



Agenda Report

June 11, 2018

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: AUTHORIZATION TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN CITY OF PASADENA, SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS AND 18 OTHER PUBLIC AGENCIES REGARDING ADMINISTRATION AND COST SHARING FOR IMPLEMENTATION OF (1) THE ENHANCED WATERSHED MANAGEMENT PLAN ASSOCIATED TASKS; AND (2) COORDINATED INTEGRATED MONITORING PROGRAM FOR UPPER LOS ANGELES RIVER WATERSHED MANAGEMENT AREA

RECOMMENDATION:

It is recommended that the City Council:

1. Find the Memorandum of Agreement (MOA) proposed herein to be exempt under the California Environmental Quality Act (CEQA) in accordance with Title 14 Chapter 3, Article 19, Section 15308, Class 8, actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment; and
2. Authorize the City Manager to execute a Memorandum of Agreement between City of Pasadena, San Gabriel Valley Council of Governments (SGVCOG) and 18 other public agencies regarding the administration and cost sharing for implementation of (1) the Enhanced Watershed Management Plan (EWMP) associated tasks; and (2) the Coordinated Integrated Monitoring Program (CIMP) for the Upper Los Angeles River (ULAR) Watershed Management Area.

BACKGROUND:

Under the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program reduces water pollution by regulating the discharge of pollutants into lakes, rivers, and streams. The implementation of this permit program has resulted in significant improvement in the quality of this country's water resources since 1972.

On December 28, 2012, the Los Angeles County Municipal Separate Storm Sewer System Permit (MS4 Permit) became effective in accordance with the Clean Water Act. The Los Angeles MS4 Permit covers unincorporated areas of Los Angeles County, the Los Angeles County Flood Control District, and 84 cities within Los Angeles County. Permittees are provided with multiple compliance pathways, including the option to develop EWMP.

The City of Pasadena partnered with 18 other co-permittees to form the ULAR watershed management group and jointly established EWMP for the ULAR. Co-permittees include the Cities of Alhambra, Burbank, Calabasas, Glendale, Hidden Hills, La Canada Flintridge, Los Angeles, Montebello, Monterey Park, Rosemead, San Fernando, San Gabriel, San Marino, South El Monte, South Pasadena, Temple City, the County of Los Angeles, and the Los Angeles County Flood Control District. Attachment A contains a map of the Upper Los Angeles River Watershed Group.

On December 13, 2013, City Council authorized execution of a MOA with these 18 co-permittees for preparation and approval of the EWMP and the CIMP for the ULAR. The ULAR EWMP was approved by the Los Angeles Regional Water Quality Control Board on February 20, 2014. The City of Los Angeles was the lead agency for managing the group, as well as the administrator who billed the co-permittees for their respective share of the costs. To date, the City has paid its total share of \$417,959.

The existing MOA expires on June 30, 2018. The ULAR watershed group has drafted a new MOA for co-permittees to approve and execute to continue the joint efforts in maintaining, updating and reporting MS4 permit requirements. The co-permittees decided to include the SGVCOG as an independent billing agency, who will bill and collect each co-permittee's share of the costs. The total cost of the MOA is estimated to be \$7,606,601, and the City of Los Angeles and Los Angeles County will be paying approximately 75 percent of this cost.

As the lead for the ULAR watershed group, the City of Los Angeles will manage the performance of the associated EWMP-related tasks that the agencies agree to collaboratively fund, including costs for the following: preparation of Annual Report to the Regional Water Quality Control Board; Adaptive Management Plan to update the EWMP; the implementation of the Trash Reporting and Monitoring Plan; the preparation of the Report of Waste Discharge; completion of the load (bacteria) reduction strategy in segments and tributaries of the Upper Los Angeles River; and potential special studies in the watershed, pursuant to the MS4 Permit. The overall total cost for ULAR EWMP related tasks is estimated not to exceed \$2,381,938, of which Pasadena's share will be \$84,698.

As the lead for the CIMP, the City of Los Angeles will perform stormwater monitoring services (sample collection, in situ measurements, laboratory analyses and reportings) consistent with the requirements of the approved CIMP and pursuant to the MS4 Permit. The overall total cost for ULAR CIMP implementation is estimated not to exceed

\$4,376,952, of which Pasadena's share will be \$156,399. A summary of the costs is below:

<u>Item</u>	<u>City of Pasadena Share Through FY 2023</u>	<u>Total Watershed Cost Through FY 2023</u>
EWMP-Related Tasks	\$ 84,698	\$2,381,938
CIMP-Related Tasks	\$156,399	\$4,376,952
Total	\$241,098	\$6,758,890

The SGVCOG will (a) invoice and collect funds from each of the parties to cover the costs of these services and pay the City of Los Angeles; (b) administer the MOA; and (c) negotiate, enter into agreements with and collect funds from individual co-permittees for cost-sharing of monitoring services.

This MOA shall become effective on the last date of execution of the 18 agencies, and shall remain in effect for five years from the effective date or until June 30, 2023, whichever is later. The MOA may be extended, through an amendment, for an additional term of three years.

COUNCIL POLICY CONSIDERATION:

The proposed action is consistent with the City Council's goal to increase conservation and sustainability and the General Plan Land Use policy to encourage and promote the stewardship of Pasadena's natural environment, including water conservation and the protection of water quality and natural open space.

ENVIRONMENTAL ANALYSIS:

The proposed action to approve the Memorandum of Agreement regarding the EWMP and CIMP for the Upper Los Angeles River has been determined to be exempt from CEQA per Section 15308, actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment.

FISCAL IMPACT:

The City's total share for the Memorandum of Agreement is \$241,098, with payments due annually over five upcoming fiscal years, FY 2018-19 through FY 2022-23. The total cost of this action is \$260,000. Funding for this action will be addressed by the utilization of Sewer Operating Funds (20522079-811400).

The following table represents a contract summary.


Memorandum of Agreement	\$241,098
City Staff Administration	\$ 18,902
Total Fiscal Impact	\$260,000

Respectfully submitted,



ARA MALOYAN, P.E.
Director of Public Works

Prepared by:



Sean Singletary, P.E.
Principal Engineer

Approved by:



STEVE MERMELL
City Manager

Attachment A – Map of Upper Los Angeles River Group