



San Gabriel Valley Council of Governments

1000 S. Fremont Ave., Unit 42, Alhambra, CA 91803 Phone: (626) 457-1800 FAX: (626) 457-1285 E-Mail SGV@sgvcog.org

City Managers' Steering Committee

September 7th, 2011

12:00 noon

PLEASE NOTE CHANGE IN LOCATION:

El Monte City Hall
11333 Valley Blvd.
El Monte, CA 91731

1.0 Preliminary Business

2.0 Public Comment

3.0 Changes to Agenda Order; Identify Subsequent Need or Emergency Items

4.0 Consent Items

- 4.1 Minutes from July 6th, 2011 meeting – Page 1

5.0 Discussion Items

- 5.1 Supervisor Antonovich's High Speed Rail Proposal – Page 3
*Presentation from Supervisor Antonovich's Transportation Deputy.
Discuss Supervisor Antonovich's proposal regarding upgrading existing Metrolink service to provide High Speed Rail service in the Antelope Valley and possible expansion throughout the County of Los Angeles.*
- 5.2 Los Angeles County Flood Control District's Water Quality Initiative – Page 10
*Presentation from LA County Flood Control District staff.
Review and discuss draft ordinance which would establish a structure to administration of this potential new funding program, which is scheduled for public vote in 2012.*
- 5.3 San Gabriel Valley NPDES/Stormwater MS-4 Permit Coordination
Discuss proposal to have Governing Board authorize an assessment of member agencies to fund staffing to coordinate activities related to NPDES compliance and the MS-4 Permit.
- 5.4 SGVCOG Organization and Operation Review
Review SGVCOG Governing Board motion regarding SGVCOG Organization and Operation review and discuss participation by the City Managers' Steering Committee.
- 5.5 SGVCOG Strategic Plan Update – Page 35
Review updated SGVCOG Strategic Plan for July 2011 – January 2012.
- 5.6 Update on SGVCOG Contract Administrator
Discuss proposed arrangement with the City of El Monte.
- 5.7 Update on Status of SGVCOG Line of Credit/ACE Grant Anticipation Notes
Follow up regarding July 2011 presentation to City Managers' Steering Committee.

6.0 New Business items for Next Regular Meeting

7.0 Announcements

8.0 Next Meeting

9.0 Adjourn

Please RSVP at mcreter@sgvcog.org or at (626) 457-1800
For TAC Meeting Notice and Minutes, Please access www.sgvcog.org

NOTICE: City Clerks please post this notice (agenda)

Written materials relating to an item on any Regular Meeting Agenda of the this Committee of the San Gabriel Valley Council of Governments that are distributed to the Committee within 72 hours of the Meeting will be available for public inspection at the San Gabriel Valley Council of Governments, 1000 S. Fremont Ave., Unit 42, Bldg. A10, Suite 210, Alhambra, CA 91803 during normal business hours.



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City Managers' Steering Committee Minutes

Date: July 6, 2011

Time: 12 noon

Location: Covina City Hall

1.0 Preliminary Business

The meeting was called to order at 12:08 p.m.

Members Present:

Alhambra	J. Keating
Covina	D. Parrish
Diamond Bar	J. DeStefano
El Monte	J. Gomez
Glendora	C. Jeffers
La Canada Flintridge	M. Alexander
Rosemead	J. Allred
San Marino	M. Ballantyne
Walnut	R. Wishner
West Covina	A. Pasmant

Members Absent:

San Dimas
San Gabriel

Guests:

R. Richmond, ACE
S. Yauchzee, City of West Covina
G. Aguirre

SGVCOG Staff:

N. Conway, Executive Director
M. Creter, Staff

2.0 Public Comment

There were no comments from the public.

3.0 Changes to Agenda Order; Identify Subsequent Need or Emergency Items

The Executive Director indicated that Item 5.5 would be moved up to follow item 5.1.

4.0 Consent Items

4.1 Minutes from June 1, 2011 meeting

There was a motion to approve the minutes (M/S/C: M. Alexander/ M. Ballantyne /Unanimous).

5.0 Discussion Items

5.1 ACE Phase II Study Recommendations

S. Yauchzee and R. Richmond presented on this item. S. Yauchzee indicated that the Public Works Subcommittee reviewed all of the crossings in the Phase II study, and developed a prioritized list of the top 11 crossings (including various alternatives at certain crossings). These projects were ranked based on cost-benefit (reduction in vehicle delay/estimated cost). Increased safety was also taken into account, using the CPUC rankings as an estimate of safety. The Subcommittee's report also indicates that only one alternative at each crossing would ultimately be selected for construction.

The Committee members asked if property costs had been taken into account. R. Richmond indicated that general estimates had been included, but more specific estimates would be developed later in the process.

S. Yauchzee indicated that the Subcommittee would be meeting with the City of Pico of Rivera to review their concerns regarding the ranking of the Durfee Project and to ensure that they were included in the process.

There was a motion to submit the ACE Phase II Subcommittee's report to the Transportation Committee (M/S/C: J. Destefano / J. Allred / Unanimous).

5.2 Revised FY 2011-12 Budget

The Executive Director reviewed the revised budget and indicated that it included an adjustment for Caltrans Audit related expenses in FY 2010-11 as well as funding for the contract administrator in FY 2011-12.

The City Managers' Steering Committee recommended approval of the FY 2011-12 Revised Budget with the following changes:

- Indicate which grants are associated with each of the MSA Amendments
- Revise the Media Relations scope of work to include a focus on promoting the COG's accomplishments with member agencies
- Remove the estimated budget from Grant/Contract Administrator position
- Provide the City Managers' Steering Committee with a report on the MSA Amendments, including a review of the grants, and the manhours associated with each project

(M/S/C: J. Allred / C. Jeffers / Unanimous).

5.3 SGVCOG Contract Administrator

The Executive Director reviewed the status of efforts to develop a scope of work for this position. The Committee indicated a preference for a city to assist in this role rather than an outside agency, such as an educational institution. The Committee also requested that no action be taken on this item until the results of the operational/organizational review are completed.

5.4 AB 2766 Funds

The Executive Director reviewed the AB 2766 Audit for FY 2007-08 and 2008-09. This audit indicates that the COG was in full compliance with all terms and conditions of managing these grant funds.

There was a motion to forward the AB 2766 Audit to the Governing Board (M/S/C: M. Alexander / M. Ballantyne / Unanimous).

5.5 ACE Grant Anticipation Notes

This item was moved up to follow Item 5.1.

R. Richmond reviewed the status of the IRS Audit related to the ACE's Grant Anticipation Notes. The IRS has indicated that ACE owes the IRS a rebate of excess of interest as a result of borrowing funding for a longer period than was intended. He indicated that only the issues that are under audit are subject to an additional penalty. He also indicated that ACE had already submitted payments of approximately \$3 million.

Committee members requested information regarding the following:

- Are the notes in default?
- Were the funds co-mingled?
- How much additional funding is owed? Or, when will that information be available?
- Does ACE have a policy related to an annual arbitrage process?

The Committee also requested monthly updates on this issue, including any correspondence from the IRS and the status of steps taken to address this issue in the future.

6.0 New Business items for Next Regular Meeting

7.0 Announcements

8.0 Next Meeting

The Committee requested that the Media Relations RFP be brought back to the Committee for review at the next meeting.

9.0 Adjourn

There was a motion to adjourn at 1:30 p.m. (M/S/C: D. Parrish / C. Jeffers / Unanimous).



San Gabriel Valley Council of Governments

1000 S. Fremont Ave., Unit 42, Alhambra, CA 91803 Phone: (626) 457-1800 FAX: (626) 564-1116 E-Mail SGV@sgvcog.org

DATE: September 7th, 2011

TO: City Managers' Steering Committee

FROM: Nicholas T. Conway

RE: Supervisor Antonovich's Alternate Plan for High Speed Rail

Recommended Action:

For information only.

Background:

At the June meeting of the SCAG Transportation Committee, Supervisor Antonovich made a motion regarding an alternative plan for High Speed Rail in the State of California. This plan would focus on investing in upgrades and improvements to the existing rail network, including Metrolink, rather than building a separate high speed rail system. At that time, members of the Transportation Committee requested that full presentation on Supervisor Antonovich's proposal be made an upcoming Transportation Committee. Attached is the presentation on this item as well as motion made by Supervisor Antonovich at the April MTA Board of Directors' meeting.

Staff from Supervisor Antonovich's office presented at the SGVCOG's August Transportation Committee meeting. At that time, the Transportation Committee recommended that this presentation be given to the full Governing Board and that the Board consider adopting a position of support for this proposal. That presentation is scheduled for the September Governing Board meeting.

Supervisor Antonovich's Alternate Plan for High Speed Rail

Presentation to SGVCOG
Transportation Committee

August 4, 2011

Background

- **Current HSR plan appears infeasible**
 - Costs are underreported
 - Federal contribution expected to be more than \$19B in time of federal austerity
 - Ridership/Financial Plan not yet approved by Legislature
- **Full build-out of HSR at 220 mph has created major friction with communities adjacent to proposed routes**
 - Max speed requires alignments straighter than current transportation corridors (i.e. I-10)
 - Potential ROW acquisition – will homes be taken?
 - Proposed structures elevated at 60 feet

Background (cont.)

