Agenda Item 6L

Approvals:
City Manager
Dept. Head DR
Attorney
Finance

AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: January 15, 2019

Department: Utilities
Prepared By: Cynthia Mallett, Environmental Programs Supervisor CM

Subject: ***APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC. FOR STORMWATER MONITORING AND TECHNICAL SUPPORT SERVICES***

Fiscal Impact: Yes. There is adequate funding for the proposed $175,608 expenditure from Account Number 057-543-43000-000-18810 in the amount of $136,898 and from Account Number 057-541-43690 in the amount of $38,710.

Summary: Staff recommends the City Council approve a Professional Services Agreement with Wood Environment and Infrastructure Solutions, Inc. in the amount not to exceed $175,608 for Stormwater Monitoring and Technical Support Services.

Background The City's Clean Ocean Program is in need of Stormwater Monitoring and Technical Support Services to implement several tasks to comply with Regional Water Quality Control Board (Regional Board) National Pollutant Discharge Elimination System Municipal Separate Storm Sewer Permit (MS4 Permit) requirements. Following are the proposed tasks for this project:

- Bacteria Source Characterization Study of the Pacific Ocean Shoreline
- Non-stormwater Runoff Reduction Flow Monitoring Study
- Residential Management Area Inspection and Enforcement Program
- Trash Provisions
- Technical Memorandums and Correspondence

Discussion: *Bacteria Source Characterization Study of the Pacific Ocean Shoreline*
This task will involve water quality sampling and analysis under and near the Municipal Pier to identify indicator bacteria sources utilizing DNA markers. Work is scheduled to be conducted in calendar year 2019. Since water quality sampling and analysis began in this location in 2015, exceedances of indicator bacteria water quality objectives have been noted on several occasions causing an increased number of public health advisory postings by the Orange County Health Agency. The increasing number of postings has also raised concerns by both residents and nongovernmental organizations (NGOs). This site has also been receiving low grades on Heal the Bay's annual beach report card.

This location is required for monitoring under the Bacteria Total Maximum Daily Load (Bacteria TMDL) issued by the Regional Board and included in the City's MS4 Permit. The City is the responsible agency for this site and needs to achieve compliance with

the dry-weather indicator bacteria limits by April 4, 2021. There is concern that the City will not meet this compliance target date if bacteria exceedances are not reduced enough to comply with the Bacteria TMDL provisions. Thus, this monitoring project is vital to determine the specific source or sources so that management measures can be implemented to address the source(s) of the bacteria exceedances.

After the 2015 monitoring results were analyzed, the City took action by implementing a water quality monitoring project in 2016 which utilized human and canine DNA markers to identify potential sources of the bacteria exceedances. Avian markers were not used during this project due to the cost of properly collecting and preserving samples, as well as shipping and analyzing the samples by a laboratory outside the state of California. Results from this project noted that human and canine sources were negligible, indicating that pigeons roosting in the pier understory were likely the primary source of the indicator bacteria exceedances.

Based on the best available information at the time and in conjunction with a pier rehabilitation project, City Council authorized the installation of bird deterrent netting in the understory of the pier during Fiscal Year 2018. The first phase of the project focused installation in the section of the pier west of the Fisherman's Restaurant where it narrows to lifeguard Tower Zero. The second phase is planned for the area underneath the restaurant area of the pier. Phase 1 netting was installed in spring 2018 for multiple reasons:

1. The pier repair project was being constructed and cost-efficiencies were realized by subsequently securing environmental permits for the both projects from resource agencies and using the same contractor and their equipment to install the netting in this difficult-to-reach area of the pier.
2. Water Quality samples are typically collected in ocean waters at knee high depth. Depending on the tide height, samples can be collected directly underneath this area of the pier, which is also a roosting place for the pigeons, or under the Fisherman's Restaurant.
3. Installing netting underneath the restaurant raised challenges due to the amount of infrastructure (plumbing, electrical, etc.) that would be covered by the netting which would need access for maintenance in the future. Other alternatives to netting are currently being evaluated.

