine years ago due to her extensive NPDES compliance experience, technical knowledge and her ability to leverage resources with several surrounding cities including Hermosa Beach, Palos Verdes Estates, Rolling Hills Estates and Rolling Hills. Staff has found her work to be exceptionally detailed and thoughtful, while providing compliance assistance for an overall cost savings. Where NPDES compliance requirements are similar in other jurisdiction, she has been able to provide a pricing structure to Manhattan Beach that “shares” applicable elements of permit implementation (i.e., the City saves money from economies of scale).

### **Regional NPDES Permit Assistance**

The Cities of Hermosa Beach, Redondo Beach, Torrance, and Los Angeles County Flood Control District (Group) also selected McGowan Consulting, LLC to assist the Group with implementation of the Enhanced Watershed Management Program (EWMP) and Coordinated Integrated Management Plan (CIMP), as required by the Permit. The Group unanimously decided that utilizing McGowan Consulting, LLC for coordinating between jurisdictions, staffing for this effort, and providing regulatory and technical assistance, as described in Task 7 of the attached Scope of Work and Budget, would be the most cost-effective approach for regional compliance and implementation of the EWMP and CIMP.

### **DISCUSSION:**

A 3-year contract agreement with McGowan Consulting, LLC was originally approved by City Council on August 4, 2015 for an initial amount of \$121,360 for professional services to assist the City with its National Pollutant Discharge Elimination System (NPDES) Permit requirements under Federal Clean Water Act guidelines. Amendment No. 1, which authorized funding for the third year of the contract, was approved by City Council on April 18, 2017 for \$144,670. The original agreement also contemplated a one-year extension, which would cover the period from August 2018 to July, 2019.

As part of this request to exercise the one-year extension, an updated scope and budget have been provided (Attachment 2), and staff has determined that they properly extend the services provided in the original scope to meet the needs of the City and the larger watershed group for NPDES compliance assistance during Fiscal Year 2018-2019. Tasks 1 through 6 of McGowan Consulting, LLC’s proposed fee for \$69,402.00 assist the City in meeting its individual requirements under the MS4 Permit during Fiscal Year 2018-2019, while Task 7 addresses the regional work for NPDES activities. The regional group has asked the City of Manhattan Beach to continue acting as the lead agency for regional NPDES activities and to include the scope and fees associated with EWMP and CIMP implementation as a subset of our own agreement with McGowan Consulting, LLC. The budget for the regional work is \$81,998.00, which will be shared by all five jurisdictions. Manhattan Beach’s portion is \$16,462.00.

Therefore, staff recommends that City Council authorize the City Manager to execute Amendment No. 2 with McGowan Consulting, LLC for \$151,400.00 for additional NPDES Permit compliance services as described above.

## **PUBLIC OUTREACH/INTEREST:**

After analysis, staff determined that public outreach was not required for this issue.

## **ENVIRONMENTAL REVIEW**

There is no environmental review required for the recommended action.

## **LEGAL REVIEW**

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

### **Attachment:**

1. Resolution No. 18-0106
2. Amendment No. 2 - McGowan Consulting, LLC.
3. Scope of Services and Approved Fee Schedule (2018)
4. Original Agreement - McGowan Consulting, LLC (2015)
5. Amendment No. 1 - McGowan Consulting, LLC (2017)
6. Storm Water Informational Memo