- **HSR coming under fire from urban corridors in Northern and Southern California resisting proposed alignments through and impacts to communities**
- **Phased implementation vs. Prop 1A travel time mandate**
 - LA to SF: 2 hours and 40 minutes
 - LA to SD (*via SGV*): 80 minutes
- **Building a brand new system – why not upgrade commuter rail instead?**

Motion by Supervisor Antonovich

- **First-ever infrastructure upgrade study for a whole Metrolink line (LA to Lancaster) to review system improvements:**
 - Safety
 - Speed
 - Capacity
- **Focus is on cost-benefit value for each project**
- **HSR funding possible for upgrades with “independent utility”**

Impact on San Gabriel Valley

- Motion supports similar studies along all other Metrolink corridors after AV Line study
- San Bernardino Line through SGV is prime target for upgrades – highest ridership line in the system
- Study could provide blueprint to support alternate HSR plan through SGV with minimal impact to communities and faster service
- Higher-speed (90+ mph) trains between SB and LA would relieve long-distance commuter travel on I-10 / I-210 / SR-60 corridors

Potential Projects to Improve Metrolink Speed through SGV

- Metrolink currently operates through SGV at a maximum speed of **79 mph**.
- Max speed can be increased to 90+ mph
- What does Metrolink need to accomplish this?
 - Track improvements
 - Grade crossing upgrades
 - Positive Train Control (PTC)

Track Improvements

- **Double-tracking between Covina Station and Pomona (CP Barranca to CP White)**
 - 3 miles of single track
 - \$40-50 M to upgrade to double track
 - Would allow faster speeds and more capacity through this section
- **Double-tracking section along/within I-10**
 - Extremely costly
 - Would require major structures (elevated or trench) to avoid ROW takes outside freeway footprint
 - Single-track is chokepoint for entire SB Line

Grade Crossing Upgrades

- **Grade Separations:**
 - Review of highest priority crossings needed
 - **Grade Crossing Enhancements** (like the ACE Jump Start program) **along corridor:**
 - Quad gates, raised medians, improved signalization
 - Added benefit: Potential for quiet zone
- Metrolink's top candidates for grade crossing upgrades:**
- Baldwin Park:** Ramona Blvd
Claremont: College Ave, Indian Hill Blvd
Covina: Citrus Ave, Covina Blvd
El Monte: Tyler St
Industry: Temple Ave
La Verne: Arrow Highway

Positive Train Control

- Federal Mandate to implement by 2012/13
- GPS-style master control system that will independently stop a train to avoid crashes
- Helps remove human error from train operations among multiple operators on same tracks (Metrolink, UPRR, BNSF, Amtrak, etc.)
- Allows trains to move faster and more frequently in congested corridors (like SB Metrolink Line)—adds speed and capacity

Next Steps

- MTA brings back results of AV Line Study by December 31, 2011
- SCAG hosting High Speed Rail ad-hoc subcommittees to:
 - discuss proposal
 - integrate with RTP decision on HSR
 - consider advocacy strategy
 - <http://www.scag.ca.gov/committees/highspeedrailsubcommittee.htm>

MOTION

Directors Antonovich and Najarian

Metrolink Antelope Valley Line Infrastructure Improvement Strategic Plan

The Metrolink Antelope Valley Line, running 76.6 miles between Lancaster and Los Angeles Union Station, operates at less than 40 miles per hour because of the long stretches of curved and single track that cause trains to slow down or stop altogether during the total two-hour trip. Furthermore, the corridor features long stretches of unsecured right-of-way and 63 vehicle and pedestrian at-grade crossings that pose serious safety concerns that must be addressed.

To provide safer and faster Metrolink service for this vital rail corridor, MTA should work with Metrolink and prepare an infrastructure master plan for the Antelope Valley Line that will address these safety and operational concerns and create a strategy to identify projects, costs, benefits, funding sources and a proposed prioritization of project implementation.

This **Metrolink Antelope Valley Line Infrastructure Improvement Strategic Plan** must also synchronize with future High Speed Rail plans, sealed corridor initiatives and other proposed upgrades for the corridor so as to be as comprehensive and integrated as possible.

WE THEREFORE MOVE that the MTA Board directs the CEO to develop a comprehensive **Metrolink Antelope Valley Line Infrastructure Improvement Strategic Plan (Plan)**.

In developing this Plan the CEO shall:

- (1) work with the CEO of Metrolink to help develop this Plan
- (2) develop a budget and identify funds to support this Plan
- (3) use the MTA planning bench where possible to save time in the development of this Plan
- (4) present the full Plan to the Finance and Budget Committee, Planning and Programming Committee and the full Board no later than December 31, 2011, and
- (5) present a full progress report on the Plan at the Planning and Programming Committee and Finance and Budget Committee every two months starting in June 2011.

(continued)

This Plan will at minimum:

- (1) Identify safety improvement upgrades that include but are not limited to the following:
 - a. Grade separations
 - b. Fencing and gates to secure the ROW
 - c. Tunnel upgrades
 - d. Video enforcement
 - e. At-grade crossing closures
 - f. Grade Crossing Enhancements using Metrolink's recommended design practices
- (2) Identify operational improvement upgrades that include but are not limited to the following:
 - a. Straightening of curved segments
 - b. Double-tracking, triple-tracking, etc.
 - c. Sidings – new and/or extended
 - d. Signal improvements
 - e. Crossovers and other special trackwork
 - f. Track upgrades
- (3) Provide cost estimates and benefits to safety and operations for the upgrades identified in Sections 1 and 2 above.
- (4) Recommend a proposed prioritization of these projects for implementation based on a sound methodology that takes into account magnitude of existing hazards and risks, safety enhancements and operational performance in relation to cost of improvement.
- (5) Identify what improvements would be necessary to provide Metrolink service:
 - i. That takes less than one hour between the Antelope Valley and LA Union Station
 - ii. That takes less than 30 minutes between Santa Clarita Valley and LA Union Station
- (6) Evaluate funding that could be used to program these improvements, including but not limited to Measure R 3%, Prop C 10%, Section 190 CPUC Grade Separation Funds and future High Speed Rail funds, with the understanding that any programming of funds would require future MTA Board action.
- (7) Identify a strategy to implement the run-through tracks at Union Station which enhance service for all Los Angeles-bound Metrolink lines that will run through Union Station and enhance service for all Metrolink lines.
- (8) Review how the proposed High Speed Rail segment from Palmdale to Los Angeles would affect these improvements to the Metrolink Antelope Valley Line through timing, funding and compatibility requirements.

(continued)

- (9) Review any potential impact the proposed DesertXPress system, should it one day connect into Palmdale, would have on any elements of this plan.

WE ALSO MOVE that upon presenting the **Metrolink Antelope Valley Line Infrastructure Improvement Strategic Plan**, the CEO will also propose a plan to work with the Metrolink CEO to develop similar strategic plans for the segments of Metrolink lines that fall within Los Angeles County.

Los Angeles County

clean water, clean beaches initiative

(working title)

cleaning up rivers, lakes, bays beaches & coastal waters

Guiding Principles

The Flood Control District's (FCD) approach to cleaning up water is based on four guiding principles:

1. Stormwater is not just a contamination problem; it is a resource. In an arid region that frequently faces serious drought and related water supply issues, we can do more with stormwater than simply quickly sending it to the ocean.

2. Water quality solutions should be science-based and EPA-compliance oriented. Projects and programs will be watershed-based, following proven and successful best management practices and using tools and methodologies approved by the Environmental Protection Agency (EPA).

3. Projects are encouraged to be designed to provide multiple benefits and incorporate green solutions. Wherever possible, projects should be designed to provide additional benefits such as increasing water supply, replenishing our groundwater, flood protection, open space and natural areas, and restoring and creating wetlands and riverside habitats. Projects should, where feasible, incorporate natural filtration and cleansing of water, environmentally friendly infrastructure, improved permeability of surfaces and other "green solutions."

4. The most effective water clean up and protection strategies involve partnerships with many stakeholders, in which cities, the County's unincorporated communities, non-governmental organizations, environmental groups and water resources agencies work together to develop cost-effective water clean-up solutions that will leverage funds raised through this proposed fee with state and federal matching funds.

Rivers, lakes, creeks, streams, beaches and coastal waters in the Los Angeles area have been found to be contaminated with toxins and health-threatening pollutants at levels well above established public health standards. The LA County Clean Water, Clean Beaches Initiative is a comprehensive effort to clean up our waterways in accordance with the federal Clean Water Act. Contamination is an unacceptable threat to children, adults and wildlife, and cannot be tolerated.

Most water pollution comes from the untreated water that flows off of rooftops, pavement, streets and parking lots directly into our waterways, bays and beaches. Runoff contains numerous pollutants, including industrial solvents, paints, infectious bacteria, oxygen-choking pesticides and fertilizers, motor oil, trash and even toxic heavy metals such as lead, mercury, chromium and arsenic.

