



City of Culver City

Staff Report Details (With Text)

File #: 21-612 **Version:** 1 **Name:** Approval of Third Amendment to Existing Professional Services Agreement with California Watershed Engineering for the Mesmer Low-Flow Stormwater Diversion Project

Type: Minute Order **Status:** Consent Agenda

File created: 1/14/2021 **In control:** City Council Meeting Agenda

On agenda: 1/25/2021 **Final action:**

Title: CC - (1) Approval of Third Amendment to Existing Professional Services Agreement with California Watershed Engineering for the Mesmer Low-Flow Stormwater Diversion Project to include (A) Documentation and Reporting for the Safe Clean Water Program Grant Funding Award in an Amount Not-to-Exceed \$33,918; and (B) Documentation and Reporting for the Proposition 1 Grant Award by the Department of Water Resources for the Greater Los Angeles County Integrated Regional Water Management Region in an Amount Not-to-Exceed \$4,352; and (2) Approval of Second Amendment with California Watershed Engineering for the Washington Boulevard Stormwater Project to include Documentation and Reporting for the Safe Clean Water Program Grant Funding Award in an Amount Not-to-Exceed \$45,970.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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CC - (1) Approval of Third Amendment to Existing Professional Services Agreement with California Watershed Engineering for the Mesmer Low-Flow Stormwater Diversion Project to include (A) Documentation and Reporting for the Safe Clean Water Program Grant Funding Award in an Amount Not-to-Exceed \$33,918; and (B) Documentation and Reporting for the Proposition 1 Grant Award by the Department of Water Resources for the Greater Los Angeles County Integrated Regional Water Management Region in an Amount Not-to-Exceed \$4,352; and (2) Approval of Second Amendment with California Watershed Engineering for the Washington Boulevard Stormwater Project to include Documentation and Reporting for the Safe Clean Water Program Grant Funding Award in an Amount Not-to-Exceed \$45,970.

Meeting Date: January 25, 2021

Contact Person: Kim Braun/PW/EPO

Phone Number: 310-253-6421

Fiscal Impact: Yes No

General Fund: Yes No

Public Hearing:

Action Item:

Attachments:

Commission Action Required: Yes No **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (01/20/2021);

Department Approval: Charles D. Herbertson, PW Director/City Engineer (01/14/2021)

RECOMMENDATION

Staff recommends the City Council (1) approve a Third Amendment to Existing Professional Services Agreement with California Watershed Engineering for the Mesmer Low-Flow Stormwater Diversion Project to include (a) documentation and reporting for the Safe Clean Water Program Grant Funding Award in an amount not-to-exceed \$33,918 for the two-year duration of the grant reporting requirements; and (b) documentation and reporting for the Proposition 1 Grant Award by the Department of Water Resources for the Greater Los Angeles County Integrated Regional Water Management Region in an amount not-to-exceed \$4,352; and (2) approve a Second Amendment with California Watershed Engineering for the Washington Boulevard Stormwater Project to include documentation and reporting for the Safe Clean Water Program Grant Funding Award in an amount not-to-exceed \$45,970 for the three year duration of the grant reporting requirements.

BACKGROUND

Mesmer Low Flow Diversion Project

On March 26, 2018, City Council approved a professional services agreement for civil design for the Mesmer Low Flow Diversion Project (Mesmer Project) PR-005. This Project is a low flow diversion system that will divert dry weather run-off from the Centinela Creek Channel into the existing Mesmer Pump Station where the run-off will be pumped into an existing sewer main for conveyance to City of Los Angeles' Hyperion Water Reclamation Plant (Hyperion) for treatment.

The Mesmer Project is one of three approved in the Time Schedule Order (TSO) to comply with the Ballona Creek Bacteria Total Maximum Daily Load (TMDL). The Mesmer Project is jointly funded by City of Los Angeles, Beverly Hills, Culver City, Inglewood, West Hollywood, the County of Los Angeles and the Los Angeles County Flood Control District. The following three regional projects collectively comply with the final water quality based effluent limitations during dry weather as specified by the Ballona Creek bacterial TMDL:

1. Low Flow Treatment Facility (LFTF) # 1 Project at Ballona Creek
2. Low Flow Treatment Facility (LFTF) # 2 Project at Sepulveda Channel
3. Mesmer Low Flow Diversion Project at Centinela Creek

Culver City is taking the lead in managing both design and construction of the Mesmer Project with the City of Los Angeles managing the LFTF # 1 and LFTF # 2 Projects.

The Project was conceptually designed to divert dry weather run-off strictly using gravity flow. However, during design, there were concerns with operational failures to the proposed check valve which should prevent backflow of sewage from the sewer wet well to the creek. A separate low flow diversion pump station designed upstream of the existing sanitary wet well will eliminate any potential

of sewer overflows from entering Centinela Creek Channel. City Council approved an amendment to the CWE agreement for this design service on January 28, 2019.

