



Safe, Clean Water Program

Regional Oversight Committee

Operating Guidelines



Chief Engineer of the
Los Angeles County Flood Control District

9/19/19
Date Adopted

Safe, Clean Water Program Regional Oversight Committee Operating Guidelines

ARTICLE I. PURPOSE

The purposes of these Safe, Clean Water Program (SCW) Regional Oversight Committee Operating Guidelines ("ROC Operating Guidelines") are to establish procedures, requirements and recommended protocols for the members of the Regional Oversight Committees (ROC) and the conduct of ROC business.

ARTICLE II. DEFINITIONS

The definitions set forth in Chapter 16 Section 3 and Chapter 18 Section 2 of the Los Angeles County Flood Control District Code shall apply to the ROC Operating Guidelines.

ARTICLE III. MEMBERSHIP REQUIREMENTS

The ROC is an independent body that reviews all Regional Program Stormwater Investment Plans (SIPs) to ensure the Safe, Clean Water (SCW) Program Goals are met. The ROC consists of nine (9) subject matter experts with knowledge in Water Quality Benefits, Water Supply Benefits, Nature-Based Solutions and Community Investment Benefits, public health, sustainability, and other pertinent subject matter. The ROC also consists of two (2) non-voting members representing the Chair of the Regional Water Quality Control Board and the District. The ROC members will be appointed by the Los Angeles County Board of Supervisors (Board) to ensure a diverse representation of subject-matter experts.

ARTICLE IV. TERM LENGTHS AND VACANCIES

[Section 1. Serving on Multiple Committees](#)

A person may sit on the Regional Oversight Committee, more than one Watershed Area Steering Committee (WASC), or Scoring Committee, provided they can demonstrate the capacity to do so effectively. If the person is appointed by the Board to more than one committee of Regional Program, it shall be deemed that the person has the required capacity.

The roles and responsibilities of committee members are described in ARTICLE V, below. Should a member's performance suffer as a result of multiple memberships, the members of the ROC are encouraged to address the member's performance with the member and decide if potential action is warranted. Withdrawal or removal of members and the filling of membership vacancies is discussed in ARTICLE IV Sections 3 and 4, below.

Section 2. Member Term Lengths

Members shall be appointed or selected according to the schedule shown in Table 1 below. Members may serve multiple terms if reaffirmed through the appointment or selection process. ROC term length is typically four (4) years. After the initial 4-year term, new members will be appointed in a rotating schedule (approximately half of the membership every 2 years) to keep continuity of information and knowledge in the ROC. Each term appointment will include at least two water quality experts, one water supply expert and one community investment/nature-based solutions.

District staff for the ROC will track the expiration of all members' terms of service, notify the ROC of upcoming term expiration dates, and facilitate any necessary appointments and selections.

Table 1. ROC Appointment/Selection Schedule

Regional Oversight Committee Appointment Schedule											
Subject matter experts have expertise in the following categories: Water Quality Benefits (WQ), Water Supply Benefits (WS), Nature-Based Solutions (NBS)/ Community Investments Benefits (CIB)											
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
ROC					X (9)		X (4)		X (5)		X (4)

** X denotes when the members will be appointed (#) indicates the number of seats to be appointed.*

** Note: In 2023, 4 members may be appointed to 2-year terms and 5 members to 4-year terms to initiate the staggered appointment cycle going forward.*

Section 3. Withdrawal and Removal of Members

A member may withdraw from participation as a member of the ROC by providing sixty (60) days' prior written notice to the District.

A member may be removed from the ROC if the Chief Engineer determines that the member is no longer able to serve on the ROC, the member fails to comply with these Guidelines, or fails to regularly attend meetings as described in ARTICLE V, Item C. The removal of the member shall be effective as of the date of written notice to the member from the Chief Engineer.

Section 4. Vacancies

During a ROC term, if a member withdraws or is removed from the ROC, the vacancy will be filled with someone having similar subject matter expertise by the Chief Engineer or their designee for the remainder of the term.