Water Quality Improvement Program

To meet the clean water challenge, the Los Angeles County Flood Control District (FCD) is proposing a new Water Quality Improvement Program to manage stormwater and urban runoff, reducing pollution and contamination of waterways, while also reducing flooding, maximizing groundwater resources, and protecting—and where feasible, restoring—habitat associated with water quality projects and programs.

Specifically, FCD has developed a draft Ordinance related to a proposed Clean Water, Clean Beaches fee that provides 90% local return, allocating funding to Watershed Authority Groups (WAGS) and Municipalities to initiate, plan, design, construct, implement, operate and maintain water quality improvement projects and programs:

What is the Flood Control District?

The Los Angeles County Flood Control District covers more than 3,000 square miles, 85 cities and many County unincorporated communities. It operates and maintains regional flood control, and water conservation facilities including: 15 major dams, 529 miles of open rivers and channels, 2,800 miles of underground storm drains, acres of basins where water can collect during storms and slowly percolate into the ground, and 22 miles of sea water barriers. The District is taking on this Clean Water, Clean Beaches Initiative because it is the regional agency with ties to all of the cities and County unincorporated communities.



Today, beaches can look like this.



The goal is beaches enjoyed by everyone.



Los Angeles County

clean water, clean beaches initiative

continued from front

1. Fifty percent to nine WAGS:

*Ballona Creek
Dominguez Channel
Upper Los Angeles River
Lower Los Angeles River
Rio Hondo
Upper San Gabriel
Lower San Gabriel
Santa Clara River
Santa Monica Bay*

2. Forty percent to Municipalities (including County unincorporated areas)

3. Ten percent to the Flood Control District for administration, regional planning and technical assistance

New Funding Source is Needed

Reports commissioned by the Flood Control District and other agencies place the estimated cost of fully meeting the clean water challenge in the billions of dollars. The District, cities and County unincorporated communities do not have the needed dedicated funding.

The Flood Control District is now exploring the idea of a property-based Clean Water Fee that can be matched with existing Federal and State

funding—to start cleaning up waterways now and ensure long-term funding for operations and maintenance. Federal and State funding is extremely competitive, a local match, such as a Clean Water Fee, could allow Los Angeles area

communities to more successfully compete for millions of dollars.

What is a Clean Water Fee?

A clean water fee can only be used for water cleanup and protection projects and could not be diverted by the state or any other entity for any other purpose. It is property-based, charged in proportion to how much water (with its pollutants) a property sends into the storm drain system. Engineers determine that amount based on the property's size and land use:

- Land that is developed with a house, commercial building or parking lot, has hard (paved) surfaces where water cannot soak into the ground.
- The more hard surface coverage a parcel has, the more water runoff it generates, sending water through stormdrains into creeks and rivers and eventually to our bays, beaches and coastal waters.
- Commercial/industrial parcels generally have a higher amount of hard surface area than do residential parcels and generate more pollutants, so they are charged a higher fee.

The property owners who would pay the fee vote on whether to impose it—a ballot would be sent directly to property owners of record, who do not need to be registered voters to participate.

More Information

You'll find more information at <http://ladpw.org/lacfd/wqfi/>.

Or send an email to: wqfi.info@dpw.lacounty.gov.

ORDINANCE NO. __Version 9.01 _____

An ordinance adding Chapter 18 to the Flood Control District Code of the Los Angeles County Code relating to a water quality fee imposed upon parcels located within the District to pay for projects and programs relating to improving water quality.

The Board of Supervisors of the Los Angeles County Flood Control District ordains as follows:

Section 1. Chapter 18 of the Flood Control District of the Los Angeles County Code is hereby added to read as follows:

Chapter 18

Water Quality Fee Sections

18.01 Short Title

18.02 Definitions

18.03 Purpose and Intent

18.04 Fee Imposed

18.05 Allocation of revenues received from imposition of the Water Quality Fee

18.06 Agreements for Transfer of Proceeds of Water Quality Fee

18.07 Project and Program Eligibility Criteria

18.08 Eligible Expenditures

18.09 Non-Eligible Expenditures

18.10 Formation of Watershed Authority Groups

18.11 Composition of the Watershed Authority Groups

18.12 Governance of Watershed Authority Groups

- 18.13 Development Water Quality Improvement Plans**
- 18.14 Water Quality Improvement Plan - Implementation and Reporting**
- 18.15 Compensation of a Watershed Authority Group Governing Board**
- 18.16 Boundaries of Watersheds**
- 18.17 Duties of Municipalities**
- 18.18 Duties of the Los Angeles County Flood Control District**
- 18.19 Water Quality Oversight Board**
- 18.20 Term and Tenure of Members of the Oversight Board**
- 18.21 Officers of the Oversight Board**
- 18.22 Meetings—Quorum of the Oversight Board**
- 18.23 Compensation of the Oversight Board**
- 18.24 Rules and Regulations of the Oversight Board**
- 18.25 Duties of Oversight Board**
- 18.26 Calculation of the Fee**
- 18.27 Collection--General procedure**
- 18.28 Appeals**
- 18.29 Carryover of Unspent or Unobligated Municipality Funds**
- 18.30 Recordkeeping Requirements and Audits**
- 18.31 District Held Harmless**

18.01 Short Title.

This chapter shall be known as the "Water Quality Improvement Program." (Ord. 2012)

18.02 Definitions.

The following words and phrases whenever used in this chapter shall be construed as defined in this Section:

"Basin Plan" – Also known as Water Quality Control Plan, means the Regional Water Quality Control Board's master water quality control planning document and forms the basis for protecting water quality in Los Angeles County. The Basin Plan is mandated by both the Federal Clean Water Act and the State Porter-Cologne Water Quality Act. The Basin Plan establishes water quality standards for waters of the State, including surface waters and groundwater. It also includes programs of implementation to achieve water quality standards. The Basin Plan is adopted by the Regional Board and approved by the State Water Resources Control Board and the United States Environmental Protection Agency.

"Best Management Practice" or "BMP" means structural, nonstructural, and managerial techniques that are recognized to be the most effective and practical means to control nonpoint source pollutants and are compatible with the productive use of the resource to which they are applied.

"Board of Supervisors" means the Board of Supervisors of the District.

"Chief Engineer" means the Chief Engineer of the District or his or her designee

"Clean Water Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq. (Ord. 98-0021 Section 1 (part), 1998.)

"District" means the Los Angeles County Flood Control District, a body corporate and politic.

"Impaired - Water Bodies" means all surface water bodies within the District that are identified by the Regional Board in a basin plan as impaired due to pollution pursuant to Section 303(d) of the Clean Water Act (33 U.S.C. Sec. 1313[d]) or Division 7 of the California Water Code

"Los Angeles Flood Control District Water Quality Improvement Program" means the projects and programs described in this chapter designed to manage stormwater and urban runoff to reduce and address pollution and contamination of rivers, lakes, streams, and coastal waters, while wherever feasible reducing flooding, maximizing the protection and conservation of surface water and groundwater resources, and protecting and where appropriate restoring habitat and environmental values associated with water quality projects and programs.

"Municipality" means any city within the District and it also means the unincorporated territory of the County of Los Angeles.

“Municipal Projects and Programs” means stormwater and urban runoff projects and programs and surface water improvements implemented by individual cities pursuant to this ordinance.

“Multiple Benefits Project” means a project that has more than one benefit, such as increasing water supply, rain water harvesting, water conservation, replenishing groundwater, providing flood protection, protecting open space and natural areas, and restoring and creating wetlands and riparian habitats.

“Neighborhood Council” means one of the City of Los Angeles citizen councils established by the neighborhood empowerment initiative that engages and promotes public participation in government to improve government responsiveness to local concerns.

“Nonstructural BMP” means those policies, prohibitions, and procedures that are integrated into site design and planning techniques that preserve natural systems and hydrologic functions as well as conserve wetlands and stream corridors on site.

“Parcel” means a parcel of real property situated within the established boundaries of the District and described on the local secured tax rolls of the County of Los Angeles.

“Pollutant” shall have the same meaning as set forth in Section 502(6) of the Clean Water Act or as incorporated into the California Water Code Section 13373. Pollutants include, but are not limited to, the following:

- A. Commercial and industrial waste (such as fuels, solvents, chemicals, detergents, plastic pellets, hazardous materials or substances, hazardous wastes, fertilizers, pesticides, soot, slag, ash, and sludge);
- B. Metals (such as cadmium, lead, zinc, copper, silver, nickel, chromium, and arsenic) and nonmetals (such as carbon, chlorine, fluorine, phosphorous, and sulfur);
- C. Petroleum hydrocarbons (such as fuels, oils, lubricants, surfactants, waste oils, solvents, coolants, and grease);
- D. Eroded soils, sediment, and particulate materials in amounts which may adversely affect the beneficial use of the receiving waters, flora, or fauna of the state;
- E. Animal wastes (such as discharges from confinement facilities, kennels, pens, recreational facilities, stables, and show facilities);
- F. Substances having acidic or corrosive characteristics, such as a pH of less than six or greater than nine;
- G. Substances having unusual coloration or turbidity, levels of fecal coliform, fecal streptococcus, or enterococcus, which may adversely affect the beneficial use of the receiving waters, flora, or fauna of the state;

H. Trash and other refuse generated in urban environments (such as expanded polystyrene foam products, plastic products, cigarettes, and various food wrapping and containers.)

