



Agenda Item # \_\_\_\_\_

# Staff Report

## City of Manhattan Beach

**TO:** Honorable Mayor Montgomery and Members of the City Council

**THROUGH:** Geoff Dolan, City Manager

**FROM:** Jim Arndt, Director of Public Works  
Carmen Zarate, Senior Management Analyst

**DATE:** July 1, 2008

**SUBJECT:** Award Professional Services Contract to Kathleen McGowan for NPDES Permit and TMDL Consulting

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### **RECOMMENDATION:**

Staff recommends that the City Council pass a motion to award a contract to Kathleen McGowan in the amount of \$58,322 for assisting the City in meeting the requirements of the NPDES Permit for Municipal Storm Water and Urban Runoff Discharges (MS4 Permit) and undertaking implementation activities to comply with the Santa Monica Bay Beaches Bacteria Wet Weather and Dry Weather TMDLs. The contract will cover work through June 30, 2009 to align with the City's fiscal year and the reporting year for the MS4 Permit.

### **FISCAL IMPLICATION:**

Sufficient funds for this contract are available in the fiscal year 2008-2009 Public Works Storm Drain Maintenance budget.

### **BACKGROUND:**

The City is required to maintain its Storm Water Quality Management Program as defined under the expired third-term MS4 Permit until a new permit is put into effect by the Los Angeles Regional Water Quality Control Board. The draft fourth-term MS4 Permit is expected to be released in January/February 2009. Accordingly, the MS4 Permit compliance efforts are focused on maintaining the City's current programs and providing review and comment as needed in upcoming drafts of the new permit.

The City of Manhattan Beach, along with its sister cities in Jurisdictional Groups 5 & 6 (J5&6), will also continue to carry out joint TMDL compliance monitoring activities and to jointly develop and implement activities outlined in the J5&6 Implementation Plan for Santa Monica Bay Beaches Bacteria TMDL (Total Maximum Daily Load).

Last year, Kathleen McGowan provided assistance to meet the requirements of the MS4 permit while working for Geosyntec Consultants. Ms. McGowan recently resigned from Geosyntec Consultants and is now a sole proprietor.

**DISCUSSION:**

Last year, Kathleen McGowan provided extensive assistance, to meet requirements of the MS4 Permit. Ms. McGowan was selected for this assistance because she has many years of experience related to developing and implementing NPDES and TMDL programs. She is very familiar with the larger related policy and political issues in Los Angeles County and attends many of the same meetings which Manhattan Beach is required to attend through her contract representation to Hermosa Beach. Recently, Ms. McGowan resigned from Geosyntec Consultants and will now consult for several municipal clients with similar philosophical approaches to NPDES and TMDL issues. Ms. McGowan has submitted a proposal for this subject contract that has been reviewed by Public Works staff and found to meet the City's NPDES and TMDL professional services need. The key components of this proposal are outlined below.

Kathleen McGowan will be the Project Manager and will be responsible for delivery of work items, along with limited City staff involvement. Specifically, she will attend monthly meetings of J5&6, follow-up on NPDES Annual Report activities and prepare the City's section of the Santa Monica Bay-Ballona Creek Watershed summary for the annual report. She will also attend/represent the City at the Executive Advisory Committee (EAC) of the MS4 Permittees, who will review and advise on the next MS4 Permit.

Ms. McGowan will also assist in the areas of providing internal coordination on the MS4 Permit and TMDL direction; meet quarterly with the Santa Monica Bay-Ballona Creek Watershed Management Committee; attend quarterly meetings on the County-wide Public Education Program; coordinate with the City's Restaurant inspector to schedule FY 08-09 inspection; provide annual training of the Community Development staff to familiarize staff with planning and construction storm water and urban runoff issues; train Police, Fire and Public Works employees on how to conduct their responsibilities in a manner that minimizes adverse impacts on water quality; assist staff in reviewing and summarizing results of monitoring the Porous Paving Project and in preparing quarterly progress reports and assist in pursuing grant funding opportunities.