



City Council Staff Report

Date: October 7, 2015 CONSENT CALENDAR

Subject: ADOPTION OF A RESOLUTION AUTHORIZING THE CITY OF PALM SPRINGS TO APPLY FOR PROPOSITION 1 GRANT FUNDS THROUGH THE COACHELLA VALLEY MOUNTAINS CONSERVANCY

From: David H. Ready, City Manager

Initiated by: Marcus L. Fuller, Assistant City Manager/City Engineer

SUMMARY

The action requested is to approve of a resolution that authorizes the City of Palm Springs to apply to the Coachella Valley Mountains Conservancy for state grant funds for the Tahquitz Creek Gateway Triangle Parcel, City Project No. 14-16, as well as remediation of a 40-acre agricultural parcel located in south Palm Springs near Pinyon Pines. Adoption of a Resolution authorizing the submittal of the applications is a requirement of the grant.

RECOMMENDATION:

Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUPPORTING AND AUTHORIZING SUBMITTAL OF APPLICATIONS FOR GRANT FUNDS FROM THE COACHELLA VALLEY MOUNTAINS CONSERVANCY PROPOSITION 1 PROGRAM, AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ALL SUCH APPLICATIONS AND AGREEMENTS."

BACKGROUND:

The Coachella Valley Mountains Conservancy, (the "Conservancy"), was established by California Public Resources Code Section 33501 in 1991 to protect the natural and cultural resources of the Coachella Valley and its surrounding mountains, which include the San Jacinto and Santa Rosa Mountains National Monument and portions of Joshua Tree National Park. The Conservancy has a history of working efficiently with federal agencies, Riverside County, local cities and numerous nonprofit organizations to preserve open space, wildlife, scarce water resources and historical artifacts through

conservation land acquisition, habitat management or restoration, and educational and recreational opportunities for residents and visitors.

Proposition 1, the "Water Quality, Supply, and Infrastructure Improvement Act of 2014," was enacted by the voters on November 4, 2014, to provide a comprehensive and fiscally responsible approach for addressing the array of challenges facing California's limited water resources. Proposition 1 provides funding to implement the three objectives of the California Water Action Plan, namely, more reliable water supplies, the restoration of important species and habitat, and a more resilient and sustainably managed water infrastructure.

Under Chapter 6 of Proposition 1, the Conservancy received an allocation of \$10 million to fund multi-benefit water quality, water supply, and watershed protection and restoration projects that benefit the Coachella Valley. On May 11, 2015, the Conservancy adopted the Proposition 1 Grant Program Guidelines, (the "Guidelines"), establish the process to be used by the Conservancy to solicit applications, evaluate proposals and award grants of Proposition 1 funds. The Conservancy anticipates making \$2.5 million available for eligible projects in fiscal year 2015-16, and approximately \$2.0 million per year for the next four fiscal years. The minimum grant amount is \$5,000. The Conservancy will administer one or more competitive cycles each fiscal year through the issuance of a notice of funding availability ("NOFA"). Applicants must submit a Conservancy Proposition 1 grant application package in accordance with the requirements of a NOFA to be considered.

On May 11, 2015, the Conservancy adopted the Proposition 1 Grant Program Guidelines, and requires:

Applicant possesses legal authority to apply for the grant, and to implement the proposed project described in the Project Narrative attached below. A resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

Eligible projects include "Watershed Restoration Projects" intended to enhance watershed related natural features, such as washes, channels, streams, or riverbeds. An example is by implementing a project to cleanup or remediate hazardous materials that are detrimental to water quality and/or habitat value. Under this eligible project category, staff recommends submitting an application for two separate projects:

- 1) Tahquitz Creek Gateway Triangle Parcel, City Project No. 14-16 – this project is located as shown in Figure 1, and includes redevelopment of an existing paved remnant parcel located at S. Palm Canyon Drive and Sunny Dunes Road that accepts stormwater runoff from the surrounding industrial neighborhood and