“Porter Cologne Act “ means the Porter Cologne Water Quality Control Act, codified at California Water Code, Section 13000 et seq., and its implementing regulations, Division 7 of the California Water Code.

“Program Administrative Costs” means all executive, organizational, and clerical costs associated with the general management of WAG and WQIPP other than direct project or program-related costs.

“Project and Program Selection Criteria” means established standards set forth in Section 18.07 to evaluate the merit of a project or program that is being proposed to be funded pursuant to this chapter.

“Regional Board” means the California Regional Water Quality Control Board for the Los Angeles Region.

“Regional Projects and Programs” means stormwater and urban runoff projects and programs of regional significance whose combined tributary area exceeds 200 acres of land, address pollutant loads from more than one jurisdiction, or are part of a plan that treats an entire reach of a river or subwatershed, such as a TMDL implementation plan.

“Stakeholder(s)” means a person, citizen group, homeowners and other property owner groups, business groups, nongovernmental organizations, environmental groups, Neighborhood Councils, business groups, water resources agencies such as groundwater producers, water districts, private and public water agencies, and other interested parties that have a direct or indirect stake in the Los Angeles Flood Control District Water Quality Improvement Program because they can affect or be affected by the actions, objectives, and policies of a project or program implemented by a Municipality or Watershed Authority Group.

“Storm Drain System” means public infrastructure designed to convey stormwater and nonstormwater

“Stormwater” means any water that originates from atmospheric moisture (rainfall or snowmelt) and falls onto land, water, and/or other surfaces within the District.

“Stormwater Quality Benefit” means reduction in pollutant loading from stormwater and urban water runoff.

“Stormwater Runoff” means stormwater that travels across any land surface to the storm drain system and/or receiving waters.

“Structural BMP” means any facility constructed or implemented to control, treat, store, divert, neutralize, and dispose of runoff in order to reduce pollutants.

“Sustainable Solutions” means balanced approaches that preserve the long term well-being of communities and the environment by investing in and promoting economically sound, socially desirable and environmentally healthy projects, programs, and services to achieve multiple benefits.

“Urban Runoff” means surface water flow within the District produced by nonstorm events including, but not limited to, flow from residential, commercial, or industrial activities involving the use of potable and nonpotable water.

“Water Quality Fee” means the fee for property-related services imposed pursuant to this chapter.

"Water Quality Oversight Board" or "Oversight Board" has the meaning set forth in Section 18.19 of this chapter.

"Water Quality Improvement Plan" or “WQIP” shall have the meaning set forth in Section 18.13 of this chapter.

“Watershed Authority Group” or “WAG” means the group of municipalities and the County unincorporated territory within each of the watershed areas identified in Sections 18.10 and 18.16 responsible for developing the Water Quality Improvement Plan and carrying out the regional projects and programs to reduce pollution loads to the impaired waters of the watershed in accordance with this chapter.

“Watershed Area” means one of the nine geographic areas defined in Section 18.16 pursuant to Assembly Bill 2554.

(More definitions may follow)

18.03 Purpose and Intent.

This chapter is enacted pursuant to Sections 2 and 16 of the Los Angeles County Flood Control Act, (Chapter 755 of the Statutes of 1915) and subsequent amendments. The purpose of this chapter is to protect the health and safety of the residents of the District by protecting the beneficial uses, marine habitats, and ecosystems of receiving waters within the District from pollutants carried by stormwater and urban runoff. The intent of this chapter is to enhance the water quality of impaired water bodies in the District, consistent with the Clean Water Act and Porter Cologne Act by providing funding for Municipalities and Watershed Authority Groups to initiate, plan, design, construct, implement, operate, maintain, and sustain water quality improvement projects and programs based on effective best management practices. It is also the intent of this chapter that wherever feasible, water quality improvement projects and programs shall be designed to achieve multiple benefits and incorporate sustainable solutions as defined in Section 18.02.

18.04 Fee Imposed.

A Water Quality Fee shall be imposed upon parcels within the District in the manner set forth in this chapter. The amount of the fee shall be computed for each parcel as set forth in Section 18.26. The fee shall be levied and collected as set forth in Section 18.27 of this chapter, and revenues derived from the fee shall be paid into the Los Angeles County Treasurer & Tax Collector to the credit of the District. The Board of Supervisors shall expend and disburse the funds in accordance with this chapter.

18.05 Allocation of Revenues Received from Imposition of the Water Quality Fee

The revenues received by the District from the Water Quality Fee shall be allocated and used as follows:

- A. Ten percent shall be allocated to the District to be used for implementation and administration of water quality projects and programs, as determined by the District, including activities such as regional planning, regional water quality monitoring consistent with MS4 permit, preparation of technical, financial, and administrative reports, and any other related activities, and for payment of the costs incurred in connection with the levy and collection of the fee and the distribution of the funds generated by imposition of the fee.
- B. Forty percent shall be allocated to Municipalities, in the same proportion as the amount of fees collected within each Municipality, to be expended by those Municipalities, for eligible water quality municipal projects and programs, as established in this chapter.
- C. Fifty percent shall be allocated to nine Watershed Authority Groups as defined in Sections 18.10 and 18.16 of this chapter, in the same proportion as the amount of fees collected within each watershed area to be used to develop and implement water quality improvement plans and regional projects and programs through a stakeholder driven process within the watersheds as set forth in this chapter. The implementation of a water quality improvement plan by a Watershed Authority Group shall require the consent of any Watershed Authority Group member whose jurisdiction comprises more than 40 percent of the total land area in a watershed.

18.06A Revenue Bonds

The governing board for the District, the respective Municipalities within the District's boundaries, or the County are authorized to issue and sell revenue bonds under the authority of Assembly Bill 2554 (Chapter 602 – June 30, 2010) and this chapter. This ordinance authorizing the issuance of such revenue bonds shall not become effective until 30 days after its adoption.

Bonds issued hereunder may be secured by revenues derived from fees or charges as set forth in this chapter. Only those amounts specifically allocated to the District, a Municipality within the district's boundaries or the County may be used for its respective bonds.

Revenue bonds issued pursuant to this chapter shall not constitute any indebtedness of the County, except and only when the County issues revenue bonds pursuant to this chapter, but shall be payable, principal and interest, only from revenue funds derived from revenues received from the District.

18.06B Agreements for Transfer of Proceeds of the Water Quality Fee

Each Municipality and Watershed Authority Group shall enter into an agreement with the Board of Supervisors, as governing body of the District, to provide for the transfer and use of funds as provided in this chapter. A uniform form agreement shall be developed by the District cooperatively with Municipalities and Watershed Authority Groups and shall include guidelines for project and program selection and implementation and for monitoring, reporting, and auditing related to project and program implementation and expenditures. The agreements shall specify the process for establishing Watershed Authority Group Stakeholder Advisory Panels, as well as a process for stakeholder engagement in a Municipal plan, project and program development. Water Quality Fee funds received by Municipalities and Watershed Authority Groups shall be kept separate from other Municipality and Watershed Authority Group funds. Interest earned on Water Quality Fee funds shall be reallocated for use in water quality projects and programs.

Sec. 18.07 Project and Program Eligibility Criteria

All projects and programs and project or program elements implemented by Municipalities and Watershed Authority Groups and funded by the fee established by this chapter shall have as their primary purpose the reduction of pollutant loads to impaired waters in the District pursuant to Section 303(d) of the Clean Water Act (33 U.S.C. Sec. 1313[d]) or Division 7 of the California Water Code. Wherever feasible, projects and programs shall use sustainable solutions to achieve stormwater quality benefits.

Projects and programs shall directly contribute to or support through public education, monitoring and other programs, management of stormwater and urban runoff to allow maximum beneficial use of water resources and achieve multiple benefits wherever feasible including:

- Protecting and enhancing available water supply through rain water harvesting and ground water replenishment
- Water conservation/reuse
- Flood protection
- Protection of public health
- Protection of open space and natural areas that provide water quality and related benefits
- Creation, restoration, or improvement of wetlands, riparian, and coastal habitats to provide water quality benefits or restore resources damaged by stormwater pollution

In addition to the above, project and program eligibility is based on the following criteria:

1. Reduce and prevent pollution in stormwater/urban runoff from contaminating rivers, lakes, creeks, streams, bays, beaches, and coastal waters of Los Angeles County.
2. Demonstrate the ability to provide and sustain long-term water quality benefits, and where feasible, reduce the sources of degradation.
3. Be designed and located to maximize the stormwater and urban runoff water quality benefits.
4. Identify the nonpoint source(s) and/or specific source(s) of pollution to be prevented, reduced, or abated.
5. Include and describe water quality performance measurements to be implemented.
6. Provide for operation, maintenance, and monitoring to assess effectiveness.
7. Include an adaptive management component that addresses changing environmental conditions.
8. To the extent possible, integrate with existing implementation plans submitted to the Regional Board, and coordinate with and be incorporated into the California State Department of Water Resources certified Integrated Regional Water Management Plan for that watershed.
9. Contribute to achievement of the water quality elements of existing and future plans to restore or revitalize rivers, lakes, streams, bays, beaches, and coastal waters within the District, such as the LA River Revitalization Plan or the Sun Valley Watershed Management Plan
10. To the extent possible, maximize the effective use of funds by leveraging other private, local, State, and Federal funds for water quality and other project elements.
11. Include a costs/benefit analysis and include in this analysis the relative socioeconomic, environmental and other costs against the extent of stormwater quality benefit.

