



## Legislation Text

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**File #:** 21-0296, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Erick Lee, Public Works Director  
Lourdes Vargas, Utilities Manager  
Nicholle Petroff, Management Analyst

**SUBJECT:**

Consideration of a Resolution Approving Amendment No. 1 to the Professional Services Agreement with McGowan Consulting, LLC for Environmental Consulting Services Under the Requirements of the Federal Clean Water Act at a Cost Not-to-Exceed \$78,551 (Public Works Director Lee).

**ADOPT RESOLUTION NO. 21-0079**

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**RECOMMENDATION:**

Staff recommends that the City Council approve Amendment No. 1 to the Professional Services Agreement with McGowan Consulting, LLC for continued environmental consulting services and assistance in preparing and submitting grant applications in order to meet stormwater quality objectives at a cost not-to-exceed \$78,551.

**FISCAL IMPLICATIONS:**

The additional services to be rendered under Amendment No. 1 will increase the contract amount by \$28,780. The Department budgeted \$155,000 in Fiscal Year (FY) 2021-2022 for stormwater consulting services; therefore, there are sufficient funds available in the Stormwater Fund. The total contract amount exceeds the City Manager's awarding authority per the City's purchasing policy; therefore, City Council approval of Amendment No. 1 is required.

**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. Given the technical nature of the Permit and numerous required tasks, the City of Manhattan Beach normally uses professional services to assist the City in meeting and maintaining Permit compliance.

**DISCUSSION:**

This amendment will assist the City in preparing up to two grant applications for funding of capital

improvement projects to meet stormwater quality objectives and to prepare revisions to the City's Stormwater and Urban Pollution Control Ordinance to align with the recently adopted Regional Municipal Stormwater Permit.

McGowan Consulting, LLC (McGowan) has a successful track record in preparing winning grant applications, having assisted various municipalities in securing a total of approximately \$15 million in grant funding for stormwater and recycled water capital improvement projects. This includes the recently announced \$4.9 million Proposition 68 Urban Flood Protection grant awarded to the City by the California Natural Resources Agency for the Manhattan Beach Stormwater Infiltration Trench Project. If directed under this agreement, staff anticipates that McGowan would prepare grant applications on the City's behalf for the following programs:

- The CalTrans Clean California Local Grant Program, which is anticipated to be released in December 2021 for local beautification and litter abatement projects; and
- The California Department of Water Resources Proposition 1 Integrated Regional Water Management Implementation Grant Program, which is anticipated to be released in November or December of 2021.

McGowan also has expertise in revising municipal codes to align with municipal stormwater permit requirements, including the 2015 revision of Manhattan Beach Chapter 5.84 Stormwater and Urban Runoff Pollution Control. The approval of Amendment No. 1 will allow Public Works to update the City's Stormwater and Urban Pollution Control Ordinance and prepare grant applications to fund capital improvement projects to meet stormwater quality objectives.

#### **PUBLIC OUTREACH:**

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

#### **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 approved the agreement as to form.

#### **ATTACHMENTS:**

1. Resolution No. 21-0079
2. Amendment No. 1 - McGowan Consulting, LLC
3. Agreement - McGowan Consulting, LLC (2021)