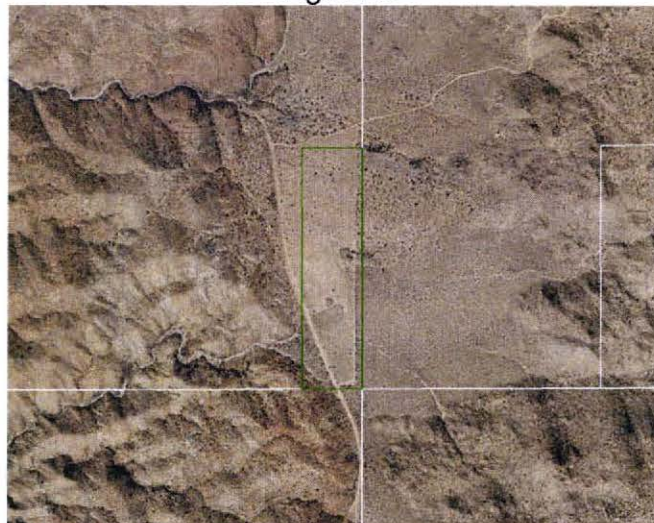
conveys it via drainage swale directly to Tahquitz Creek. This project includes a new drainage system with oil/water sand separator clarifier to treat pollutants from the stormwater runoff prior to discharge to Tahquitz Creek. Grant funds requested: \$50,000

Figure 1



- 2) 40-Acre Agricultural Parcel Clean-Up & Remediation Project – this project proposes to remediate hazardous materials illegally disposed on a 40-acre agricultural parcel located in the southern portion of the City's limits in the Pinyon Pines area, off of Dunn's Road, as shown in Figure 2. This parcel is located in an environmentally sensitive area at the top of the watershed to Palm Canyon Wash; stormwater passing over this property has the potential to percolate through the hazardous materials and contaminate the underlying aquifer – which is at the headwaters of the Palm Canyon Wash. Grant funds requested: \$885,000

Figure 2



ENVIRONMENTAL IMPACT:

The requested City Council action is not a "Project" as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The requested action is to adopt a Resolution authorizing submittal of applications to the Conservancy, and is exempt from CEQA pursuant to Section 15378(b), in that a "Project" does not include: (5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

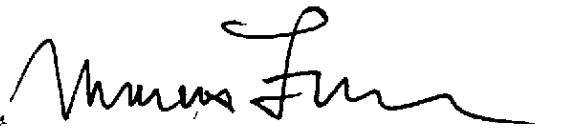
FISCAL IMPACT:

Adoption of the Resolution allows the City to submit grant applications to the Conservancy for the two listed projects, which may potentially provide up to \$50,000 in revenue for the Tahquitz Creek Gateway Triangle Parcel, City Project No. 14-16 – with a City contribution of \$5,000 (in-kind staff support), and up to \$885,000 in revenue for the 40-Acre Agricultural Parcel Clean-Up & Remediation Project – with a City contribution of \$55,000 (in-kind staff support) to be used towards those projects.

SUBMITTED

Prepared by:

Approved by:



Marcus L. Fuller, MPA, P.E., P.L.S.
Assistant City Manager/City Engineer



David H. Ready, Esq., Ph.D.
City Manager

Attachments:

1. Resolution

ATTACHMENT

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, SUPPORTING AND AUTHORIZING SUBMITTAL OF APPLICATIONS FOR GRANT FUNDS FROM THE COACHELLA VALLEY MOUNTAINS CONSERVANCY PROPOSITION 1 PROGRAM, AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ALL SUCH APPLICATIONS AND AGREEMENTS.

WHEREAS, The Coachella Valley Mountains Conservancy, (the “Conservancy”), was established by California Public Resources Code Section 33501 in 1991 to protect the natural and cultural resources of the Coachella Valley and its surrounding mountains, which include the San Jacinto and Santa Rosa Mountains National Monument and portions of Joshua Tree National Park; and

WHEREAS, The Conservancy has a history of working efficiently with federal agencies, Riverside County, local cities and numerous nonprofit organizations to preserve open space, wildlife, scarce water resources and historical artifacts through conservation land acquisition, habitat management or restoration, and educational and recreational opportunities for residents and visitors; and