12. Be based on sound science and the best available information.

13. Additional criteria as recommended by the Oversight Board and approved by the Board of Supervisors

18.08 Eligible Expenditures

Eligible expenditures include, but are not limited to, planning, design, construction, implementation, and upkeep of projects, as well as monitoring public education and other programs. Projects and programs include, but are not limited to, stormwater/urban runoff prevention, cleanup, monitoring, control and diversion; water quality, pollution, and bacteria control; trash capture; protection of open space and natural areas that provide water quality and related benefits; creation, restoration or improvement of wetlands, riparian, and coastal habitats to provide water quality benefits or restore resources damaged by stormwater pollution; creation of stormwater retention facilities and water conservation/reuse facilities.

Eligible expenditures also include:

- A. Expenditures for consultants, partner agencies, contractors, and staff engaged in research and data development, planning, design, construction, BMP monitoring, outreach, and implementation of water quality projects and programs.
- B. Costs of studies, investigation, computer modeling, and monitoring related to pollutants and pollutant loading in water bodies.
- C. Costs for WQIP regional and municipal program implementation, and project construction, implementation, operations and maintenance pursuant to this chapter.
- D. Costs for adding a water quality element to a project built for another purpose.
- E. Expenditures associated with obtaining permits necessary to implement projects and programs including agency MS4 permits.
- F. Funds provided to an adjoining Watershed Authority Group, Municipality, or the District for eligible joint projects and programs with recognized mutual benefit.
- G. Cost of claims associated with contractual obligations.
- H. Expenditures for the operation, maintenance, and where applicable upgrade and replacement of existing regional and Municipal projects, that meet the requirements of this chapter.
- I. Debt service and debt issuance costs should the District, Municipalities, or the Watershed Authority Groups determine that bonds are prudent and necessary to implement the programs.

- J. Development of Water Quality Improvement Plans and Programs, and environmental impact studies.
- K. Program Administrative Costs for Municipalities and Watershed Authority Groups not to exceed 10 percent of the annual Water Quality Fee revenue received by a Municipality or by a Watershed Authority Group in a fiscal year.
- L. Educational and outreach programs designed to enlist the public in reducing pollution in stormwater and urban runoff by better managing stormwater and urban runoff.

18.09 Ineligible Expenditures

Below are examples of ineligible expenditures or uses of water quality fees created by this chapter:

- A. Non-water quality components of projects and programs except insofar as these components are incidental to or a co-benefit of a water quality improvement program, project, or project element.
- B. Expenditures incurred prior to the effective date of this ordinance.
- C. Fines and violations imposed by the Regional Board for violations of water quality regulations.
- D. Expenditures related to investigation, defense, and litigation related to regulatory permit violation, notices of violations, or noncompliance regulations, brought forth by a Municipality, the Regional Board, State or Federal government, or third parties except as described in Section 18.08 G. of this chapter.
- E. Expenditures related to investigation, defense, and any other activity for litigation where the District is named as a party.
- F. Expenditures by Watershed Authority Groups for non-regional projects and programs.

18.10 Formation of Watershed Authority Groups

The following nine Watershed Authority Groups shall be established: Ballona Creek, Dominguez Channel, Upper Los Angeles River, Lower Los Angeles River, Rio Hondo, Upper San Gabriel River, Lower San Gabriel River, Santa Clara River, and Santa Monica Bay. The Watershed Authority Groups shall be Joint Powers Authorities formed in accordance with Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code. The District will provide administrative and technical assistance, if requested, relating to the formation and operation of the Watershed Authority Groups. Where existing joint powers groups have formed pursuant to the Joint Powers Law (Governance

Code Section 6400) and can qualify under this chapter they may act as the Watershed Authority Group hereunder.

18.11 Composition of the Watershed Authority Groups

Membership in each Watershed Authority Group will consist of all Municipalities that are located within the boundaries of that Watershed Authority Group as defined in Section 18.16. Any Municipality that is located in more than one Watershed Authority Group shall have membership in all Watershed Authority Groups in which such Municipality is located. A Municipality may join a Watershed Authority Group at any time. A 60 percent participation by member Municipalities is required to form a Watershed Authority Group. Only one joint powers authority is allowed in each Watershed Authority Group.

18.12A Governance of Watershed Authority Groups

- A. The governing board of each Watershed Authority Group shall be comprised of a staff representative with demonstrated expertise in water quality from each of the Municipalities in the watershed. The City Council of each member Municipality shall appoint the staff representative and one alternate staff member. The Board of Supervisors shall appoint staff representatives and alternate staff members to represent the County unincorporated communities. A Municipality or the Board Alternate staff members only serve in the absence of the primary representative. Consultants may also be hired by Municipalities or the County to serve in place of municipal or county staff representatives.
- B. Each member Municipality shall have one seat on the Watershed Authority Group and one vote on items of business regardless of the size of the Municipality.
- C. Each Watershed Authority Group shall empanel a Stakeholder Advisory Panel to provide for Stakeholder input into the development of Water Quality Improvement Plans and project selection.
- D. At its first meeting and annually thereafter, the Watershed Authority Group governing board shall choose from among its members a chair and vice-chair to serve for one year.
- E. A quorum is required for Watershed Authority Group governing boards to take action on any item of business. A quorum shall consist of the representatives or alternates of a simple majority of the member Municipalities. If the quorum requirement is met, approval of any item of business requires a simple majority vote of those in attendance, provided; however, that the implementation of a Water Quality Improvement Plan or program by a Watershed Authority Group shall require the consent of any Watershed Authority Group member whose jurisdiction comprises more than 40 percent of the total land area within such Watershed Authority Group.

The governing board of each Watershed Authority Group shall determine the frequency, location, and schedule for regular meetings, except that meetings shall be held quarterly

at a minimum. Subject to the requirement of quarterly meetings, a regular meeting may be cancelled if the chair determines that there is no business to be transacted and so notifies the members.

- F. The Watershed Authority Group is a public body and shall comply with open public meeting requirements of the Ralph M. Brown Act, California Government Code Sections 54950-54963, the Public Records Act (Government Code Section 6200), the Political Reform Act (Government Code Section 87100), and all other laws applicable to such bodies.

18.12B Duties of the Watershed Authority Groups

Watershed Authority Groups shall have the following duties:

- A. Plan, implement, and maintain projects and programs pursuant to this chapter.
- B. Develop and annually update Water Quality Improvement Plans.
- C. Create and convene a Stakeholder Advisory Panel.
- D. Annually submit Water Quality Improvement Plans to the Flood Control District for review by the Oversight Board and certification by the Board of Supervisors.
- E. Submit to the District annually a detailed report containing an accounting of how fee revenues were expended as described in Section 18.30.

18.13 Development of Water Quality Improvement Plans

Each Watershed Authority Group shall develop, and annually update a Water Quality Improvement Plan for the area within its boundary that identifies, prioritizes, budgets, and schedules regional watershed-based projects and programs to be implemented in the watershed within the next five years using proceeds of the Water Quality Fee allocated to the Watershed Authority Groups. To the extent possible, the Water Quality Improvement Plan should also include reference to Municipalities' projects and programs funded with the Municipal share of the Water Quality Fee. All regional projects included within a Water Quality Improvement Plan must include plans and budgets for operation and maintenance for the useful life of the projects and programs.

Projects and programs developed by Watershed Authority Groups shall be regional, watershed-based, and utilize proven, sustainable strategies and techniques, successful best management practices, tools, and methodologies. Projects and programs shall be designed, evaluated, and carried out using the best available scientific information and analysis so as to maximize stormwater quality benefits and be economically efficient, cost-effective, and consider relative socioeconomic, environmental, and other impacts and benefits. Watershed Authority Groups shall consult with Stakeholders and receive input and recommendations from a Stakeholder Advisory Panel regarding the development of Water Quality Improvement Plans.

Water Quality Improvement Plans shall be aligned with current basin plan, NPDES MS4 Permits, Total Daily Maximum Load, and other related regulatory programs, State-certified Integrated Regional Water Management Plans, watershed plans, and other regional water quality-focused and related planning efforts.

