

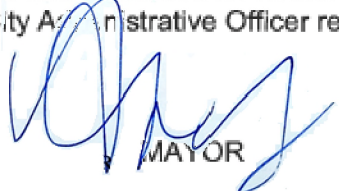
0150-10925-0001

**TRANSMITTAL**

TO The Council	DATE  6/23/17	COUNCIL FILE NO.
FROM The Mayor	COUNCIL DISTRICT 8	

**Authority for the Bureau of Sanitation to accept the California State Water Resources Control Board Orphan Site Cleanup Fund Grant, to negotiate and execute the grant agreement, and to submit any other necessary documents related to the grant on behalf of the City.**

Approved and forwarded for further processing.  
See the City Administrative Officer report attached.



MAYOR

(Ana Guerrero)

RHL:SMC:06170105f

REPORT FROM

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

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Date: June 20, 2017

CAO File No. 0150-10925-0001

Council File No.

Council District: 8

To: The Mayor

From: Richard H. Llewellyn, Jr., Interim City Administrative Officer

Reference: Transmittal from the Board of Public Works dated April 10, 2017; referred by the Mayor on April 10, 2017

Subject: **CALIFORNIA STATE WATER RESOURCES CONTROL BOARD ORPHAN SITE CLEANUP FUND ACCEPTANCE**

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### RECOMMENDATIONS

That the Council, subject to the approval of the Mayor:

1. Authorize the Bureau of Sanitation to negotiate and execute the Orphan Site Cleanup Fund Award Agreement on behalf of the City and submit any other necessary agreements and documents related to the grant, subject to the approval of the City Attorney as to form and legality;
2. Adopt the Resolution authorizing the Bureau of Sanitation to accept the California State Water Resources Control Board Orphan Site Cleanup Fund Grant for the reimbursement of all eligible site remediation cost in the amount of \$400,000;
3. Instruct the Bureau of Sanitation to use the Household Hazardous Waste Special Fund to front fund the remediation costs and to deposit grant reimbursements in the Household Hazard Waste Special Fund; and,
4. Authorize the Bureau of Sanitation to prepare Controller's instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

### SUMMARY

The Board of Public Works (Board), on behalf of the Bureau of Sanitation (LASAN), requests authority to accept an Orphan Site Cleanup Fund (OSCF) Grant in the amount of \$400,000 from the State Water Resources Control Board (SWRCB) Division of Financial Assistance. This is a reimbursement grant with no matching requirement. The grant funds will be used to cleanup a

0.28 acre vacant City lot located at 6300-6308 Western Avenue and 1734-1740 Gage Avenue. The lot, which has been vacant since 1969, used to be a former gas station, auto repair shop, body shop, tire shop and car wash.

The Orphan Site Cleanup Fund Grant Program provides grant funding to applicants for the cleanup of sites contaminated by leaking petroleum underground storage tanks (UST) in which there is no financially responsible party, the applicant did not cause or contribute to the contamination and has no association with the party that caused it, and the applicant is not eligible for UST Cleanup Fund. On September 7, 2016, LASAN applied for the OSCF grant to investigate and clean up the site. On December 14, 2016, LASAN received a pre-grant letter stating that the site is eligible for grant funding and will be placed on the priority list, which ranks all eligible applicants according to their order of priority. After the grant agreement is entered into by both parties, the OSCF will pay eligible costs claimed.

The grant agreement has not yet been executed as it is contingent upon LASAN submitting the necessary documents, including the Work Plan, Scope of Work, Budget, and Project Execution Plan, to SWRCB for review and grant approval. Upon execution of the grant agreement, LASAN may submit reimbursement requests, including documentation of the work performed, to the SWRCB for processing. LASAN reports that the cleanup work will be contracted out. As this is a reimbursement grant, front funding will be provided by the City's Household Hazardous Waste Special Fund.

### **FISCAL IMPACT STATEMENT**

There is no General Fund impact. The cleanup costs will be front-funded by the Household Hazardous Waste Special Fund, Fund 508, and will be fully reimbursed by the California State Water Resources Control Board Orphan Site Clean Up Fund Grant. No matching funds are required. The recommendations in this report are in compliance with the City's Financial Policies as all grant eligible costs will be reimbursed by grant funds.

**BOARD OF PUBLIC WORKS  
MEMBERS**

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PRESIDENT

**HEATHER MARIE REPENNING**  
VICE PRESIDENT

**MICHAEL R. DAVIS**  
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**CITY OF LOS ANGELES**

CALIFORNIA



**ERIC GARCETTI**  
MAYOR

**OFFICE OF THE  
BOARD OF PUBLIC WORKS**

**FERNANDO CAMPOS**  
EXECUTIVE OFFICER

200 NORTH SPRING STREET  
ROOM 361, CITY HALL  
LOS ANGELES, CA 90012

GENERAL INFORMATION  
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TDD: (213) 978-2310  
<http://bpw.lacity.org>

April 10, 2017

**BPW 2017-0339**  
**BOS #2**

Mayor Eric Garcetti  
Room No. 305  
City Hall  
Attn: Mandy Morales

**Subject: AUTHORITY TO ACCEPT, NEGOTIATE AND EXECUTE ALL NECESSARY AGREEMENTS WITH STATE WATER BOARD ORPHAN SITE CLEANUP FUND FOR SITE LOCATED AT 6300 WESTERN AVE, LOS ANGELES**

As recommended in the accompanying report of the Director of the Bureau of Sanitation, which this Board has adopted, the Board of Public Works requests approval and forwarding to the City Council for authorization to accept grant funds from the ORPHAN SITE CLEANUP FUND.