WHEREAS, Proposition 1, the “Water Quality, Supply, and Infrastructure Improvement Act of 2014,” was enacted by the voters on November 4, 2014, to provide a comprehensive and fiscally responsible approach for addressing the array of challenges facing California’s limited water resources; and

WHEREAS, Proposition 1 provides funding to implement the three objectives of the California Water Action Plan, namely, more reliable water supplies, the restoration of important species and habitat, and a more resilient and sustainably managed water infrastructure; and

WHEREAS, under Chapter 6 of Proposition 1, the Conservancy received an allocation of \$10 million to fund multi-benefit water quality, water supply, and watershed protection and restoration projects that benefit the Coachella Valley; and

WHEREAS, on May 11, 2015, the Conservancy adopted the Proposition 1 Grant Program Guidelines, (the “Guidelines”), establish the process to be used by the Conservancy to solicit applications, evaluate proposals and award grants of Proposition 1 funds; and

WHEREAS, the Conservancy anticipates making \$2.5 million available for eligible projects in fiscal year 2015-16, and approximately \$2.0 million per year for the next four fiscal years; and

WHEREAS, the Conservancy will administer one or more competitive cycles each fiscal year through the issuance of a notice of funding availability (“NOFA”),

and applicants must submit a Conservancy Proposition 1 grant application package in accordance with the requirements of a NOFA to be considered; and

WHEREAS, the Guidelines require that applicants provide a resolution, motion or similar action that has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required; and

WHEREAS, the City intends to apply to the Conservancy for Proposition 1 grant funding for the following two Watershed Restoration Projects:

- 1) Tahquitz Creek Gateway Triangle Parcel, City Project No. 14-16 – this project is located as shown in Figure 1, and includes redevelopment of an existing paved remnant parcel located at S. Palm Canyon Drive and Sunny Dunes Road that accepts stormwater runoff from the surrounding industrial neighborhood and conveys it via drainage swale directly to Tahquitz Creek. This project includes a new drainage system with oil/water sand separator clarifier to treat pollutants from the stormwater runoff prior to discharge to Tahquitz Creek. Grant funds requested: \$50,000
- 2) 40-Acre Agricultural Parcel Clean-Up & Remediation Project – this project proposes to remediate hazardous materials illegally disposed on a 40-acre agricultural parcel located in the southern portion of the City's limits in the Pinyon Pines area, off of Dunn's Road, as shown in Figure 2. This parcel is located in an environmentally sensitive area at the top of the watershed to Palm Canyon Wash; stormwater passing over this property has the potential to percolate through the hazardous materials and contaminate the underlying aquifer – which is at the headwaters of the Palm Canyon Wash. Grant funds requested: \$885,000

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Palm Springs hereby declares the following:

1. The City Council hereby supports the submittal of applications to the Conservancy for the Tahquitz Creek Gateway Triangle Parcel, City Project No. 14-16, and for the 40-Acre Agricultural Parcel Clean-Up & Remediation Project.
2. The City Manager, or designee, is hereby authorized and empowered to execute in the name of the City of Palm Springs all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant projects.

3. Pursuant to the authorization herein Section 2, the City Manager, or designee, possesses legal authority to apply for the grants, and to implement the proposed projects, and is hereby identified as the official representative of the City of Palm Springs to act in connection with the applications and to provide such additional information as may be required.
4. The City of Palm Springs will cause the projects to be implemented in accordance with the schedule, budget and conditions contained in its grant proposals. Where the project includes land acquisition, the property shall be maintained in perpetuity for the conservation of its biological and scenic resources. With the approval of the Conservancy, the City of Palm Springs or its successors in interest in the property may transfer the responsibility to maintain the property to a qualified local, state, or federal agency, or to another qualified non-profit organization.
5. The City of Palm Springs will give the State's authorized representative access to and the right to examine all records, books, papers, or documents related to the grants.
6. The City of Palm Springs will comply where applicable with provisions of the California Environmental Quality Act and the California Relocation Assistance Act, any other state, and/or local laws, and/or regulations.

ADOPTED THIS 7TH DAY OF OCTOBER, 2015.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on October 7, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California