

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 3/26/07		Item Number: <u>A-10</u>	
AGENDA ITEM: Approval of Amendment to Existing Professional Services Agreement with John L. Hunter and Associates, Inc. to Provide Environmental Services in Support of the City's Stormwater and Urban Runoff Program (P-497)			
Contact Person/Dept.: Mate Gaspar/PW		Phone Number: 310-253-5602	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Master Notification List via email on March 22 nd . John L. Hunter and Associates, Inc. was notified via email on March 22 nd .			
Department Approval: Charles D. Herbertson (03/13/07)		City Attorney Approval: Carol Schwab (by H. Iker) (03/19/07)	
City Controller Approval: Marlee Chang (3/13/07)		City Manager Approval: Jerry B. Fulwood (03/21/07)	
<u>RECOMMENDATION:</u> Staff recommends the City Council approve an amendment to existing professional services agreement with John L. Hunter and Associates, Inc. (JLHA), to extend their contract to September 30, 2007, at an additional amount not to exceed \$49,423 for the purpose of providing continued professional environmental services to support the City's Stormwater and Urban Runoff Program (Program), P-497. <u>BACKGROUND:</u> On January 23, 2006, the City Council authorized entering into a professional services agreement with John L. Hunter and Associates (JLHA), Inc. to provide environmental services in support of the City's stormwater pollution prevention and discharge program for a not-to-exceed amount of \$47,653. The scope of services includes completing mandatory inspections of an estimated 550 businesses and providing Standard Urban Stormwater Mitigation Plan (SUSMP) and Local Stormwater Pollution Prevention Plan (LSWPPP) review for certain proposed development projects. The professional services agreement provides critical support to staff so that the City's Program can adequately address the increasingly complex State requirements related to the National Pollution Discharge Elimination System (NPDES) and Total Maximum Daily Loads (TMDL) regulations. JLHA has successfully completed its inspections of 424 business (the remaining of the estimated 550 businesses were verified either inactive or closed), for a total of \$28,780, ahead of the December 30, 2006 deadline specified in the			

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municipal stormwater program NPDES permit. In addition, JLHA has provided SUSMP reviews for 11 projects and LSWPPP reviews for 15 projects, for a total of \$11,385. JLHA's plan check fees did not impact the City's budget as these fees were recouped from developers. In addition, JLHA has provided NPDES inspections on an as-needed basis, when time-sensitive complaints were received from the public and other City departments. Also, at the request of the City staff, JLHA is working on creating LSWPPP and SUSMP templates for developers.

The 2001 Stormwater NPDES Permit, which mandates the requirements for businesses and SUSMP and LSWPPP plan checks, is due for reissuance. Until the time a new permit is in place, the City must continue to implement the existing requirements, including the SUSMP and LSWPPP plan checks. The City has completed the required inspections of critical sector businesses that are currently required twice within the 5-year permit cycle. Thus, the scope in the JLHA proposal under consideration only includes inspections specifically prompted by a complaint or on a need basis, and not the routine inspection of 400+ businesses in the City.

DISCUSSION:

The Associate Engineer/Stormwater Program Manager has taken an extended leave of absence under the Family Medical Leave Act until May 27, 2007. At this time, it is uncertain if the Associate Engineer/Stormwater Quality Manager will request an additional leave of absence or return to work at the conclusion of current leave of absence. Nevertheless, it is imperative that the management of the stormwater program continue without interruption.

Culver City is affected by five TMDL's issued by the Regional Water Quality Control Board. They are the Ballona Creek bacteria, metals/sediment, and trash TMDL's, and Marina del Rey Harbor bacteria and metals/toxics TMDL's. Given the adopted timeline for implementation of TMDL requirements and the accompanying meetings and activities that will determine how the pollutant loads will be decreased to within acceptable levels, the program support that JLHA will provide the City is absolutely critical at this time.

Not accounting for the other required NPDES duties, the estimated monthly staff time involved with attending TMDL meetings and conducting activities to support those meetings (sharing responsibilities for drafting meeting minutes and various plans, as well as reviewing and commenting on technical documents and interagency agreements, etc.) is about 60 hours, or about 1/3 of monthly work

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hours. This time commitment is expected to increase as the various plans are implemented.

