



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of February 24, 2026

**TO:** Mayor and Members of the City Council

**VIA:** Dante Hall, City Manager

**SUBMITTED BY:** Glenn Dombeck, Public Works Director

**SUBJECT:** Execute a Professional Services Agreement with Kennedy & Associates, Inc. to provide Implementation Support for the Clean Water Program for Fiscal Year 2026-27

### RECOMMENDED ACTION:

Adopt a Resolution authorizing the City Manager to execute a Professional Services Agreement with Kennedy & Associates, Inc. (Kennedy) to provide Implementation Support for the Clean Water Program for Fiscal Year 2026-27 for a Total Cost of \$54,305.35.

### BACKGROUND:

The Municipal Regional Stormwater National Pollution Discharge Elimination System (NPDES) Permit (MRP) administered by the San Francisco Regional Water Quality Control Board (RWQCB) under Order No. R2-2022-0018 addresses the discharge of stormwater runoff from the municipal separate storm sewer system (MS4) for the City of Hercules and other jurisdictions throughout the Bay Area. The NPDES Permit is currently in its third iteration (MRP 3.0), with a fourth permit planned for adoption in summer 2027.

The NPDES Permit contains numerous compliance provisions addressing municipal operations, new development and redevelopment, industrial and commercial site controls, illicit discharges, construction activity and public information and outreach. It mandates trash reduction, pollution control, and green infrastructure for municipal, industrial, and construction sites to protect water quality. MRP 3.0 emphasizes stricter pollution management, aiming for 100 percent trash reduction by 2025.

## **ANALYSIS:**

The City has worked with Kennedy & Associates in past years to address compliance provisions of the MRP. In 2025, the City achieved 100 percent compliance with trash reduction requirements through the installation of full trash capture devices within public right of way (ROW) and private properties located within areas of medium and high trash generation. The City also developed an asset management plan for the purposes of tracking the condition and maintenance activity of stormwater treatment assets, such as mechanical treatment devices and bioretention areas installed throughout the City.

In 2026, the City will continue to implement ongoing elements of the MRP, including ongoing monitoring and maintenance of full trash capture devices installed within the public ROW and implementation of the asset management plan. Kennedy is facilitating training for City staff on implementation of the asset management plan. Kennedy is also assisting the City in developing an inventory of stormwater catch basins within the City, installation of pollution prevention messages on at least 80 percent of catch basins by June 2027 and development of a plan and schedule for updating the City's storm sewer system mapping information. Lastly, Kennedy assists the City in preparation of the annual report due in September of each year.

## **FISCAL IMPACT:**

The FY 2025-26 contract costs \$54,305.35. Funding for this project is included in the Public Works Department's operating budget stormwater fund account. This account is funded by a parcel assessment rate of \$35.00 per Equivalent Runoff Unit (ERU), which is the rate charged to a single-family home. Hercules' pro rata (by population) share of the regional Clean Water Program funds collected, minus the County's administrative expenses, is returned to Hercules and deposited into the Stormwater Fund used for the local clean water activities mentioned earlier. This revenue totaled \$230,621 in FY 2025-26. The Stormwater Fund has a sufficient balance to cover the contract costs.

## **ATTACHMENTS:**

Attach 1 – Resolution

Attach 2 – Professional Services Agreement with Kennedy & Associates, Inc.