A Water Quality Improvement Plan should include:

1. Identification of pollutants of concern, quantifiable improvement targets to address current water quality regulations, and a timeline for accomplishing them.
2. Description of projects, programs, operations/maintenance, and related activities to achieve the improvement targets.
3. Description of the process for prioritizing those projects and programs.
4. Financial breakdown of the project/program identifying which components will be financed with revenue from the Water Quality Fee.
5. Identification of the entities responsible for planning, design, construction, operations and maintenance, and monitoring of the projects and programs.
6. Description of performance measurements to ensure proper operability and intended performance of projects and programs included in the Water Quality Improvement Plan.

7. Annual budget for the use of funds allocated to the Watershed Authority Group pursuant to this chapter.
8. Description of Stakeholder Advisory Panel and Stakeholder involvement process.
9. Description of other benefits to water supply, water conservation, habitat improvement, and flood control.
10. Additional project selection criteria as recommended by the Oversight Board and adopted by the Board of Supervisors to reflect current state of water quality within the District.

Water Quality Improvement Plans must be certified annually by the Board of Supervisors before funding will be disbursed to Watershed Authority Groups. A Watershed Authority Group shall annually submit its proposed Water Quality Improvement Plan to the District on dates to be determined by the Chief Engineer pursuant to Section 18.18 of this chapter. The Chief Engineer will submit the Water Quality Improvement Plan to the Water Quality Oversight Board with draft findings and recommendations. The Oversight Board will then review the Water Quality Improvement Plan pursuant to Section 18.25, and will consider testimony from Stakeholders and make its independent recommendations to the Board of Supervisors for their action. The Board of Supervisors may certify the Water Quality Improvement Plan or return it to the Water Quality Oversight Board for further work or investigation.

18.14 Water Quality Improvement Plan - Implementation and Reporting, Ownership of Projects

Each Watershed Authority Group shall implement its respective Water Quality Improvement Plan following and in accordance with certification by the Board of Supervisors, and shall include an annual update and status and performance report to the District that summarizes implementation progress of the Water Quality Improvement Plan.

Projects implemented or constructed by a Watershed Authority Group shall, in perpetuity, be owned, operated, and maintained by said Watershed Authority Group, or a Municipality as may be agreed upon with the Watershed Authority Group.

18.15 Compensation of a Watershed Authority Group Governing Board

Members of governing boards of Watershed Authority Groups shall not receive compensation for their service to the Watershed Authority Group board.

18.16 Boundaries of Watershed Area

Descriptions of the Watershed Areas are included below. Detailed maps of the Watershed Areas shall be retained by the Chief Engineer.

A. Ballona Creek Watershed

The Ballona Creek Watershed includes the Cities of Beverly Hills, Culver City, West Hollywood, the northerly side of the City of Inglewood, various portions of the City of Los Angeles, and various portions of the unincorporated areas of the County of Los Angeles, as depicted on maps in the Office of the Chief Engineer.

B. Dominguez Channel Watershed

The Dominguez Channel Watershed includes the Cities of Carson, Gardena, Hawthorne, Lawndale, Lomita, Rolling Hills Estates, easterly portion of El Segundo, southerly portion of Inglewood, northerly portions of Redondo Beach, Rolling Hills, various portions of the City of Los Angeles, and portions of unincorporated areas of the County of Los Angeles, as depicted on maps in the Office of the Chief Engineer.

C. Upper Los Angeles River Watershed

The Upper Los Angeles River Watershed includes the Cities of Burbank, Glendale, La Canada Flintridge, San Fernando, South Pasadena, the westerly portions of Alhambra, Monterey Park, Pasadena, northerly portion of Vernon, various portions of the City of Los Angeles, and various portions of the unincorporated areas of the County of Los Angeles, as depicted on maps in the Office of the Chief Engineer.

D. Lower Los Angeles River Watershed

The Lower Los Angeles River Watershed includes the Cities of Bell, Bell Gardens, Commerce, Compton, Cudahy, Huntington Park, Lynwood, Maywood, South Gate, the westerly portions of Downey, Long Beach, Paramount, Pico Rivera, Signal Hill, southerly portions of Montebello, Vernon, portions of the City of Los Angeles, and portions of the unincorporated areas of the County of Los Angeles, as depicted on maps in the Office of the Chief Engineer.

E. Rio Hondo Watershed

The Rio Hondo River Watershed includes the Cities of Arcadia, Monrovia, San Gabriel, San Marino, Sierra Madre, Temple City, westerly portions of Bradbury, Duarte, El Monte, Irwindale, South El Monte, northerly portion of Monterey Park, easterly portions of Alhambra, Pasadena, and various unincorporated areas of the County of Los Angeles, as depicted on maps in the Office of the Chief Engineer.

F. Upper San Gabriel River Watershed

The Upper San Gabriel River Watershed includes the Cities of Azusa, Baldwin Park, Claremont, Covina, Glendora, Industry, La Puente, La Verne, Pomona, San Dimas, Walnut, West Covina, easterly portions of Duarte, El Monte, Irwindale, westerly portion of Diamond Bar, and various unincorporated areas of the County of Los Angeles, as depicted on maps in the Office of the Chief Engineer.

G. Lower San Gabriel River Watershed

The Lower San Gabriel River Watershed includes the Cities of Artesia, Bellflower, Cerritos, Hawaiian Gardens, La Mirada, Lakewood, Norwalk, Santa Fe Springs, Whittier, easterly portions of Downey, Long Beach, Paramount, Pico Rivera, Signal Hill, and unincorporated areas of the County of Los Angeles, as depicted on maps in the Office of the Chief Engineer.

H. Santa Clara River Watershed

The Santa Clara River Watershed includes the City of Santa Clarita, and various portions of unincorporated areas of the County of Los Angeles, as depicted on maps in the Office of the Chief Engineer.

I. Santa Monica Bay Watershed

The Santa Monica Bay Watershed includes the Cities of Agoura Hills, Hermosa Beach, Malibu, Santa Monica, Westlake Village, westerly portions of Palos Verdes Estates, Redondo Beach, southerly portion of Rancho Palos Verdes, westerly portions of Calabasas, El Segundo, Manhattan Beach, Rolling Hills Estates, Torrance, portions of the City of Los Angeles, and various portions of unincorporated areas of the County of Los Angeles, as depicted on maps in the Office of the Chief Engineer.

18.17 Duties of Municipalities

Each Municipality receiving funding from the Water Quality Fee shall have the following duties:

- A. Implement projects and programs pursuant to this chapter. Projects implemented or constructed by a Municipality shall, be owned, operated, and maintained by said Municipality. Municipalities may modify, update, or cancel projects and programs if proven to be ineffective in reducing pollution in stormwater or urban runoff.
- B. Actively and collaboratively participate in Watershed Authority Groups.
- C. Submit to the District annually, within 90 days after the end of the fiscal year, a detailed report containing an accounting of how Water Quality Fee revenues were expended as described in Section 18.30.
- D. Annually provide the District and the appropriate Watershed Authority Group with a list of the projects and programs financed with funding from the Water Quality Fee.
- E. Adopt those policies and ordinances necessary to implement this chapter within its area.

- F. A Municipality may at the discretion of its governing board, enter into a binding agreement with another Municipality, the County, consultant, or other entity to carry out the Municipality's duties pursuant to this chapter.
- G. If a Municipality does not comply with Section 18.17 (C) or (D), future funds may be withheld pending compliance.
- H. Submit to the Oversight Board for review and approval, plans for all new projects and programs that exceed \$1 million in costs that are funded by the Water Quality Fee pursuant to this chapter. Approval of the Oversight Board for projects and programs that exceed \$1 million in cost funded by the Water Quality Fee is required prior to implementation by Municipalities. A Municipality may appeal the decision of the Oversight Board to the Board of Supervisors

The \$1 million threshold will be adjusted annually according to the Consumer Price Index (CPI) by the increase, if any, in the CPI for all urban consumers in the Anaheim, Los Angeles, and Riverside areas, as published by the United States Government Bureau of Labor Statistics from April of the previous calendar year to March of the current calendar year.

18.18 Duties of the Los Angeles County Flood Control District

It shall be the duty of the Chief Engineer to administer the Water Quality Fee Ordinance as follows:

- A. Overall program administration including activities such as auditing of Municipalities' and Watershed Authority Groups' expenditures, the levy and collection of the fee and the distribution of the funds generated by imposition of the fee, and other activities as determined necessary by the District.
- B. Provide technical and administrative support to Municipalities, the Watershed Authority Groups, and the Oversight Board.
- C. To develop and enter into agreements with Municipalities and Watershed Authority Groups pursuant to Section 18.06.
- D. Review Water Quality Improvement Plans submitted by the Watershed Authority Groups and make findings and recommendations to the Oversight Board as to such Programs' compliance with the requirements of this chapter.
- E. Through its Chief Engineer, act as secretary of the Oversight Board.
- F. Oversee the distribution of funds from the Water Quality Fee in accordance with this chapter.

