

**RESOLUTION NO. 2023-xx**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR THE 2023 COSTA MESA GOLF COURSE HYDRODYNAMIC SEPARATOR (HDS) INSTALLATION PROJECT**

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA HEREBY FINDS, DETERMINES AND DECLARES AS FOLLOWS:

WHEREAS, Orange County Local Transportation Ordinance No. 3, dated July 24, 2006, known and cited as the Renewed Measure M Transportation Ordinance and Investment Plan, makes funds available through the Environmental Cleanup Program to help protect Orange County beaches and waterways from transportation-generated pollution (urban runoff) and improve overall water quality; and

WHEREAS, the Environmental Cleanup, Tier 1 Grant Program consists of funding purchases with Best Management Practices, such as hydrodynamic separators, continuous deflective separation devices, screens, filters, inserts, and other "street-scale" flow diversion projects; and

WHEREAS, the Orange County Transportation Authority (OCTA) has established the procedures and criteria for reviewing proposals; and

WHEREAS, the City of Costa Mesa possesses authority to nominate water quality improvement projects that have a transportation pollution nexus to finance and construct the proposed project; and

WHEREAS, by formal action the City Council authorizes the nomination of 2023 COSTA MESA GOLF COURSE HYDRODYNAMIC SEPARATOR (HDS) INSTALLATION PROJECT, including all understandings and assurances contained therein, and authorizes the Public Works Director or designee as the official representative of the City of Costa Mesa to act in connection with the nomination and to provide such additional information as may be required; and

WHEREAS, the City of Costa Mesa will maintain and operate the equipment acquired and installed; and

## ATTACHMENT 1

WHEREAS, the City of Costa Mesa will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the funded Tier 1 Grant Project; and

WHEREAS, the City of Costa Mesa will cause work on the project to be commenced within a reasonable time after receipt of notification from OCTA and the project will be carried to completion with reasonable diligence; and

WHEREAS, the City of Costa Mesa will comply where applicable with provisions of the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), the Americans with Disabilities Act (ADA), and any other federal, state, and/or local laws, rules and/or regulations; and

WHEREAS, the City of Costa Mesa must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Renewed Measure M Ordinance eligibility requirement; and

WHEREAS, the City of Costa Mesa authorizes a formal amendment to the five-year Capital Improvement Program to add projects approved for funding upon approval from the OCTA Board of Directors; and

WHEREAS, the City of Costa Mesa will provide a minimum of 20% in matching funds for the 2023 COSTA MESA GOLF COURSE HYDRODYNAMIC SEPARATOR (HDS) INSTALLATION PROJECT as required by the Orange County Comprehensive Transportation Funding Programs Guidelines.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Costa Mesa as follows:

Section 1. The City of Costa Mesa hereby authorizes the Public Works Director or designee as the official representative of the City of Costa Mesa to accept funds for the Tier 1 Grant Environmental Cleanup Program for the 2023 COSTA MESA GOLF COURSE HYDRODYNAMIC SEPARATOR (HDS) INSTALLATION PROJECT.

Section 2. The City of Costa Mesa agrees to fund its share of the project costs and any additional costs over the identified programmed amount.

**PASSED AND ADOPTED this 20th day of June, 2023.**

# ATTACHMENT 1

\_\_\_\_\_  
John Stephens, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Brenda Green, City Clerk

\_\_\_\_\_  
Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF COSTA MESA )

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2023-xx and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 20th day of June, 2023, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Brenda Green, City Clerk