



May 10, 2018

The Honorable Sheila Kuehl, Chair
County of Los Angeles Board of Supervisors
821 Kenneth Hahn Hall of Administration
500 Temple Street
Los Angeles, CA 90012
Via Email: Sheila@bos.lacounty.gov

Re: Comments on Safe, Clean Water Program – Draft Program Elements

Dear Supervisor Kuehl:

On behalf of the Los Angeles County Division of the League of California Cities® (Division), and the California Contract Cities Association (CCCA), together representing every city in the County, we write to express our appreciation of the Board of Supervisors' leadership in the development of the proposed Safe, Clean Water Program (Program) and to provide a comments on the Draft Program Elements released in April.

The Division and CCCA, along with several of our member cities, have participated extensively in the development of the Program for the past two years. We have engaged directly with County staff and consultants, and through our joint Elected Officials Steering Committee we have analyzed the evolving Program components. In addition, cities are represented on the Stakeholder Advisory Committee (SAC) and have participated on the SAC Subcommittees. Further, our members have been communicating with and coordinating with members of the business committee through BizFed, the Los Angeles County Business Federation, since municipalities and businesses have similar opinions about what the Program should emphasize and share many of the same concerns about how the Program has been developed, the contents of the Draft Program Elements, the components of the Draft Program Elements, and the components of the Program that have not yet been fully developed. We have also discussed elements of the proposed Program with representatives of non-governmental environmental organizations and non-governmental community-based organizations.

Our member cities are keenly aware of the need for a stable stormwater quality funding source to fund the commitments made in the nineteen Stormwater Management Programs and Enhanced Stormwater Management Programs, as well as the individual plans prepared for cities that chose not to be part of watershed groups. There is a strong consensus among cities that for a funding measure to be approved by the voters and to be successfully implemented it needs to emphasize funding for compliance with stormwater quality requirements in the MS4 permits and the numerous total maximum daily loads (TMDLs) to which our members are subject. In addition, the measure needs to be fair to the many constituents involved the program, especially the

municipalities and the business community. If the measure is perceived to be incomplete or unfair, it is likely to be defeated in November.

In order to assist the Board of Supervisors in completing development of a successful Safe, Clean Water Program, we offer the following comments and suggestions based on the April Draft Program Elements and the experience to date of our member cities:

1. **Focus on Water Quality/Compliance**-The primary emphasis and goal should be on water quality, with a secondary emphasis on water supply and a tertiary emphasis on community benefits and leveraged funding.
2. **Test Project Scoring Criteria**-The project selection scoring criteria should be tested prior to adopting any ordinance to demonstrate and ensure that projects that maximize water quality are prioritized in the scoring matrix. The implementation ordinance should allow for scoring criteria to be reviewed and adjusted after one year if projects with the highest water quality are not being selected.
3. **Create Transparent Ordinance(s)**-Both of the proposed ordinances should be passed by the Board of Supervisors at the same time with wording that specifies that the implementation ordinance only goes into effect upon voter approval of the parcel tax.
4. **Establish Annual Revenue Cap**-The parcel tax should be structured to raise \$300 million annually in order to provide a reasonable chance of gaining voter support and generate sufficient funds to be able to leverage the funds needed to implement the program.
5. **Include Dusk Clause**-The tax measure should include a “dusk clause” specifying a date when the tax measure will be reduced to a level necessary to cover operations & maintenance as well as the creation of a fund to pay for eventual project replacement.
6. **Ensure Basin Plan Funding**-Significant funding (at least as much as for community groups) should be allocated to a basin plan update with appropriate solid science to support objectives.
7. **Clarify/Define Credits and Rebates**-There needs to be an agreement soon on some credits and/or rebates for cities and for property owners that capture and/or infiltrate water on their own properties.
8. **Require Stormwater Master Plans**-A stormwater master plan should be required for each of the watershed areas, including commitments to projects with costs, timelines, and anticipated results, and projects included in Watershed Management Programs and Enhanced Watershed Management Programs that have been approved by the Regional Water Board should be included in these plans without the need for feasibility studies.
9. **Increase Municipal and Business Steering Committee Representation**-The membership of the Watershed Area Steering Committees should be altered to increase the

number of municipal seats to at least nine and to designate at least one of the Community Stakeholder seats for a business stakeholder nominated by BizFed.

10. Ensure Independent Oversight Committee-The Regional Oversight Committee needs to be reconfigured to be a small, independent committee with responsibilities limited to review of Stormwater Investment Plans to ensure progress toward achievement of program goals.

11. Eliminate Stormwater Management Targets- The proposed Stormwater Management Targets should be eliminated because targets for water quality standards are already in the Basin Plan, the MS4 permits, and TMDLs; targets for water supply already exist in water supply documents; and community investment targets will evolve through the proposed Disadvantaged Community programs.

12. Regroup Arroyo Seco and Rio Hondo Watersheds- The Arroyo Seco and the Rio Hondo watersheds should be grouped together in a new watershed area.

In addition, both the municipalities and the business community require a thorough explanation of why the impermeable area method has been selected for tax calculation as well as an explanation of the method of determining the impermeable area per parcel.

We thank the Board of Supervisors for leading the effort to develop the Safe, Clean Water Program and hope that these comments and suggestions assist the County and the Flood Control District to develop a successful program that County voters find value in.

Sincerely,



Miguel Canales
Council Member, Artesia
President
Los Angeles County Division
League of California Cities®



Michael T. Davitt
Council Member, La Cañada Flintridge
President
California Contract Cities Association

CC: Los Angeles County Board of Supervisors
Katy Young, Office of Supervisor Sheila Kuehl
Mark Pestrella, Director, Los Angeles County Public Works