The Mesmer Project plans were submitted to several agencies including the US Army Corp of Engineers for review and approval. The US Army Corps of Engineers required additional information concerning the historical architecture of the Centinela Channel in order to grant its permission for the Mesmer Project, pursuant to its authority under federal law 33 USC 408 (408 Permit). This scope of service was not included in the original specifications. Staff returned to City Council on April 13, 2020 with a second amendment to the CWE agreement to complete work required to obtain the 408 Permit approval.

Washington Boulevard Stormwater Diversion Project

On May 30, 2017, City Council approved a professional services agreement with CWE for civil design for Washington Boulevard Stormwater Diversion Project, PR-001 (Washington Project). The Marina del Rey (MdR) watershed is a small sub-watershed located in the larger, Santa Monica Bay watershed. The tributary area served by the MS4 Permit that drains to MdR harbor is approximately 1,409 acres and consists of portions of the cities of Culver City, Los Angeles and unincorporated County of Los Angeles (County). The MdR watershed is subject to three Total Maximum Daily Loads (TMDLs); the Santa Monica Bay Nearshore Debris TMDL, the Marina del Rey Harbor Mother's Beach and Back Basin Bacteria TMDL, and the Toxic Pollutants in Marina del Rey Harbor TMDL. The final compliance is required by 2021.

The Washington Project was designed to capture stormwater/urban runoff from approximately 42 acres of drainage area (including Costco). This drainage area is primarily commercial and residential. The Washington Project initially was designed to capture and divert the 85th percentile, 24-hour storm event into a small underground storage chamber under Washington Boulevard between Walnut Avenue and Redwood Avenue. This would require reducing traffic lanes along the westbound direction on Washington Boulevard from two lanes to one lane from Tivoli Avenue to Walnut Avenue. Two lanes of traffic along the eastbound direction of Washington Boulevard would be maintained utilizing the existing vehicle parking lane. A total of 62 vehicle parking spaces would be temporarily removed during the construction of the Washington Project.

Several community outreach meetings were held in 2018 and 2019 to discuss the Washington Project. As a result of all the feedback from the meetings, staff revisited other alternatives that minimize the loss of street parking and the length of the lane closure along the westbound direction of Washington Boulevard. Staff requested that CWE provide a proposal for an alternative design for the Washington Project. On November 18, 2019, City Council approved the first amendment to the professional services agreement with CWE in the amount of \$304,293 for the alternative design.

The alternative design is the placement of the smaller underground storage chamber between the two Costco driveway entrances on Washington Boulevard and a larger underground storage chamber on Glencoe Avenue, north of Washington Boulevard. The Washington Project will include diversion and pre-treatment structures, and pump wells to be located near Costco's westernmost driveway entrance. After 72 hours of a rain event, the captured volume will then be pumped back into an existing sanitary sewer system conveying runoff to the City of Los Angeles' Hyperion Water Reclamation Plant for treatment. There will be a portion of captured runoff retained to be re-used for irrigation purposes for the future landscaped medians along Washington Boulevard as part of the Area Improvement Project.

Safe Clean Water Act Measure W - Regional Project Grant Awards

In November 2018, Los Angeles County voters approved Measure W, Los Angeles County's Safe Clean Water Program (the "Program") to improve water quality, increase local water supply, and enhance communities. The Program provides local dedicated funding to increase local water supply, improve water quality, and protect public health.

Developed in collaboration with public health, environmental groups, cities, businesses, and labor and community-based organizations, the Program will update community stormwater systems to capture more of the billions of gallons of rainwater lost to the ocean each year. Capturing and cleaning this stormwater can greatly increase local water supply and make the community more sustainable for decades to come. The Program will help fund stormwater projects that modernize old stormwater system infrastructure using a combination of nature, science and new technology that could triple the amount of rainwater currently captured.

Measure W generates up to \$285 million per year from a parcel tax of 2.5 cents per square foot of impermeable surface area on private property in the Los Angeles County Flood Control District. Measure W includes strict accountability requirements. All money must stay local to clean stormwater and protect our water bodies while also increasing our local water supply.

Cities will receive direct funding via the Municipal Program proportional to the revenue generated within their boundaries. The Municipal Program is flexible and is designed to maximize the ability of local governments to address local Stormwater and Urban Runoff challenges and opportunities. Projects and programs are required to include a water quality benefit; multi-benefit projects and nature-based solutions are strongly encouraged. In July 2020, City Council adopted a resolution authorizing the City to enter into an agreement with the Los Angeles County Flood Control District for the transfer of approximately \$540,000 Measure W Municipal Program funds annually through FY 23/24.