**FISCAL IMPACT**

There is no fiscal impact to the City's General Fund, as a result of this action. Grant award has been approved by the California State Water Resources Control Board, and the funds will be available this year on reimbursement basis. There are no match requirements for this type of grant.

Respectfully submitted,

Fernando Campos, Executive Officer  
Board of Public Works

FC:mm

DEPARTMENT OF PUBLIC WORKS

BUREAU OF SANITATION  
BOARD REPORT NO. 2  
April 10, 2017

**BPW-2017-0339**  
ADOPTED BY THE BOARD  
PUBLIC WORKS OF THE CITY  
of Los Angeles California  
AND REFERRED TO THE MAYOR  
APR 10 2017

CD: 8

  
Executive Officer  
Board of Public Works

**AUTHORITY TO ACCEPT, NEGOTIATE AND EXECUTE ALL NECESSARY  
AGREEMENTS WITH STATE WATER BOARD ORPHAN SITE CLEANUP FUND  
FOR SITE LOCATED AT 6300 WESTERN AVE, LOS ANGELES**

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### RECOMMENDATIONS

1. Approve and forward this report with its transmittal, to the Mayor and the City Council, with the recommendations that the City Council, subject to concurrence of the Mayor, authorize the Director of the Bureau of Sanitation (LASAN), or designee, to accept grant funds from the ORPHAN SITE CLEANUP FUND (OSCF).
2. Request the City Council to adopt the Resolution (Transmittal No. 1) authorizing the acceptance of the California State Water Resources Control Board (SWRCB) OSCF.

### FISCAL IMPACT STATEMENT

There is no fiscal impact to the City's General Fund, as a result of this action. Grant award has been approved by the SWRCB, and the funds will be available this year on reimbursement basis. There are no match requirements for this type of grant.

### TRANSMITTAL

1. Copy of proposed Resolution

### DISCUSSION

The OSCF is a grant program within the SWRCB Division of Financial Assistance. It provides financial assistance to eligible applications for the cleanup of sites contaminated by leaking petroleum underground storage tanks (USTs). These funds will be used to further characterize and cleanup the brownfield site, a former gas station, located at 6300 - 6308 Western Avenue. Brownfields are properties whose redevelopment or reuse is complicated by the presence or the potential presence of hazardous substances or other contaminants.

The City of Los Angeles Brownfields Program (Program) provides financial and technical assistance for the investigation, remediation, and redevelopment of brownfield sites. Over the past 15 years, the Program has obtained over \$60 million in brownfield funding and leveraged over \$500 million in public and private development funds. Brownfield grants are available for all real property, regardless of land use designation, that has been contaminated by hazardous waste, controlled substances, petroleum or petroleum products.

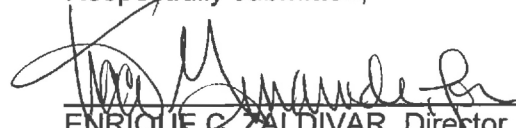
LASAN's Brownfields Program received approval for a \$400,000 OSCF grant for a site located at 1734- 1740 Gage Avenue and 6300 - 6308 Western Avenue. This site was a service station in 1928 and, at various times since then, auto repair, battery store, body shop, tire shop, and car wash. Buildings on the Property were demolished in 1969, prior to the Gage Street improvement. The Property has remained an unpaved vacant lot since that time. Regulatory agency records do not identify UST locations or document UST removal. Based on the identified historical uses (over 40 years of use as a service station), with this information there was a potential for contamination to the Property by volatile organic compounds (VOCs), petroleum hydrocarbons, and metals.

The Department of Recreation and Parks (RAP) intends to take jurisdiction of the Property by transfer and develop it with outdoor park and recreational improvements. RAP and the Los Angeles Neighborhood Initiative (LANI), a non-profit organization, have partnered together to identify funding under the Proposition 84 Statewide Park Program. On November 8, 2010, the State announced the award of a grant to LANI for the Western Gage Park Project. The Conceptual plan for the Western Gage Park Project includes the construction of a children's play area, fitness equipment, safety lighting, a landscaped plaza area, and site amenities such as landscaping, trees, and decorative fencing. The Brownfields Program currently has two US EPA Assessment Grants, to conduct assessments in the City of Los Angeles. Site assessments are available for qualifying sites at this time and referrals of sites are encouraged. Since 1997, the City's Brownfields Program has applied for and received 10 US EPA Brownfields Program grants for a total of five million dollars.

#### STATEMENT AS TO FUNDING

Grant funds received from SWRCB OSCF will be deposited into the Household Hazardous Waste Trust, Fund No. 526.

Respectfully submitted,



ENRIQUE C. ZALDIVAR, Director  
Bureau of Sanitation

Prepared by:  
Nuna Tersibashian, SRCRD  
(213) 485-3791

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies to or pending before a local, state or federal government body or agency must have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the California Water Resource Control Board ORPHAN SITE CLEANUP FUND provides funds for investigation and cleanup of contaminated properties to assist in sustaining and restoring communities; and

WHEREAS, the City of Los Angeles has long recognized that it is in the public interest to establish, implement and maintain OSCF to promote the cleanup and revitalization of contaminated properties; and

WHEREAS, the Bureau of Sanitation (LASAN) / Department of Public Works, would like to implement these funds for cleanup of Western Gage Property.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Los Angeles does hereby authorize the Director of the Bureau of Sanitation, or designee to accept, negotiate and execute all necessary agreements with the Water Board to implement and carry out the purposes specified in the application.

PRESENTED BY \_\_\_\_\_

SECONDED BY \_\_\_\_\_

Prepared by:  
Nuna Tersibashian, SRCRD  
(213) 485-3791