Other NPDES-related duties of the Associate Engineer/Stormwater Program Manager include:

- ◆ Participating in and/or facilitating mandatory meetings (currently the chair of Ballona Creek and Santa Monica Bay Watershed Permittee meeting) and negotiating on behalf of the City regarding the pending municipal stormwater permit reissuance;
- ◆ Preparing and coordinating standard conditions of NPDES requirements for proposed construction projects;
- ◆ Meeting and corresponding with proposed construction project applicant teams to facilitate SUSMP and LSWPPP plan check submittal, comments, and approval processes;
- ◆ Providing updated Standard Urban Stormwater Mitigation Plan (SUSMP)-related forms, instruction, and guidelines to developers;
- ◆ Conducting stormwater inspections of large construction projects, and when necessary, conducting enforcement activities;
- ◆ Reviewing and approving LSWPPP for large construction projects;
- ◆ Overseeing stormwater compliance at the City Transfer Station and Transportation Facility by coordinating inspections, sampling, and LSWPPP revisions and reporting;
- ◆ Providing NPDES-related review of various Environmental Impact Reports, proposals, scopes of work, and fielding questions, at the request of other City departments, to ensure consistency with state and federal water quality regulations;
- ◆ Investigating urban runoff complaints and spill incidents and providing necessary follow-up actions;
- ◆ Providing City staff training on proper sewage spills/overflow response and ensuring adequate documentation and reporting of sewage spills to regulating agencies;
- ◆ Conducting public education and outreach on urban runoff issues, by participating in and distributing outreach materials at various environmental fairs such as Children's Earth Day at Eco-Station, Ballona Creek Clean-up, Fiesta La Ballona, and Fire Prevention
- ◆ Collaborating with neighboring cities (Beverly Hills, Santa Monica, West Hollywood) to support projects that would benefit the City's interests through the West Basin MWD's Integrated Regional Water Management Plan (IRWMP);
- ◆ Submitting Annual Reports on behalf of the City to demonstrate the City's compliance with both municipal stormwater permit as well as general

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industrial stormwater permit (for Transfer Station and Transportation Facility);

- ◆ Developing NPDES training material and conducting annual training for various City departments;
- ◆ Participating in the City's Sustainable Community Plan meetings.
- ◆ Securing the execution of the Proposition 50 grant award to City of Culver in the amount of \$1.25 million.

Prior to entering into the contract with JLHA in January 2006, staff contacted JLHA and three other consulting companies and requested a proposal to provide environmental services for one-year (January 2006 to January 2007) to support the City's Stormwater and Urban Runoff Program. Two companies, JLHA and Charles Abbott and Associates, Inc. submitted their proposal by the indicated deadline. Staff reviewed the two proposals and found that JLHA's proposal was most responsive and cost-effective. Therefore, on January 23, 2006, staff recommended that the City enter into a professional services agreement with JLHA for NPDES program support. This was approved by the City Council.

Staff's experience with JLHA over the past year has proven satisfactory. The Public Works Director/City Engineer has worked with JLHA at his previous place of employment and was very satisfied with their performance. Therefore, staff recommends extending the contract to September 30, 2007, for an additional amount not to exceed \$49,423, to support the stormwater quality program.

If the Associate Engineer/Stormwater Quality Manager returns after May 27, 2007, the contract activities with JLHA will be reduced.

FISCAL ANALYSIS

There are sufficient I&A funds in the "Stormwater Discharge Program/NPDES", Project No. P-497, to cover the additional \$49,423 for the professional services agreement.

ATTACHMENTS:

- JLHA Proposal with Scope of Services.

MOTIONS:

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That the City Council:

- 1) Approve an amendment to the existing professional services agreement with John L. Hunter and Associates, Inc. to continue to provide environmental services in support of the City's Stormwater Pollution Prevention and Discharge Program until September 30, 2007, for an additional not-to-exceed amount of \$49,423; and
- 2) Authorize the City Attorney to prepare the necessary documents and authorize the City Manager to execute the documents on behalf of the City.