



County of Los Angeles  
**CHIEF EXECUTIVE OFFICE**

Kenneth Hahn Hall of Administration  
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WILLIAM T FUJIOKA  
Chief Executive Officer

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September 14, 2010

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

26 September 14, 2010

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

**DEPARTMENT OF BEACHES AND HARBORS:  
RESOLUTION IN SUPPORT OF ACCEPTANCE OF GRANT FUNDING FROM THE  
STATE WATER RESOURCES CONTROL BOARD, PROPOSITION 84 AREAS OF  
SPECIAL BIOLOGICAL SIGNIFICANCE GRANT PROGRAM, FOR THE BEACH  
RESTROOM SEPTIC SYSTEM REPLACEMENT PROGRAM AT ZUMA AND POINT  
DUME BEACHES - CAPITAL PROJECTS NOS. 86705, 86706, 86792-86794, 86857-  
86859, 86931, 86933, 86934, 86941, 86943, AND 86944  
(THIRD DISTRICT) (3 VOTES)**

**SUBJECT**

This action is to approve a resolution in support of acceptance of grant funding from the State Water Resources Control Board for the County's Beach Restroom Septic System Replacement Program.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Find that this action falls within your Board's previously-adopted categorical exemption from the California Environmental Quality Act for projects under the Beach Restroom Septic System Replacement Program adopted by your Board on October 9, 2007, pursuant to Sections 15302 (b), 15303 (c) and 15304 (d) of Title 14 of the California Code of Regulations and Classes 2, 3 and 4 of the County's Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

*"To Enrich Lives Through Effective And Caring Service"*

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Intra-County Correspondence Sent Electronically Only**

2. Adopt a resolution approving the Department of Beaches and Harbors' acceptance of Proposition 84, Areas of Special Biological Significance grant funds from the State of California Water Resources Control Board in the amount of up to \$2,500,000 for the Beach Restroom Septic System Replacement Program.
3. Authorize the Director of the Department of Beaches and Harbors, or his designee, to sign all necessary documents to obtain and accept the grant for the purpose of funding the Beach Restroom Septic System Replacement Program and to act as lead agent for the County when conducting business with the State Water Resources Control Board on any and all matters related to the grant.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommendations will enable the Department of Beaches and Harbors (Department) to accept a grant from the State of California Water Resources Control Board (SWRCB) to partially fund 14 septic system replacement projects at Point Dume and Zuma Beaches (Capital Project (C.P.) Nos. 86705, 86706, 86792-86794, 86857-86859, 86931, 86933, 86934, 86941, 86943, and 86944), which were previously approved by your Board as part of the Beach Septic System Replacement Program on October 9, 2007. The systems at Point Dume and Zuma Beaches are located within an Area of Special Biological Significance (ASBS) and are eligible for grant funding from the SWRCB 2006 Proposition 84, ASBS Grant Program, which will reimburse up to \$2,500,000 or 25 percent of replacement costs, whichever amount is less.

The Department, with assistance from the Department of Public Works (Public Works), submitted a concept proposal on behalf of the County to the SWRCB on May 21, 2008. The Department received a Full Proposal Solicitation Notice on July 15, 2008, inviting the County to submit the full proposal. On September 10, 2008, the Department filed a full proposal, which was approved by the SWRCB in January 2009. Although approved, the SWRCB funding was subsequently put on hold because of the State's financial situation. On May 17, 2010, the Department received notice from SWRCB informing the Department that the grant program has been restarted.

The SWRCB will fund partial reimbursement of the capital project expenditures as funding from the sale of State bonds becomes available.

### **Implementation of Strategic Plan Goals**

Actively seeking grant funding to refurbish public facilities and reduce the County's costs is consistent with the County's Strategic Plan Goals of Operational Effectiveness (Goal 1), Fiscal Sustainability (Strategy 1), and Community and Municipal Services (Goal 3).

### **FISCAL IMPACT/FINANCING**

The total project cost estimate for the 14 eligible projects is \$10,860,000, which is currently funded by net County cost derived from Fund Balance of Fiscal Years (FY) 2006-07 and 2007-08. Based on the construction cost estimates of the eligible projects and the maximum grant award amount of \$2,500,000, the Department anticipates that the grant could offset the combined projects cost by as much as 25 percent.

Approval of the recommended actions will allow an increase in revenue and a decrease in net County cost appropriation in C.P. Nos. 86857, 86859, 86941, 86943 and 86944 in an aggregate amount of \$2,500,000. The net County cost replaced by the grant funding will be transferred from the aforementioned projects to Public Works Operating Budget as part of the changes in the FY 2010-11 Supplemental Resolution to partially fund Urban Stormwater Quality Improvement projects.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Department and Public Works, with the assistance of the Chief Executive Office, have evaluated and confirmed the feasibility of meeting the grant requirements, including quality assurance and performance plans, as well as ongoing monitoring and reporting required by guidelines of the Proposition 84 ASBS Grant and by the National Pollutant Discharge Elimination System Program.

The attached Resolution (Attachment I) is required by the SWRCB as a submittal prior to the execution of the grant agreement.

Work that was scheduled for FY 2007-08 was completed, and the septic systems and discharge fields were replaced in five locations at Zuma Beach. In accordance with grant guidelines, costs incurred before the execution of the contract are not reimbursable by the grant, but may be used as matching funds if they were incurred after November 7, 2006, when Proposition 84 was approved by the voters.

On July 11, 2000, your Board approved a requirement that County departments prepare a Grant Management Statement for your review when recommending grants of \$100,000 or more. Accordingly, the Grant Management Statement for this grant is attached for your Board's review (Attachment II).

