



# City of Culver City

Mike Balkman  
Council Chambers  
9770 Culver Blvd.  
Culver City, CA 90232  
(310) 253-5851

## Staff Report Details (With Text)

**File #:** 22-713      **Version:** 1      **Name:** Adoption of a Resolution to Enter into a Cooperative Implementation Agreement (CIA) with Caltrans to Receive Grant Funds in an Amount NTE \$320,000 to Construct the Mesmer Low-Flow Stormwater Diversion Project

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

**File created:** 1/27/2022      **In control:** City Council Meeting Agenda

**On agenda:** 2/28/2022      **Final action:**

**Title:** CC - 1) Adoption of a Resolution to Enter into a Cooperative Implementation Agreement (CIA) with Caltrans to Receive Grant Funds in an Amount Not-to-Exceed \$230,000 to Construct the Mesmer Low-Flow Stormwater Diversion Project; (2) Approval of the Cooperative Implementation Agreement (CIA) with Caltrans; and (3) FOUR-FIFTHS VOTE REQUIREMENT: Approval of a Related Budget Amendment.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution Caltrans Cooperative Implementation Agreement\_FINAL.pdf, 2. D43CIACUL0002\_Draft\_Agreement.pdf

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**CC - 1) Adoption of a Resolution to Enter into a Cooperative Implementation Agreement (CIA) with Caltrans to Receive Grant Funds in an Amount Not-to-Exceed \$230,000 to Construct the Mesmer Low-Flow Stormwater Diversion Project; (2) Approval of the Cooperative Implementation Agreement (CIA) with Caltrans; and (3) FOUR-FIFTHS VOTE REQUIREMENT: Approval of a Related Budget Amendment.**

**Meeting Date:** February 28, 2022

**Contact Person/Dept:** Sean Singletary/Public Works - EPO

**Phone Number:** 310-253-6457

**Fiscal Impact:** Yes ☒ No ☐      **General Fund:** Yes ☐ No ☐  
**[x] Public Hearing:** ☐      **Action Item:** ☐      **Attachments:** ☒

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

**Public Notification:** (E-Mail) Meetings and Agendas - City Council (02/23/2022)

**Department Approval:** Yanni Demitri, PW Director/City Engineer (01/31/2022)

### RECOMMENDATION

Staff recommends the City Council (1) adopt a resolution to enter into a Cooperative Implementation Agreement (CIA) with Caltrans to receive grant funds in an amount not-to-exceed \$230,000 to construct the Mesmer Low-Flow Stormwater Diversion Project; (2) approve a

Cooperative Implementation Agreement (CIA) with Caltrans; and (3) approve a related budget amendment in the amount of \$230,000 **(requires a four-fifths vote)**.

## **BACKGROUND/DISCUSSION**

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, including the City of Culver City. Various milestones were set for the treatment of pollutants in stormwater. The City's deadline to address dry weather bacteria and metals exceedances in storm drains was January 2016, and was extended by approval of the Los Angeles Regional Water Quality Control Board through a Time Schedule Order (TSO). The Mesmer Project is one of three projects approved in the TSO to comply with the Ballona Creek Bacteria Total Maximum Daily Load (TMDL) for dry weather bacteria flows.

This Project is a low-flow diversion system that will divert dry weather run-off from the Centinela Creek Channel into the existing decommissioned Mesmer Pump Station, where the run-off will be pumped into an existing sewer main for conveyance to the City of Los Angeles' Hyperion Water Reclamation Plant for treatment. A low-flow diversion pump station will be installed upstream of the existing sanitary wet well, along with appurtenant demolition, piping and connections in the Pump Station property.

Staff approached Caltrans in June 2021 to discuss a financial partnership in the project, as Caltrans drainage is being treated by the project. 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 3.1% of the watershed area that the Mesmer Low-Flow Stormwater Diversion project drains. 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 \$230,000.