ARTICLE V. ROLES AND RESPONSIBILITIES

ROC members have the responsibilities identified in Chapter 18 of the Los Angeles County Flood Control District Code and the following additional responsibilities:

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- A. Select a Chair, Co-Chairs, and/or Vice-Chair as deemed prudent;
 - B. Work with District staff to schedule and commit to meetings in advance.
 - C. Regularly attend ROC meetings and conduct other ROC business. An absence of two consecutive meetings or more than five meetings within the ROC term will be considered failure to attend meetings making the member eligible for removal as a member of the ROC;
 - D. Communicate regularly with District staff via phone, electronic messaging, email, and other means of communication;
 - E. Meet, confer, coordinate, collaborate, and cooperate with one another, in good faith, to carry out the responsibilities of the ROC;
 - F. Share expertise and provide guidance, and information on those matters for which it has specific expertise;
 - G. Use discretion and good business judgment in discussing the affairs of the ROC with Non-ROC-related – any media related inquires shall be directed to the District; and
 - H. If intending to claim a stipend for attended meetings, submit certification that he/she is not otherwise being compensated per ARTICLE VI, Section 8.

ARTICLE VI. MEETINGS

Section 1. Frequency & Schedule

The ROC shall hold regular public meetings at a frequency and schedule determined by the members, in coordination with the District staff, but no less than quarterly and additionally as-needed. Alternate forms of meeting participation such as in person teleconference or video conference may be considered.

Section 2. Chair

The ROC shall elect a Chair, Co-Chairs, and/or Vice-Chair to help direct ROC meetings and processes. In the absence of a Chair, Co-Chairs or a Vice-Chair, District staff will facilitate ROC meetings. The election of any Chair, Co-Chairs, and Vice-Chair should be revisited on an annual basis. District staff will support and Chair, Co-Chair, and/or Vice-Chair as needed and be available to address and coordinate ROC and ROC meeting logistics.

Section 3. Facilitator

The Chair(s) or facilitator shall open the meeting, announce activities according to the agenda, recognize members, state questions and put to a vote, refuse to recognize dilatory motions, enforce order and decorum, expedite business, decide all questions of order, respond to inquiries, clarify items for future action, facilitate public comment, and close meeting.

Section 4. Minutes

Minutes of ROC meetings, including votes taken, shall be kept by District staff and made available to the public for review on the SCW Program website at www.safecleanwaterla.org.

Section 5. Quorum

A quorum is required for the ROC to act on any item of business at a meeting. A quorum will consist of at least five (5) members in attendance at the meeting. If a quorum is present at a meeting, the ROC may approve any item of business by a simple majority vote.

Section 6. Brown Act

The ROC's meetings are subject to the Brown Act. This means, among other things, that:

- An agenda for each meeting will be posted at least 72 hours prior to the meeting;
- The ROC may only take action on items that appears on the agenda for that meeting;
- Members should not discuss agenda items with other committee members outside of the meeting;
- Each meeting will include an opportunity for public comment.

Section 7. Conflict of Interest

Members of the Regional Program committees shall be governed by and comply with State conflict of interest laws (e.g., Government Code sections 1090 et seq. and 87000 et seq.) and the following guidelines. Additionally, committee members may be required to file a Statement of Economic Interests ("Form 700"), and the District will provide the necessary guidance and corresponding County Model Disclosure Categories, as applicable.

Prohibited conflicts may arise where it is reasonably foreseeable that a Committee's decision could affect the personal financial interests of a Committee member. As such:

- A. Once it's determined that a Committee member has a conflict of interest as to any item before the Committee for decision, that Committee member must disqualify themselves from voting on that item, participating in any Committee discussion of that item, or attempting to influence in any other manner, the Committee's decision on that item.
- B. Employees and/or elected officials of Municipalities or other public agencies are NOT considered to have a personal financial interest in a program or project proposed by their employer.
- C. Employees of private consulting firms or other private business entities are generally considered to have a personal financial interest in a program or project proposed by their employer. In addition, such employees are generally considered to have a personal financial interest in any program or project which they or their employer had provided services for in the past or which they or their employer might be hired to work on in the future.
- D. Officers or employees of a non-profit organization, whether paid or volunteer, are generally NOT considered to have a personal financial interest in a program or project proposed by the non-profit organization solely because of their employment with that organization.

Section 8. Compensation for Participation

Committee Members who are not otherwise compensated to participate, may qualify for a stipend in the amount of one hundred dollars (\$100) per meeting attended. Committee Members shall annually submit to the District a signed certification statement from their employer, or a self-certification if self-employed, that compensation is not provided for Regional Oversight Committee meetings to be considered for a stipend.

