



June 15, 2018

The Honorable Sheila Kuehl, Chair  
Los Angeles County Board of Supervisors  
821 Kenneth Hahn Hall of Administration  
500 W. Temple Street  
Los Angeles, CA 90012

**RE: Safe, Clean Water Program**

Dear Supervisor Kuehl,

The City of Glendora appreciates the Board of Supervisors' leadership in the development of the Safe, Clean Water Program and the extended efforts to engage cities in the stakeholder process to draft governance and regulation language for a proposed measure relating to stormwater compliance programs, drought preparedness, water quality, and water sustainability which if moved forward, will ultimately be decided by a vote of the people.

The City very much appreciates the most recent draft's renewed focus on MS4 compliance and improving water quality. Furthermore we agree with the major changes that 1.) Projects must have a Municipal (permittee) sponsor, and 2.) Projects must be in an approved stormwater management plan. These two changes are essential to maintaining the tax measure's emphasis as a stormwater funding measure.

While we strongly agree with some elements to the new draft, we concur with the request for further changes made by the San Gabriel Valley Council of Government (SGVCOG) in the letter submitted to the County dated June 14, 2018 concerning the latest version of the draft governance and regulatory framework. Those suggestions include:

**Transfer of Funds Agreement**

1. Recommend following Measures R and M contracting and reporting requirements for disbursement of Municipal Program (local return) funds. (Measures R and M being transportation-focused countywide sales tax measures passed in 2008 and 2016, allocating 15% and 17% respectively for local return.) Per the Measure R and M Guidelines, local jurisdictions sign an Assurances and Understandings agreement, but

those agreements do not contain local hire and/or Project Labor Agreement provisions. Were those requirements to be included in the SCW program, municipalities would likely have to hire outside expertise just to manage this aspect of a contract. Multiplied by 88 cities, this would amount to a significant contract administration expense.

2. Additionally, we recommend deletion of any contracting practices uniquely applicable to municipalities for funds distributed under either the Municipal or Regional Program.

### **Regional Program**

1. Project Selection. Recommend deletion of the requirement that a “spectrum of project types and sizes” be funded. Requiring that projects meet threshold project selection criteria, be included in an approved water quality plan, and be equitably distributed over time, will ensure that the most qualified projects are selected, and negates the need for the “spectrum of projects” clause.
2. Watershed Area Steering Committee (WASC) Membership
  - a. Recommend that the WASC include 10 municipal seats. Including a supermajority of MS4 permittees on the WASC (in this case municipalities) ensures that monies raised through a voter-approved stormwater tax measure will be spent on projects that most directly reduce taxpayers’ MS4-related liabilities.
  - b. Recommend elimination of the 16/33/50% formula for assigning municipal seats to the WASC. Because of the new provision that requires that each municipality receive project funding equivalent to funds raised within its jurisdiction over a period of time, there is no need to award additional seats to cities or the county under the 16/33/50 formula.
3. Recommend eliminating compensation for attendance at WASC meetings. Likely the WASC will meet frequently in order to develop the 5-year spending plan, review Feasibility Studies, and authorize Projects. With nine watershed committees, each having 16 members, the compensation adds up to \$7,200 per meeting. Moreover, the vast majority of WASC members are salaried employees who are already paid for their time. Alternatively, we recommend that compensation be limited to members that are not otherwise compensated for their attendance.
4. Regional Oversight Committee & Scoring Committee. In order to engender maximum credibility, recommend that the WASCs nominate prospective members, with confirmation by the BOS.
5. Project Scoring
  - a. In recognition of the importance of water quality in the SCW program, recommend scoring as follows: Water Quality 60%; Water Supply 25%, Community Investment/Leveraging 15%.

- b. Confirm that the definition of “benefiting a DAC” for scoring purposes includes projects that address water quality of dry weather runoff and/or stormwater emanating from a DAC, although not located therein.
6. Watershed Coordinators
  - a. To ensure that Watershed Coordinators have a good working relationship with members of the WASC, recommend that the BOS appoint from a list of names recommended by the applicable WASC.
  - b. Recommend that the language be added to the program to clarify that WASCs exercise primary oversight of Watershed Coordinators.
7. Watershed Area Maps. Recommend splitting off the Arroyo Seco watershed from Upper Los Angeles River WASC and joining it to Rio Hondo WASC.

#### **Municipal Program**

1. Recommend clarifying that the 30% Maintenance of Effort limitation applies only to those projects that are operational as of election date.
2. Under the Municipal MOE program, recommend clarification of what constitutes an “eligible activity” for 30% funding.

#### **District Program**

1. Technical Assistance Teams (TAT)
  - a. In order to bolster the credibility of the TATs, recommend review and approval of TAT membership and composition by the Regional Oversight Committee.
  - b. Recommend that TATs be funded in whole or at least in part by the District Program, otherwise there’s a functional disconnect in having them compensated by the WASCs but composed of District employees.
2. Recommend that the District prepare a draft budget showing how its estimated \$30 million per year will be spent. Currently, the SCW Draft Program Elements only specifically account for \$25 million over a five-year period that will be spent on education and job training. The District Program also includes funding for Watershed Coordinators, whereas TATs and scientific studies are to be funded out of the Regional Program. It would be helpful to review an estimated budget to understand how the District anticipates use of its 10% of annual SCW Program revenues.

The City of Glendora strongly emphasizes the serious consideration of these points as we believe it will enhance the future public trust concerning a possible new voter approved funding and our ability to effectively and efficiently undertake the considerable task we have in securing more water and ensuring that it is cleaned. Once again, we appreciate the Board of Supervisor’s leadership and positive response to recommendations previously made in the development of a proposed stormwater funding program.

Sincerely,

CITY OF GLENDORA



Mendell L. Thompson, Mayor

C:     Glendora City Council  
       Hon. Janice Hahn, Chair Pro Tem, Los Angeles County Board of Supervisors  
       Hon. Hilda L. Solis, Supervisor, First District, Los Angeles County  
       Hon. Mark Ridley-Thomas, Supervisor, Second District, Los Angeles County  
       Hon. Kathryn Barger, Supervisor, Fifth District, Los Angeles County  
       Katy Young, Office of Supervisor Sheila Kuehl  
       Teresa Villegas, Office of Supervisor Hilda Solis  
       Mark Pestrella, Director of Public Works, Los Angeles County  
       Russ Bryden, Los Angeles County Department of Public Works