All documents required for the acceptance of the requested grant will be subject to prior approval as to form by County Counsel.

**ENVIRONMENTAL DOCUMENTATION**

On October 9, 2007, the projects to which the grant funds will be applied were found to be exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15302 (b), 15303 (c) and 15304 (d) of Title 14 of the California Code of Regulations and pursuant to Classes 2, 3 and 4 of the County's Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. The current action is relying on the previously-adopted categorical exemption.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The acceptance of the grant funds will have no negative effect on the Department's current projects.

**CONCLUSION**

Please return one adopted copy of this letter and the adopted Resolution to the Chief Executive Office, Capital Projects Division, and to the Department of Beaches and Harbors.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:SK:SK  
DJT:RB:zu

Attachments (2)

- c: Executive Office, Board of Supervisors
- County Counsel
- Auditor-Controller
- Beaches and Harbors
- Public Works

ATTACHMENT I

RESOLUTION OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS TO  
ACCEPT PROPOSITION 84 AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE  
(ASBS) GRANT FUNDS IN THE AMOUNT OF UP TO \$2.5 MILLION FROM THE  
STATE WATER RESOURCES CONTROL BOARD FOR THE ZUMA AND POINT  
DUME COUNTY BEACHES SEPTIC SYSTEM REPLACEMENT PROGRAM

Whereas, the County of Los Angeles operates the Zuma and Point Dume County Beaches;

Whereas, the County of Los Angeles is in the process of replacing all the aging septic systems at these facilities, on an emergency basis, to prevent ground and coastal water contamination;

Whereas, the State Water Resources Control Board (State Water Board) has determined that the County of Los Angeles is eligible to receive funds from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) Clean Beaches Program;

Whereas, the County of Los Angeles will use these funds for eligible project costs of the Zuma and Point Dume County Beaches Septic System Replacement Program, a project designed to comply with the discharge prohibition into Areas of Special Biological Significance contained in the California Ocean Plan; and

Whereas, the County of Los Angeles is authorized to enter into a financial assistance agreement with the State of California through the State Water Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Los Angeles, by adoption of this resolution, hereby authorizes the Director of the Department of Beaches and Harbors or his designee to enter into a financial assistance agreement with the State Water Board for the Zuma and Point Dume County Beaches Septic System Replacement Program.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Los Angeles hereby authorizes the Director of the Department of Beaches and Harbors or his designee to execute any financial assistance agreements, amendments, invoices, or any other documents related to or required for the administration of said agreement.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Los Angeles agrees and further does authorize the Director of the Department of Beaches and Harbors to certify that the County of Los Angeles has and will comply with all applicable federal and state statutory and regulatory requirements related to any financial assistance funds

received.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Los Angeles agrees and further does authorize the Director of the Department of Beaches and Harbors to certify that all financial assistance received from the State Water Board for the Zuma and Point Dume County Beaches Septic Tank Replacement Program shall only be used for "reimbursable costs" as defined in the *Proposition 84 Areas of Special Biological Significance Grant Program Guidelines*, adopted by the State Water Board on April 1, 2008.

The foregoing Resolution was adopted on the 14<sup>th</sup> day of September 2010, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.



Sachi A. Hamai  
Executive Officer-Clerk  
of the Board of Supervisors

By: Lachelle Smitheman  
Deputy

APPROVED AS TO FORM:

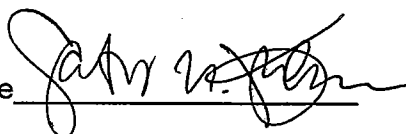
ANDREA SHERIDAN ORDIN  
County Counsel

By: [Signature]  
Deputy

**Los Angeles County Chief Executive Office  
Grant Management Statement for Grants \$100,000 or More**

<b>Department:</b> Beaches and Harbors		
<b>Grant Project Title and Description</b>		
The Proposition 84 ASBS grant from California's State Water Resources Control Board (SWRCB) will partially fund the replacement of 14 septic systems at Zuma and Point Dume Beaches.		
<b>Funding Agency</b>	<b>Program (Fed. Grant #/State Bill or Code #)</b>	<b>Grant Acceptance Deadline</b>
SWRCB	Proposition 84 ASBS	July, 2010
<b>Total Amount of Grant Funding: \$2,500,000</b>		<b>County Match: \$8,360,000</b>
<b>Grant Period: 07/2010 to 06/2013</b>	<b>Begin Date: 07/2010</b>	<b>End Date: 02/2013</b>
<b>Number of Personnel Hired Under This Grant:</b>	<b>Full Time: 0</b>	<b>Part Time: 0</b>
<b><u>Obligations Imposed on the County When the Grant Expires</u></b>		
Will all personnel hired for this program be informed this is a grant-funded program? N/A	Yes___	No___
Will all personnel hired for this program be placed on temporary ("N") items? N/A	Yes___	No___
Is the County obligated to continue this program after the grant expires?	Yes <b>X*</b>	No___
If the County is not obligated to continue this program after the grant expires, the Department will: N/A		
a.) Absorb the program cost without reducing other services	Yes___	No___
b.) Identify other revenue sources (describe below)	Yes___	No___
c.) Eliminate or reduce, as appropriate, positions/program costs funded by the grant. N/A.	Yes___	No___
<b>Impact of additional personnel on existing space:</b>		
N/A		
<b>Other requirements not mentioned above:</b>		
*The County will be obligated to maintain the project at no cost to the State for 35 years.		

Department Head Signature



Date:

6/23/2010