- G. Prepare an annual report to the Board of Supervisors that summarizes the program revenue, expenditures, and activities funded, and other matters as may be required for compliance with Article XIII D of the California Constitution.
- H. Develop and implement stormwater and urban runoff quality monitoring programs to align with existing and emerging water quality monitoring programs and efforts throughout the District.
- I. Provide regional planning and assistance to Municipalities and Watershed Authority Groups, such as development of pollutant loading, scientific research, and computer modeling.
- J. Develop a model Joint Powers Authority Agreement to be used as a basis for Watershed Authority Groups, with input from a working group consisting of counsel for Municipalities and the District.
- K. Implement new and maintain existing stormwater and urban runoff projects and programs owned or operated by the District.
- L. Prepare financial, technical, and administrative reports associated with the items identified in this chapter?.
- M. Develop WQIP preparation guidelines, criteria, and processes in collaboration with Watershed Authority Groups to be recommended to the Oversight Board for review and approval.
- N. Upon request by a Watershed Authority Group, provide advance funds up to 20% of the fees collected within the Watershed Authority Group Boundary towards the development of the first Water Quality Improvement Plan.

18.19 Water Quality Oversight Board

A Water Quality Oversight Board is established and will be referred to hereinafter in this chapter as the "Oversight Board." The Oversight Board will consist of 13 members appointed as follows: each of the nine Watershed Authority Groups will appoint one member, the Board of Supervisors will appoint one member from the environmental community; one to be appointed by the Board of Supervisors to represent the District; and two members to be appointed by the Board of Supervisors from the general public. Oversight Board members, except for the two general public members appointed by the Board of Supervisors, shall have expertise in water quality and be qualified in one or more of the following areas: science, engineering, water supply, flood control, biology, chemistry, law, fiscal analysis, and environmental science. Individuals with these qualifications may be selected from academia, professional societies, nongovernmental organizations, and private and public sector employees.

The purpose of the Oversight Board will be to conduct public hearings and make findings and recommendations to the Board of Supervisors on matters related to Water Quality Improvement Plans submitted by Watershed Authority Groups, project selection and project selection criteria, review of Municipal projects and programs costing more than \$1 million, and appropriate use of Water Quality Fees.

The District is responsible for providing administrative and technical support to the Oversight Board and for keeping a record of all proceedings and notifying all interested parties of the findings and decisions of the Oversight Board.

18.20 Term and Tenure of Members of the Oversight Board

Members of the Oversight Board shall serve for a term of two years, subject to removal by the entity that appointed them at any time for any reason. If a member is removed, a replacement shall be appointed by their appointing authority within 60 days of such removal. Any member whose term has expired hereunder, may continue to discharge the duties as a member until a successor has been appointed.

18.21 Officers of the Oversight Board

At its first meeting and annually thereafter, the Oversight Board shall choose from among its members a chair and vice-chair to serve for one year. The Chief Engineer shall act as secretary.

18.22 Meetings—Quorum of the Oversight Board

The Oversight Board shall determine the frequency and schedule for regular meetings, except that meetings shall be held as necessary to timely process Water Authority Group projects and programs. Regular meetings may be cancelled if the chair determines that there is no business to be transacted and so notifies the members.

A quorum is required for the Oversight Board to take action on any item of business. A quorum shall consist of seven members of the Oversight Board. If the quorum requirement is met, approval of any item of business requires a simple majority vote of those in attendance.

18.23 Compensation of the Oversight Board

Members of the Oversight Board shall not receive compensation for their service to the Oversight Board.

18.24 Rules and Regulations of the Oversight Board

The Oversight Board shall recommend rules and regulations governing its own procedures for adoption by the Board of Supervisors. Prior to consideration by the Board of Supervisors, any such rules and regulations shall be submitted to the Watershed Authority Group and they shall have 90 days to provide written comment thereon. Copies of these rules and regulations shall be made available to the public. The Oversight Board and/or the Watershed Authority Groups may also, from time to time, recommend amendments to this ordinance to the Board of Supervisors for consideration. .

The Oversight Board is a public body and shall comply with open public meeting requirements of the Ralph M. Brown Act, California Government Code Sections 54950-54963, the Public Records Act (Government Code Section 6200), the Political Reform Act (Government Code Section 87100), and all other laws applicable to such bodies.

18.25 Duties of Oversight Board

The Oversight Board will have the following duties:

- A. Conduct public hearings to review Water Quality Improvement Plans prepared by Watershed Authority Groups pursuant to Section 18.13, including feasibility and funding of projects and programs, and make recommendations to the Board of Supervisors regarding certification of the Water Quality Improvement Plans within 120 days of submission by a Watershed Authority Group.
- B. Review and approve Municipal projects and programs costing more than \$1 million pursuant to Section 18.17, subsection H of this chapter.
- C. Assist the Chief Engineer of the District in examining the overall program to ensure that revenues are expended in accordance with the purposes of this chapter and make findings and recommendations on general matters related to the program, and matters related to misuse of funds by Municipalities or Watershed Authority Groups.
- D. Review and approve WQIP preparation guidelines and criteria as recommended by the Chief Engineer in collaboration with Watershed Authority Groups.

18.26 Calculation of Fee

Each parcel's proportional allocation of the improvements and services costs within District is best reflected by the overall stormwater runoff associated with those parcels, which can be equitably represented by each parcel's proportional impervious area. In order to establish an appropriate fee for each parcel within the LACFCD, the total impervious area for each parcel within the District shall be based on land use, zoning and parcel lot sizes. The annual budget required for anticipated projects within the District, the Municipalities, and the Watershed Authority Groups shall be divided by the total impervious area of the parcels within each of those respective areas to establish a fee rate, and this rate shall be proportionately applied to each parcel's proportional impervious area to establish the parcel's proportional annual fee.

When the impervious surface of a parcel is increased or decreased due to development changes, the annual fee amount(s) shall be adjusted for the fiscal year next succeeding the change in impervious surface.

18.27 Collection—General Procedure

The Water Quality Fee shall be collected for each fiscal year on the tax roll in the same manner, by the same persons, and at the same time as, together with and separately from, the general taxes of the County of Los Angeles. The Auditor-Controller shall provide each Watershed Authority Group with an annual accounting of the total of the fees collected in the watershed, including the fees collected in each Municipality. The Auditor-Controller shall also provide an annual statement of the fees collected to each Municipality.

Insofar as feasible and not inconsistent with this chapter, the times and procedures regarding exemptions, due date, installment payments, corrections, cancellations, refunds, late payments, penalties, liens, and collections for secured roll ad valorem property taxes shall be applicable to the collection of this fee.

18.28 Appeals

The Chief Engineer shall establish and administer an appeals process to address alleged errors in the imposition of the fee provided herein.

18.29 Carry-Over of Unobligated Municipality and Watershed Authority Group Funds

Municipalities may carry over unobligated funds for up to five years, as may be provided in the transfer of proceeds agreement in Section 18.06, provided that details on future projects and programs are included in the annual report pursuant to Section 18.30 of this ordinance.

Watershed Authority Groups may carry over unobligated funds for up to five years, as may be provided in the transfer of proceeds agreement in Section 18.06, provided that a Water Quality Improvement Plan has been developed and certified by the Board of Supervisors.

18.30 Recordkeeping requirements and Audits

- A. Municipalities and Watershed Authority Groups shall maintain Water Quality Fees separate from any other Municipality and Watershed Authority Group funds, and shall submit to the County's Auditor-Controller, on an annual basis, a detailed report containing an accounting of how fee revenues were spent and identifying any unspent funds carried over. Governing boards of said Watershed Authority Groups and Municipalities must certify that all expenditures met the requirements of this ordinance.
- B. Municipalities and Watershed Authority Groups shall keep and preserve, for a period of five years after the end of each fiscal year ending June 30, all records necessary to determine the amounts expended, and of eligibility of water quality projects and programs. Municipalities and Watershed Authority Groups, upon demand by the

County's Auditor-Controller, shall make such records available for inspection and audit by District or its authorized representative.

- C. At all reasonable times, Municipalities and Watershed Authority Groups shall permit Chief Engineer, or his or her duly authorized representative, to examine all projects and programs that were erected, constructed, implemented, operated, or maintained using Water Quality Fees pursuant to this ordinance. Municipalities and Watershed Authority Groups shall also permit the County's Auditor-Controller to examine, audit, and transcribe any and all books, accounts, papers, maps, and other records that relate to projects and programs implemented pursuant to this ordinance.
- D. Prior to any finding that a Municipality or Watershed Authority Group has expended funds in a manner not authorized by this chapter, the Oversight Board shall conduct a hearing. The Municipality or Watershed Authority Group shall have 90 days to respond to findings, including describing any corrective action it intends to take. If the Oversight Board finds these actions inadequate, then it shall make written recommendations to the Board of Supervisors. The Board of Supervisors may adopt the recommendations, which may include a demand to pay back inappropriately expended funds, without further notice of hearing, or may set the matter for a de novo hearing before the Board of Supervisors, subject to Section 18.06 of this chapter.

