



Office of the Mayor

June 21, 2018

Honorable Hilda L. Solis
856 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012
VIA FAX: (213) 613-1739

**RE: Safe Clean Water Program
Notice of Opposition Unless Amended (*Program Draft Dated 5/25/18*)**

Dear Supervisor Solis:

On June 19, 2018, the West Covina City Council voted to oppose the Safe Clean Water (SCW) Program as it is currently written (Draft Program Element dated 5/25/18) unless it is substantially amended. While we appreciate and support the Board of Supervisors efforts to engage cities and draft a solution to stormwater compliance programs, drought preparedness, water quality, and water sustainability, we continue to be concerned regarding the proposed plan.

There are still several elements that the City of West Covina, in support of the requests from the San Gabriel Valley Council of Governments (SGVCOG), would like changed or clarified and without such changes cannot support the Safe Clean Water Program as written (dated 5/25/18):

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. This is an extra cost and burden to cities.
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 Board of Supervisors.

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 Board of Supervisors 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(MOE) 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 accounts 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.

As you prepare for the upcoming July 10th public hearing on this program, we strongly encourage you to continue to work with the San Gabriel Valley Council of Governments to improve the program elements and to find a solution that works for the cities throughout LA County. Stormwater is an important issue for our region and rushing to the voters on such a divided plan could be detrimental for all. Alternatively, delaying placing an item before LA County voters until June or November of 2019 may be a prudent alternative to consider.

Sincerely,



Lloyd Johnson
Mayor
City of West Covina

cc: Hon. Sheila Kuehl, Chair, Los Angeles County Board of Supervisors
Hon. Janice Hahn, Chair Pro Tem, Los Angeles County Board of Supervisors
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
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