In addition to this municipal program transfer of funds, Measure W also provides municipalities, county unincorporated areas and other agencies opportunities to apply for funds for regional infrastructure programs, scientific studies and technical resources. Public Works Environmental Programs & Operations Division (EPO) applied for Measure W Regional Infrastructure Funds for both the Mesmer Project and the Washington Project. The applications were reviewed by a scoring committee, the watershed area steering committee and the regional oversight committee. Final project award recommendations were provided to the Los Angeles County Board of Supervisors for consideration and were approved on October 13, 2020. The Board of Supervisors approved \$950,000 for the Mesmer Project over two years and \$3,600,000 for the Washington Project over three years. On November 9, 2020, Council adopted resolutions authorizing the City to enter into agreements with the Los Angeles County Flood Control District for the Regional Funds.

Proposition 1 Department of Water Resources, Greater Los Angeles County Integrated Regional Water Management

In November 2014, the voters of California enacted the Water Quality, Supply and Infrastructure Improvement Act of 2014 (referred to as Proposition 1). Proposition 1 amended the California Water Code Section 79740 et seq., which authorizes the legislature to appropriate \$510M for Integrated

Regional Water Management (IRWM) water resources-related projects that address water supply, water quality and habitat/open space needs in a region. The intent of the IRWM concept is to encourage integrated regional strategies for the management of water resources and to provide funding through competitive grants for projects that protect communities from drought, improve water reliability, protect and improve water quality, and improve local water security by reducing dependence on imported water.

The California Department of Water Resources (DWR) issued Proposition 1 IRWM Grant Program Guidelines and Proposal Solicitation Package in April 2019. EPO staff submitted a proposal for funding in the amount of \$850,000 for the Mesmer Project. On September 29, 2020 the DWR announced nearly \$37M in grant awards for water resilience projects in Los Angeles and Ventura Counties. The City's Mesmer Project was awarded \$607,846.99 through DWR's Proposition 1 grant funds to be administered by the Los Angeles County Flood Control District.

DISCUSSION

Both the Measure W and Proposition 1 grant awards require extensive supporting documentation, including technical reporting requirements, which is currently produced and managed by CWE.

Several tasks and deliverables are needed prior to construction, during construction and post construction for Measure W funds to be administered to the City from the grant. CWE is also currently providing support documentation services for other Los Angeles County municipalities that were awarded grant funds. Staff requested that CWE submit a proposal to provide the documentation and support services to meet the reporting requirements. CWE's proposal, in the amount of \$33,918, is for the two-year grant reporting period and will continue through completion of construction of the Mesmer Project. CWE's proposal, in the amount of \$45,970, is for the three-year grant reporting period and will continue through completion of construction of the Washington Project.

Staff requested that CWE also provide a proposal for support documentation services to comply with Proposition 1 grant requirements for the Mesmer Project. CWE's proposal is in the amount of \$4,352 to provide these services.

Staff recommends the City Council approve amendments to the CWE agreements, as set forth above, to provide these services in order to ensure compliance with all applicable grant requirements for the Mesmer Project and Washington Project.

FISCAL ANALYSIS

Funds for the services to be included in the third amendment to the CWE Agreement for the Mesmer Project are available in 434.80000.730100 PR005. The following is a summary of the requested amounts:

Mesmer Low-Flow Stormwater Diversion:
Measure W \$ 33,918

Prop 1 IRWM	<u>4,352</u>
Total	\$ 38,270

Funds for the services to be included in the second amendment to the CWE Agreement for the Washington Project are available in 434.80000.730100 PR001. The following is a summary of the requested amount:

Washington Boulevard Stormwater Diversion:
Measure W \$ 45,970

ATTACHMENTS

None

MOTION

That the City Council:

1. Approve a Third Amendment to Existing Professional Services Agreement with California Watershed Engineering (CWE) for the Mesmer Low Flow Stormwater Diversion Project PR 005 to include:
 - A. Documentation and Reporting for the Safe Clean Water Program Grant Funding Award in the amount not to exceed \$33,918 for the duration of the grant reporting requirements; and
 - B. Documentation and Reporting for the Proposition 1 Grant Award by the Department of Water Resources to the Greater Los Angeles County Integrated Regional Water Management Region in an amount not to exceed \$4,352; and
2. Approve a Second Amendment to Existing Professional Services Agreement with California Watershed Engineering (CWE) for the Washington Boulevard Stormwater Diversion Project to include Documentation and Reporting for the Safe Clean Water Program Grant Funding Award in the amount not to exceed \$45,970 for the duration of the grant reporting requirements; and
3. Authorize the City Attorney to review/prepare the necessary documents; and
4. Authorize the City Manager to execute such documents on behalf of the City.