ARTICLE VII. STORMWATER INVESTMENTS PLANS

Section 1. Overview

The SIP is an annual five (5) year plan developed by each WASCs that recommends funding allocations for Projects and Programs in the Regional Program's Infrastructure Program, Technical Resources Program, and Scientific Studies Program.

The purpose of SIPs is to capture recommended programming for the upcoming fiscal year (to be approved by the Board) as well as anticipated recommendations for the next four subsequent years. The SIP projection for the subsequent four years should remain fluid/open. A typical Project included on a SIP for any phase prior to operations and maintenance will also subsequently be funded for operations and maintenance for the lifetime of the project or for the duration of available funding, whichever ends first. Therefore, the operations and maintenance for the completed project must be accounted for and earmarked in the SIPs for the lifetime of the project.

For a multi-year project, the Project Developer must either present the project in phases that can be funded annually, demonstrate the capacity and acknowledge the risk of performing the work without encumbering the entirety of funds in advance (with earmarked future funding subject to WASC annual confirmation of budget, scope, and schedule, and ultimate Board approval), or accrue approved budget recommendations of multiple years in order to encumber the required funding in advance.

The ROC reviews each SIP, determines whether, and the extent to, each SIP achieves the SCW Program Goals, and provides its findings to the Board with recommendations regarding whether or not each SIP should be approved. Before providing recommendation to the Board, the ROC shall provide its findings and recommendations on each SIP to the respective WASCs. The ROC does not have line item veto power, but the WASCs will consider the findings and recommendations from the ROC as guidance to potentially enhance future SIPs and/or revise current SIPs prior to Board consideration. ROC feedback to WASCs will be included in the transmittal of SIPs to the Board for approval.



ARTICLE VIII. REVIEW OF REGIONAL PROGRAM QUARTERLY AND ANNUAL PROGRESS AND EXPENDITURE REPORTS

The ROC is responsible for reviewing quarterly and annual progress and expenditure reports, described in Chapter 18 Section 8.C, prepared by the District for the Technical Resources Program and Scientific Studies Program and by the Project Developers for the Infrastructure Program.

The purposes of the ROC's review of the reports are to: (1) determine whether the WASC evaluations are valid; and (2) identify additional comments or recommendations.

ROC will provide feedback to the WASCs and report findings to the Board.

District staff will track and facilitate report submissions as well as organize and distribute reports for ROC review.

ARTICLE IX. REVIEW OF MUNICIPAL PROGRAM ANNUAL PROGRESS AND EXPENDITURE REPORTS

The ROC is responsible for reviewing annual progress and expenditure reports, described in Chapter 18 Section 8.C and Chapter 18 Section 6.D of the Los Angeles County Flood Control District Code, prepared by all Municipalities.

The purposes of the ROC's review of the reports are to: (1) determine whether the Municipalities used SCW Program funds for qualifying eligible expenses; and (2) determine whether and the extent to which each Municipality has achieved the SCW Program Goals.

The ROC will provide feedback to the Municipalities and report findings to the Board.

District staff will track and facilitate report submissions as well as organize and distribute reports for ROC review.

ARTICLE X. REVIEW OF WATERSHED AREA REGIONAL PROGRAM PROGRESS REPORTS

Review of annual Watershed Area Regional Program Progress (WARPP) report from each WASC to determine whether the SCW Program Goals were met for the prior year and make recommendations for adjustments to the following year's SIP if SCW Program Goals were not met the prior year.

The ROC will provide feedback to the WASCs and report findings to the Board.

District staff will track and facilitate report submissions as well as organize and distribute reports for ROC review.



ARTICLE XI. BIENNIAL SCW PROGRAM PROGRESS REPORT

The ROC will biennially prepare and submit to the Board a SCW Program Progress Report that summarizes the Regional Program WARPP reports, Municipal Program annual progress and expenditure reports, and the District Program annual summary to determine and present the extent the SCW Program Goals have been met for the prior two years.

The ROC will hold a noticed public hearing to obtain feedback from the public and recommend actions and adjustments to the Safe, Clean Water Program to better achieve the SCW Program Goals.

ARTICLE XII. AMENDMENTS

Prior to making any amendment to the ROC Operating Guidelines, the District's Chief Engineer or their designee shall solicit input on the proposed amendments from the ROC and shall consider all input received from the ROC, WASCs, Scoring Committee, and public.