During the summer of 2018, indicator bacteria exceedances still occurred in the pier area and NGOs expressed concern that pigeons were not the source of the exceedances. Rather, NGOs stated that polluted non-stormwater runoff from the pier bowl watershed was the source. The pier bowl watershed area drains to the two storm drain pipes that discharge directly under the pier.

With avian DNA markers now readily available at labs in Southern California, which reduces sample analysis cost, staff is recommending another water quality sampling project to confirm the source(s) of the indicator bacteria. Avian, human and canine DNA markers will be used during this monitoring project to confirm sources of the bacteria exceedances.

Information gained from this project will assist staff in identifying proper management measures or projects to reduce or eliminate the bacteria exceedances which is an

important step prior to implementing future projects. If pigeons are identified as the source, then Phase 2 of the pier netting project will be reconsidered. Other potential bird deterrent options will also be analyzed for possible construction underneath the restaurant area of the pier. It is possible that a combination of sources, such as avian and canine, may be identified. If so, appropriate management measures will be implemented to eliminate the sources.

Non-stormwater Runoff Reduction Flow Monitoring Study
This task will have a primary focus on eliminating irrigation runoff sources which is a prohibited discharge under the current MS4 Permit. Implementation is scheduled to start in July 2019. This project will utilize field staff, flow monitoring equipment installed in select storm drain locations, and education outreach to ultimately reduce and eliminate flows to the storm drain system from irrigation runoff and other non-stormwater runoff sources identified during project implementation. This will assist the City in reducing flows to receiving waters that carry pollutants to the ocean and also demonstrate to the Regional Board that the City is addressing prohibited discharges specified in the MS4 Permit, including irrigation runoff.

Residential Management Area Inspection and Enforcement Program
The MS4 Permit now requires the development of a Residential Management Area inspection and enforcement program. This task will assist the City in the development of a standard operating procedure to inspect residential areas for non-stormwater runoff violations. This task will be implemented in Fiscal Year 2019.

Trash Provisions
The Regional Board issued an order for Permittees to implement a program to prevent trash and debris as small as 5mm in size from reaching receiving waters. The City has ten years to implement the program. The consultant will assist in identifying locations and drainage areas that already have trash capture devices and recommend locations to install new devices. This task will assist City staff in forecasting installation and maintenance costs over the ten year implementation schedule. This task will be implemented during Fiscal Years 2019 and 2020.

Technical Memorandums and Correspondence
Technical memorandums and correspondence are needed, on occasion, to communicate with the Regional Board, non-profit organizations and the Coastal Advisory Committee. The consultant will assist in the drafting these documents, when needed.

Staff prepared a request for proposal (RFP), which was posted on Planet Bids. Five proposals were received varying in cost from $93,250 to $258,631. Staff interviewed four of the five firms and it was clear that all four firms had the ability to adequately implement the tasks outlined in the RFP. The Wood Environment & Infrastructure Solutions, Inc. team proposed the best approach to implement the tasks. The firm has experience implementing stormwater-related special projects and studies within the City, assisted the City with drafting its MS4 Permit required Jurisdictional Runoff Management Program document, and is very familiar with the City's Clean Ocean Program and its needs to be compliant with the MS4 Permit to improve surface water quality. Their proposal also offered to implement monitoring and observation tasks

during off-hours which would be challenging to conduct in-house due to limited staff resources. Thus, staff is recommending to award the contract to Wood Environment & Infrastructure Solutions, Inc. Tasks will be completed on a time and materials basis based on the agreed hourly rates for the scope of work up to the not to exceed amount of $175,608.

Recommended Action: Staff recommends the City Council approve the City Manager to execute Contract _____ by and between the City of San Clemente and Wood Environment and Infrastructure Solutions, Inc. providing Stormwater Monitoring and Technical Support Services in the amount not to exceed $175,608.

Attachments: The Professional Services Agreement is on file with the City Clerk's Office.

Notification: None.

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