



## Legislation Text

File #: 2020-139, Version: 1

### Report to Mayor and City Council

Tuesday, March 17, 2020

Consent

#### **SUBJECT:**

**CONSIDER APPROVAL OF AMENDMENT NO. 1 TO THE EXISTING CATCH BASIN TRASH INSERT MAINTENANCE AGREEMENT BETWEEN THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT AND THE CITY OF CARSON (CITY COUNCIL)**

#### **I. SUMMARY**

On December 18, 2012, the City Council approved an Agreement with the Los Angeles County Flood Control District (LACFCD) permitting the City to utilize catch basins owned by the LACFCD and located within the City for the purpose of installing, operating and maintaining the 175 trash excluders on the catch basins that drain to Machado Lake from the City of Carson ("Agreement"). (Exhibit No. 1).

As part of the City's Dominguez Trash Reduction project, the City completed the installation of an additional 1,027 trash excluders on catch basins that drain to the Dominguez Channel. Given that the Agreement with LACFCD applied only to City maintenance of the trash excluders on catch basins that drain to Machado Lake, an amendment is needed to cover the additional trash excluders installed on catch basins that drain to the Dominguez Channel.

On September 3, 2019, the City Council approved an Amendment to include City maintenance of the additional 1,027 trash excluders on catch basins that drain to the Dominguez Channel. However, the Amendment contained an error and was not executed by the LACFCD.. The proposed new Amendment No. 1 to the Agreement corrects the error by providing for City maintenance of the 1,027 trash excluders in addition to the original 175 trash excluders. Staff requests that the City Council approve Amendment No. 1 to the Agreement reflecting changes recommended by LACFCD's and the City's legal team as shown on Amendment No. 1 (Exhibit No. 2).

#### **II. RECOMMENDATION**

1. APPROVE Amendment No. 1 to the Catch Basin Trash Insert Maintenance Agreement between

the LACFCD and the City of Carson to reflect an increase in the number of trash excluders on catch basins to be maintained by the City and the locations of those catch basins.

2. AUTHORIZE the Mayor to approve Amendment No.1 following approval as to form by the City Attorney.

### **III. ALTERNATIVES**

1. DO NOT APPROVE Amendment No.1 to the Catch Basin Trash Insert Maintenance Agreement between LACFCD and the City of Carson.
2. TAKE another action the City Council deems appropriate, consistent with the requirements of the law.

### **IV. BACKGROUND**

On May 1, 2008, the Regional Water Quality Control Board, Los Angeles Region, ("Water Board") established regulations for protecting the beneficial uses of stormwater, including a Total Maximum Daily Loads for Trash (Trash TMDL) enforced by the Water Board via Resolution No. 2008-006, through the National Pollutant Discharge Elimination System (NPDES) Permit. The NPDES Permit allows cities to customize their stormwater programs through the development and installation of "full capture devices" or "trash excluders", including Automatic Retractable Screen (ARS) and Connector Pipe Screen (CPS) units, on City catch basins. Trash excluders are devices that block the opening or inlet of a catch basin to prevent trash from entering the storm drain system.

As part of the Machado Lake Trash Reduction project, the City installed trash excluders and retrofitted 196 catch basins that drain to the Machado Lake watershed. Of the 196 catch basins, 175 are operated and maintained by the LACFCD. To permit the City to utilize catch basins owned by the LACFCD and located within the City, an agreement was executed for the purpose of installing, operating, and maintaining trash excluders on catch basins that drain to Machado Lake. The trash excluders are the property of the City; however, LACFCD retains ownership of the catch basins. Per the executed agreement, the City receives \$15.25 annually from LACFCD for each affected catch basin, and the City is responsible for maintaining the devices and removing any accumulated trash. It is the City's responsibility to maintain all trash excluders to function properly during storm events and prevent storm flows from entering the catch basin. Per NPDES Permit requirements, the City must remove all trash and debris from each catch basin at least three times a year, and promptly repair or replace damaged trash excluders. The \$15.25 reimbursement represents the annual amount the LACFCD would otherwise have had to incur for inspecting or removing trash and debris from the catch basins without trash excluders three times a year.

On May 2, 2017, the City Council approved a Contract Services Agreement with Ron's Maintenance, Inc. ("Ron's") to provide catch basin cleaning services citywide at a rate of \$13.75 per catch basin. Ron's is required to clean the catch basins three times per year per NPDES permit requirements.

As part of the Dominguez Trash Reduction project, the City installed additional trash excluders and retrofitted 1,027 catch basins that drain to the Dominguez Channel watershed. Given that the existing agreement with LACFCD permits the City to maintain the trash excluders on catch basins

that only drain to Machado Lake, the agreement must be amended to include the additional trash excluders installed on catch basins that drain to the Dominguez Channel.

With the completion and installation of the “full capture devices” or “trash excluders,” among other measures, staff believes the City has achieved full compliance with the TMDL by continuing weekly street sweeping and maintaining catch basin ARS and CPS units within the City that drain to Machado Lake and the Dominguez Channel.

On September 3, 2019, the City Council approved an Amendment intended to include City maintenance of the original 175 trash excluders as well as the additional 1,027 trash excluders on catch basins that drain to the Dominguez Channel. However, there were issues with wording of the Amendment and it was not executed by the District. The proposed Amendment No.1 addresses the issues by providing for City maintenance of the 1,027 trash excluders in addition to the original 175 trash excluders.

## **V. FISCAL IMPACT**

There is no fiscal impact associated with the Amendment at this time. Ron's contract covers the cleaning cost of 1,703 catch basins. Per existing contract, Ron's is responsible for cleaning the catch basins three times a year, at a rate of \$13.75/catch basin per cleaning with a total three-year contract amount of \$210,746.25; the contract will expire on May 2, 2020. Funds for this item are included in account no: 01-80-820-285-6004. City staff plan to utilize the City of Carson's Municipal Code Chapter 6 Section (f) “Piggy Back” option that allows the City to use the lowest priced existing municipal contract. City staff will bring an item to City Council no later than April 21<sup>st</sup> to execute and approve a new contract before the current contract expires.

For each catch basin the city is responsible for cleaning, the City would receive approximately \$15.25/catch basin (\$15.25 is 2012 base year cost, plus annual CPI) from LACFCD. LACFCD's current reimbursement rate of \$15.25/catch basin is for cleaning the catch basins without trash excluders, but is higher than the City's current cost. Now that trash excluders have been installed, and require more time to clean, staff is negotiating with LACFCD to recalculate the rate per catch basin to include trash excluders. The adjusted amount is anticipated to be higher than \$15.25/catch basin, and will help offset any potential rate increase to the City under a new contract entered into in May.

## **VI. EXHIBITS**

1. Catch Basin Trash Insert Maintenance Agreement (pgs. 4-9)
2. Amendment No. 1 (pgs. 10-19)

Prepared by: Julio Gonzalez , Water Quality Administrator