Once the CIA is executed, Culver City can submit invoices to Caltrans for reimbursement of participating charges, up to a maximum reimbursement of \$230,000.

## **FISCAL ANALYSIS**

A budget amendment in the amount of \$230,000 is requested for Caltrans participation in the Mesmer Low-Flow Stormwater Diversion Project. Funds received will be deposited in account 423.80000.340880.PR005 Mesmer Low-Flow Stormwater Diversion Project. Funds will be expended from account 434.80000.730100.PR005. **A budget amendment requires a four-fifths vote.**

Caltrans' cost-sharing contribution to the project will not exceed \$230,000, to be received as a reimbursement of eligible project costs.

Mesmer Low Flow Diversion Project PR005 - Revenue Sources		
Revenue Source/Account	Funding Strip	Revenue Amount
Safe/Clean Water Protection - Measure W	43416100.313700.	\$ 431,371
Prop 1 Grant	42380000.340880.PR005	607,857
Safe/Clean Water Regional Funds (Measure W)	43480000.373710.PR005	950,000
Caltrans Cooperative Implementation Agreement (CIA) Grant Funds	42380000.340880.PR005	230,000
<b>Total Revenue Sources</b>		<b>\$ 2,219,228</b>

Mesmer Low Flow Diversion Project PR005 - Project Expenses				
Project Expense Activity	Fiscal Year of Actual/Anticipated Expense Activity	Total Project Expense	Actual Expenses to Date	FY22 Anticipated Expense
CWE - Design	FY18	\$ 202,271	\$ 202,271	\$ -
Beador Construction Inc. Bid	FY22	\$ 1,259,700	\$ -	\$ 1,259,700
Contingency (10%)	FY22	\$ 125,970	\$ -	\$ 125,970
Construction Management/Inspection Services (On-Call Contract)	FY22	\$ 199,426	\$ -	\$ 199,426
Estimated Geotech. Construction Services (Observation & Testing)	FY22	\$ 50,000	\$ -	\$ 50,000
Construction Design Support - CWE	FY22	\$ 113,934	\$ -	\$ 113,934
Caltrans CIA Drainage Construction	FY22	\$ 230,000	\$ -	\$ 230,000
<b>Total Estimated Project Expenses</b>		<b>\$ 2,181,301</b>	<b>\$ 202,271</b>	<b>\$ 1,979,030</b>
Mesmer Low Flow Diversion Project PR005 - Project Budget				
Fund Source	Funding Strip	Total Project Budget	Prior Years Budget Total	FY22 Budget
Safe/Clean Water Protection - Measure W	43480000.730100.PR005	\$ 1,284,395	\$ 264,162	\$ 1,020,233
Prop 1 Grant	42380000.730100.PR005	607,857	\$ -	\$ 607,857
Safe/Clean Water Contract Services	43480000.619800.PR005	96,977	\$ -	\$ 96,977
Safe/Clean Water Protection - Measure W (Caltrans CIA Contributions)	43480000.730100.PR005	230,000	\$ -	\$ 230,000
<b>Total Appropriated &amp; Available Funds</b>		<b>\$ 2,219,229</b>	<b>\$ 264,162</b>	<b>\$ 1,955,067</b>

## ATTACHMENTS

1. Proposed Resolution to Enter into a Cooperative Implementation Agreement (CIA) with Caltrans to Receive Grant Funds to Construct the Mesmer Low-Flow Stormwater Diversion

Project.

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

## **MOTION**

That the City Council:

1. Adopt a Resolution to enter into a Cooperative Implementation Agreement (CIA) with Caltrans to receive grant funds in an amount not-to-exceed \$230,000 to construct the Mesmer Low-Flow Stormwater Diversion Project;
2. Approve the Cooperative Implementation Agreement between the City of Culver City and Caltrans;
3. Approval of a related budget amendment (requires a four-fifths vote);
4. Authorize the City Attorney to review/prepare the necessary documents; and
5. Authorize the City Manager to execute such documents on behalf of the City.