



City of Culver City

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Staff Report Details (With Text)

File #: 21-1032 **Version:** 1 **Name:** Adopt a resolution to enter into a Cooperative Implementation Agreement (CIA) with Caltrans to receive funds in an amount not-to-exceed \$522,916 to construct the Culver Boulevard Stormwater Filtration/Retention Regional Project

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

File created: 5/20/2021 **In control:** City Council Meeting Agenda

On agenda: 6/14/2021 **Final action:**

Title: CC - (1) Adoption of a Resolution Authorizing the Execution of a Cooperative Implementation Agreement (CIA) with Caltrans to Receive Grant Funds in an Amount Not-to-Exceed \$522,916 to Construct the Culver Boulevard Stormwater Filtration/Retention Regional Project; and (2) FOUR-FIFTHS VOTE REQUIREMENT: Approval of a Related Budget Amendment.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution Caltrans Cooperative Implementation Agreement.pdf, 2. Cooperative Implementation Agreement

Date	Ver.	Action By	Action	Result
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CC - (1) Adoption of a Resolution Authorizing the Execution of a Cooperative Implementation Agreement (CIA) with Caltrans to Receive Grant Funds in an Amount Not-to-Exceed \$522,916 to Construct the Culver Boulevard Stormwater Filtration/Retention Regional Project; and (2) FOUR-FIFTHS VOTE REQUIREMENT: Approval of a Related Budget Amendment.

Meeting Date: June 14, 2021

Contact Person/Dept: Sean Singletary/Public Works - EPO
Phone Number: 310-253-6457

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 (06/09/2021)

Department Approval: Charles D. Herbertson, Public Works Director/City Engineer (06/01/2021)

RECOMMENDATION

Staff recommends the City Council (1) adopt a resolution authorizing the execution of a Cooperative Implementation

Agreement (CIA) with Caltrans to receive funds in an amount not-to-exceed \$522,916 to construct the Culver Boulevard Stormwater Filtration/Retention Regional Project; and (2) approve a related budget amendment in the amount of \$522,916 (**requires a four-fifths vote**).

BACKGROUND/DISCUSSION

The Culver Boulevard Stormwater Filtration and Retention Project is a signature regional project identified in the Ballona Creek Enhanced Watershed Management Program (EWMP). The project consists of a stormwater retention gallery beneath the median of Culver Boulevard between Elenda Street and Sepulveda Boulevard, and is designed to treat 796 acres of drainage areas and capture and treat 19.5 acre-ft. of runoff per rain event. During the design phase, it was determined that Culver City will need 13.1 acre-ft. of capacity to capture and treat its tributary drainage area, leaving 6.4 acre-ft. of excess capacity available for credit trading for compliance. The project design includes diversion structures, pre-treatment units, underground storage facility and treatment systems and a re-use irrigation system for landscape.

The Culver Boulevard Stormwater Filtration and Retention Project was initially a partnership between the cities of Los Angeles and Culver City. Culver City is the lead agency on the project and was awarded a total of \$7.7M from Prop 84 grants. The remaining costs for the project were to be funded by Culver City and the City of Los Angeles, from which almost 60% of the drainage flows. However, the City of Los Angeles determined that there was no budget for the financial partnership and withdrew from participation in the project.

The City approached Beverly Hills for interest in collaborating on this project after the City of Los Angeles exited, and proposed a novel concept of cost sharing to obtain compliance credits for municipalities that do not drain urban run-off directly into the project area. In addition to compliance credit, this opportunity was precedent setting in that it promotes interagency collaboration to meet regional stormwater compliance requirements. This is the first interagency collaboration for which the Regional Board granted compliance credit to a city that does not drain to a regional project because the Board sees the water quality benefits for the entire Ballona Creek watershed. Beverly Hills and Culver City developed an MOU, approved by City Council on October 26, 2020, that includes payment terms to procure 4.4 acre-feet of capacity through Beverly Hills' fiscal contribution of \$3.5M in the project.

In a similar collaboration, staff approached Caltrans in March 2021 to discuss a financial partnership in the project, as Caltrans drainage from the 405 freeway is being treated by the facility. Staff and Caltrans had discussed partnership in 2019 but were unable to reach an agreement due to Caltrans' funding situation at that time. The Caltrans NPDES Permit issued by the State Water Resources Control Board (State Water Board) encourages Caltrans to partner with local municipalities by providing funding for regional water quality treatment facilities in TMDL watersheds in which Caltrans is identified as a responsible party. Caltrans-owned property is approximately 23 acres of the 796 acre-watershed that drains into the Culver Boulevard project. Caltrans receives Waste Load Allocation reduction or trash reduction treatment credits for contributions to regional projects. The proportional cost to treat Caltrans runoff in the City's project is \$522,916. Staff from Culver City and Caltrans presented the potential partnership to the Regional Board on May 18, 2021, and a formal memorandum of approval from Regional Board was issued on May 25, 2021.

Once the CIA is executed, Culver City can submit invoices to Caltrans for reimbursement of participating charges, up to a maximum reimbursement of \$522,916.

FISCAL ANALYSIS

A budget amendment in the amount of \$522,916 is requested for Caltrans participation in the Culver Boulevard Stormwater Filtration and Retention Project. Funds received will be deposited in account 434.80000.730100.PR002 Culver Boulevard Stormwater Project. Funds will be expended from account 434.80000.730100.PR002. **A budget amendment requires a four-fifths vote.**

Caltrans' cost-sharing contribution to the project will not exceed \$522,916, to be received as a reimbursement of eligible project costs.

ATTACHMENTS

1. Proposed Resolution
2. Cooperative Implementation Agreement between the City of Culver City and Caltrans

MOTIONS

That the City Council:

1. Adopt a Resolution authorizing execution of a Cooperative Implementation Agreement (CIA) with Caltrans to receive funds in an amount not-to-exceed \$522,916 to construct the Culver Boulevard Stormwater Filtration/Retention Regional Project;
2. Approval of a Related Budget Amendment **(requires four-fifths vote)**;
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