18.31 District Held Harmless

Nothing in this chapter shall require the District to accept ownership or responsibility for projects implemented or constructed by Municipalities or Watershed Authority Groups with the proceeds of the Water Quality Fee. Unless the District enters into an express agreement with a Watershed Authority Group or Municipality to the contrary, the District will not be liable in connection with errors, defects, injuries, property damage caused by or attributed to any project or program that is funded with the Water Quality Fee, and the Municipalities and Watershed Authority Groups will be required to indemnify the District and hold it harmless for claims, liability, and expenses, including attorneys fees, incurred by the District as a result of projects and programs implemented by the Municipalities and Watershed Authority Groups pursuant to this chapter.

Section 2

This ordinance is hereby adopted by the Board of Supervisors and shall take effect upon authorization of the electors voting in favor at the special election called for xxxxxxxxx, to vote on the measure.

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San Gabriel Valley Council of Governments

Date: September 6, 2011

To: City Managers' Steering Committee

From: Nicholas T. Conway, Executive Director

Re: Strategic Plan Update August 2011-January 2012

On Wednesday, July 27, the COG hosted its tenth semi-annual strategic planning session at the Rivers and Mountains Conservancy Office. Approximately 35 attendees representing nearly all of the COG member agencies attended this half-day planning exercise. At this event, 18 member agencies were represented as follows:

- Alhambra
- Azusa
- Bradbury
- Covina
- Duarte
- Glendora
- Industry
- Irwindale
- La Canada Flintridge
- Monrovia
- Monterey Park
- Rosemead
- San Dimas
- San Gabriel
- Sierra Madre
- South El Monte
- Temple City
- LA County Supervisorial District 5

Additionally, there was participation from ACE, LA County Department of Public Works, and the San Gabriel Valley Housing and Homeless Services Coordinating Council.

The COG's strategic planning process began by giving us the opportunity to reflect on our many accomplishments. In total, participants identified 30 major achievements that had occurred over the past six months, including the following:

- ✓ Edison grant awarded for \$4.7 million to develop a SGV Energy Chapter of the Climate Action Plan
- ✓ Reorganized the Housing Committee, which is now the Housing, Community and Economic Development Committee.
- ✓ Elected new positive COG leadership.
- ✓ Submitted a comprehensive technical response to Caltrans Audit.
- ✓ Secured "fair share" of funding for Valley projects under MTA Call for Projects.
- ✓ Addressed the difficulties between SGVCOG and ACE
- ✓ Develop a comprehensive list of water projects.

Participants then had the opportunity to review our Agency's mission statement, vision statement and core values. The SGVCOG's vision statement, which was developed in 2007 and is intended to provide guidance in the development of long-term goals, is as follows:

“By 2012, the San Gabriel Valley Council of Governments will be recognized as the leader in advocating and achieving sustainable solutions for transportation, housing, economic growth and the environment.”

Additionally, the long-term goals that are to be achieved over the next three years (2010-2012) were re-visited. As a result of these discussions, it is being recommended that there be separate goals that focus on housing and economic growth, and the environment. This revision would make the long-term goals more reflective of the SGVCOG's existing committee structure. If approved by the Governing Board, the revised long-term goals would be as follows:

- ✓ Obtain our fair share of local, state and federal dollars
(e.g., transportation, housing, energy, environment, trauma care)
- ✓ Advocate for the Gold Line extensions in the San Gabriel Valley
- ✓ Secure funding and acceleration for all COG transportation projects
- ✓ Develop and Implement Regional Solutions and Partnerships Housing and Economic Growth
- ✓ Develop and Implement Regional Solutions and Partnerships for The Environment

Finally, attendees developed new six-month objectives to achieve these goals. These goals and objectives, which are included in the attached matrix (Exhibit 1), will be discussed and presented for adoption at the September Governing Board. Once the revised strategic plan is adopted by the Governing Board, this matrix will be updated monthly to indicate progress in achieving the identified objectives.

As always, the Strategic Planning Session was extremely useful and provided an excellent opportunity for all of the SGVCOG's stakeholders to come together to reflect on our accomplishments and develop a plan of action for the coming months.

Six-Month Strategic Objectives

July 27, 2011 - February 1, 2012

Three-Year Goal: Obtain our fair share of local, state and federal dollars

Exhibit 1

Page 1 of 5.

When	Who	What	Status			Comments
			Done	On Target	Revised	
September 15, 2011	Executive Director	Develop and present to the Governing Board for action a strategy for the COG to support the CRA efforts to protect economic development activities in the San Gabriel Valley.				
September 15, 2011	Executive Director	Present to the Governing Board for action a policy to protect local control and a position on bills that erode local control.				
February 1, 2012	Ad Hoc Legislative Coordinating Committee (Chair of City Managers' TAC - lead)	Review legislative efforts of COG members' organizations to avoid duplication and work together in advocating for issues of common concern and make recommendations to the Governing Board for action.				

Six-Month Strategic Objectives

July 27, 2011 - February 1, 2012

Exhibit 1

Page 2 of 5.

Three-Year Goal: Advocate for Gold Line Extensions in the San Gabriel Valley

When	Who	What	Status			Comments
			Done	On Target	Revised	
September 15, 2011	Chair of Transportation Committee	Develop and present to the Governing Board an advocacy/program to communicate the need for both Gold Line extensions with Federal legislators.				
October 1, 2011	Executive Director and Chair of Transportation Committee	Meet with Federal legislators to advocate for Phase 2B Gold Line extension.				
November 1, 2011	Executive Director and Chair of SR-60 Coalition	Hold a meeting with Gateway COG to identify areas for working together to maximize resources for Gold Line extensions and to develop consensus on the Gold Lone Eastside Extension.				
February 1, 2012	Executive Director	Invite to a Gold Line Forum all potential candidates for all potential new state and federal districts within the San Gabriel Valley to inform them of the importatnce of both Gold Line extensions.				

Six-Month Strategic Objectives

July 27, 2011 - February 1, 2012

Exhibit 1

Page 3 of 5.

Three-Year Goal: Secure Funding and Acceleration for All COG Transportation Projects

When	Who	What	Status			Comments
			Done	On Target	Revised	
August 3, 2011	SGVCOG President	Present to the Executive Committee for action and submit to the Governing Board at the September 2011 meeting the 5 ACE/COG memos.				
Beginning September 15, 2011 and quarterly thereafter	ACE CEO	Present an update on the ACE Project to the Governing Board.				
September 15, 2011	Transportation Committee Chair	Discuss and make a recommendation to the Governing Board regarding holding a Transportation Summit.				
October 20, 2011	ACE Chair, with input from the Transportation Committee and ACE Board	Present to the Governing Board for action a prioritized ACE Phase II Blueprint (project list).				
October 15, 2011	Executive Director	Identify for areas of working together with South Bay and Gateway COG (including 710 completion and a goods movement corridor).				
February 1, 2011	Transportation Committee Chair	Present to the COG Board for action a recommendation as to whether or not to support adoption of the MTA Congestion Mitigation Fee.				

Six-Month Strategic Objectives

July 27, 2011 - February 1, 2012

Exhibit 1

Page 4 of 5.

Three-Year Goal: Develop and Implement Regional Solutions and Partnerships for Housing Economic Growth

When	Who	What	Status			Comments
			Done	On Target	Revised	
Beginning September 15, 2011 and quarterly thereafter	SGVHHCC Executive Director	Collaborate with local agencies on performance of affordable housing goals and housing elements and report the results to the HCED Committee.				
December 1, 2011 (Contingent upon the support of the COG and Economic Partnership Boards)	HCED Committee Chair	Identify and secure funding for the development of a San Gabriel Valley Economic Development Strategic Plan.				
February 1, 2012	HCED Committee Chair	Advocate for continued funding and sustainability for the San Gabriel Valley Housing and Homeless Coordinating Council and update the Governing Board.				
February 1, 2012	HCED Committee Chair, working with the Economic Partnership	Develop a plan to provide regional Small Business Administration services or equivalent business services for businesses in the San Gabriel Valley.				
February 1, 2012 (Contingent upon SCAG adoption)	Executive Director, working with the Planning TAC and the HCED Committee	Negotiate an appropriate role for the COG in SB 375 implementation.				

Six-Month Strategic Objectives

July 27, 2011 - February 1, 2012

Exhibit 1

Page 5 of 5.

Three-Year Goal: Develop and Implement Regional Solutions and Partnerships for The Environment

When	Who	What	Status			Comments
			Done	On Target	Revised	
Within in two months of selection	Denis Bertone	Introduce the new RMC Executive Director to the COG Board and the San Gabriel Valley stakeholders.				
October 31, 2011	Executive Director	Identify needs and provide assistance to MS4 Permit Coordination Group in an effort to develop an achievable, fundable MS4 Permit.				
December 1, 2011	Solid Waste Working Group (Sam Pedroza - lead)	Update the Governing Board and member cities on the impact of the closure of Puente Hills.				
February 1, 2012	Energy Working Group	Market rebates from Energy Upgrade California and funding opportunities from PACE.				
February 1, 2012	Water Resources Working Group (Mary Ann Lutz - lead)	Present to the Governing Board for action a water project priority list.				