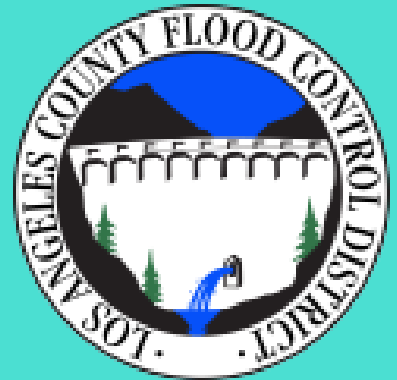


SAFE CLEAN WATER PROGRAM

DRAFT Transfer Agreement Webinar
March 31 and April 2, 2020





Welcome



THANK YOU!

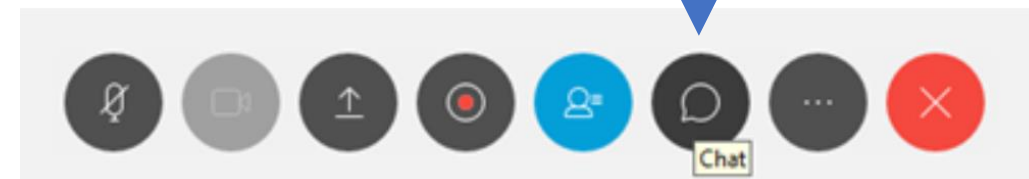
Orientation Logistics

- Please keep phones/microphones on mute
- Questions can be submitted at any time by typing in the chat window



Agenda

- 1) Safe, Clean Water Program Transfer Agreement Context
- 2) Transfer Agreement Overview
- 3) Draft Regional Program Transfer Agreement
 - i. Exhibits A, B, and D
- 4) Draft Municipal Program Transfer Agreement
 - i. Exhibits A and B
- 5) Template Exhibits in Common
- 6) Upcoming Schedule and Milestones





SCW Program Goals



Section 18.04 of the Code summarized below:

- A. Improve water quality
- B. Increase drought preparedness
- C. Improve public health
- D. Leverage other funding sources
- E. Invest in multi-benefit infrastructure
- F. Prioritize Nature-Based Solutions
- G. Provide a spectrum of project sizes
- H. Encourage innovation and adoption of new technologies
- I. Invest in independent scientific research
- J. Provide DAC Benefits, including Regional Program investment, not < 110% of the DAC population ratio in each watershed area
- K. For the Regional Program infrastructure funds, provide municipalities w/ benefits in proportion to the funds generated
- L. Implement an iterative planning and evaluation process
- M. Promote green jobs and career pathways
- N. Ensure ongoing operations and maintenance for Projects



Essence of the Safe, Clean Water Program



Collaboration

Asset Management

Equity

Good Stewards of Public Funds

Education & Community Engagement

- ❖ Developed & implemented with diverse stakeholders
- ❖ Unique dedicated funding for multi-benefit stormwater projects
- ❖ Comprehensive and diverse governance committees

- ❖ Funding for operation and maintenance
- ❖ Investments for long-term sustainability and resiliency
- ❖ Emphasis on Nature-Based Solutions

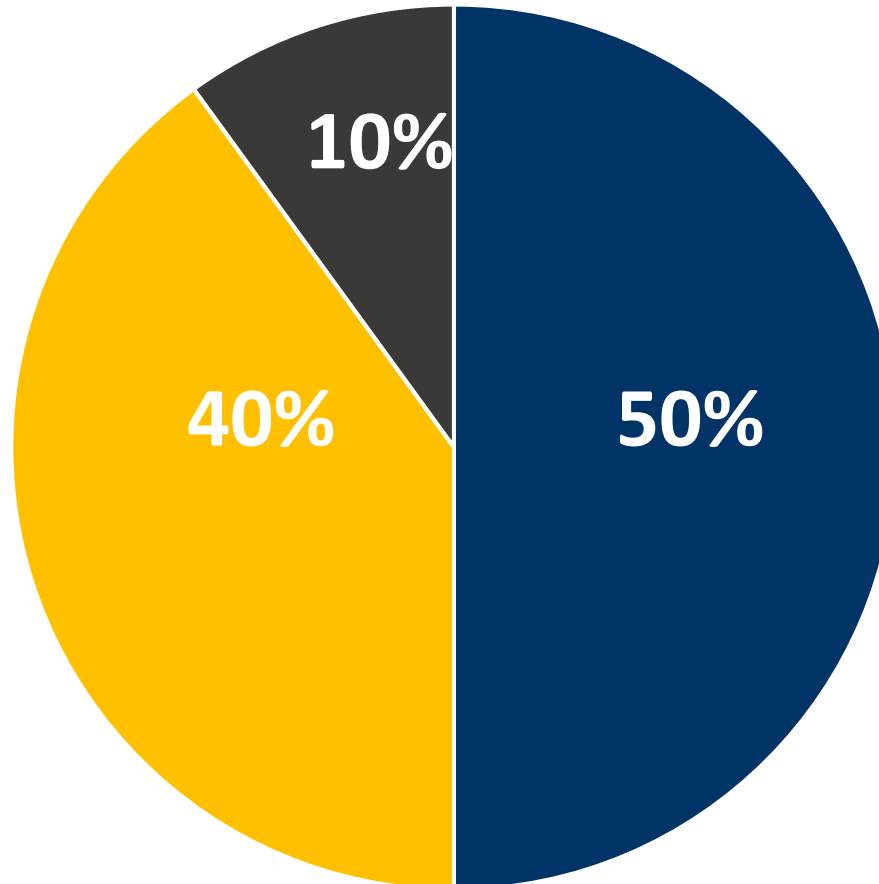
- ❖ Dedicated investments into Disadvantaged Communities
- ❖ Watershed Coordinators build inclusion and connect communities with resources
- ❖ Technical Assistance

- ❖ Accountability
- ❖ Transparency
- ❖ Reporting & Auditing
- ❖ Comprehensive tax relief options

- ❖ Public & School Education
- ❖ Workforce Training
- ❖ Collaboration with other programs
- ❖ Community engagement throughout project stages



Program Overview and Funding Distribution



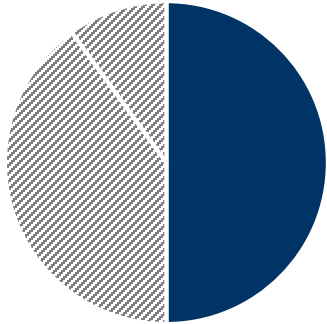
Special Parcel tax

- 2.5 cents per square foot of impermeable area
- Watershed-based projects
- Local & Regional Projects

- Regional Program
(50% = \$142.5M annually)
- Municipal Program
(40% = \$114M annually)
- FCD Program
(10% = \$28.5M annually)

Total Program: Approx. \$285M annually*

*Actual revenues are anticipated to be lower following incorporation of any approved credits, appeals, income-based tax reductions, and low-income senior exemptions.



50% Program revenue

WATERSHED AREA	ANNUAL RETURN*
Central Santa Monica Bay	\$17.8 Million
Lower Los Angeles River	\$12.8 Million
Lower San Gabriel River	\$16.7 Million
North Santa Monica Bay	\$1.8 Million
Rio Hondo	\$11.5 Million
Santa Clara River	\$6.0 Million
South Santa Monica Bay	\$18.4 Million
Upper Los Angeles River	\$38.6 Million
Upper San Gabriel River	\$18.9 Million

*Actual revenues are anticipated to be lower following incorporation of any approved credits, appeals, income-based tax reductions, and low-income senior exemptions.



Regional Program Funding Allocations



Not less than 85%: Infrastructure Program

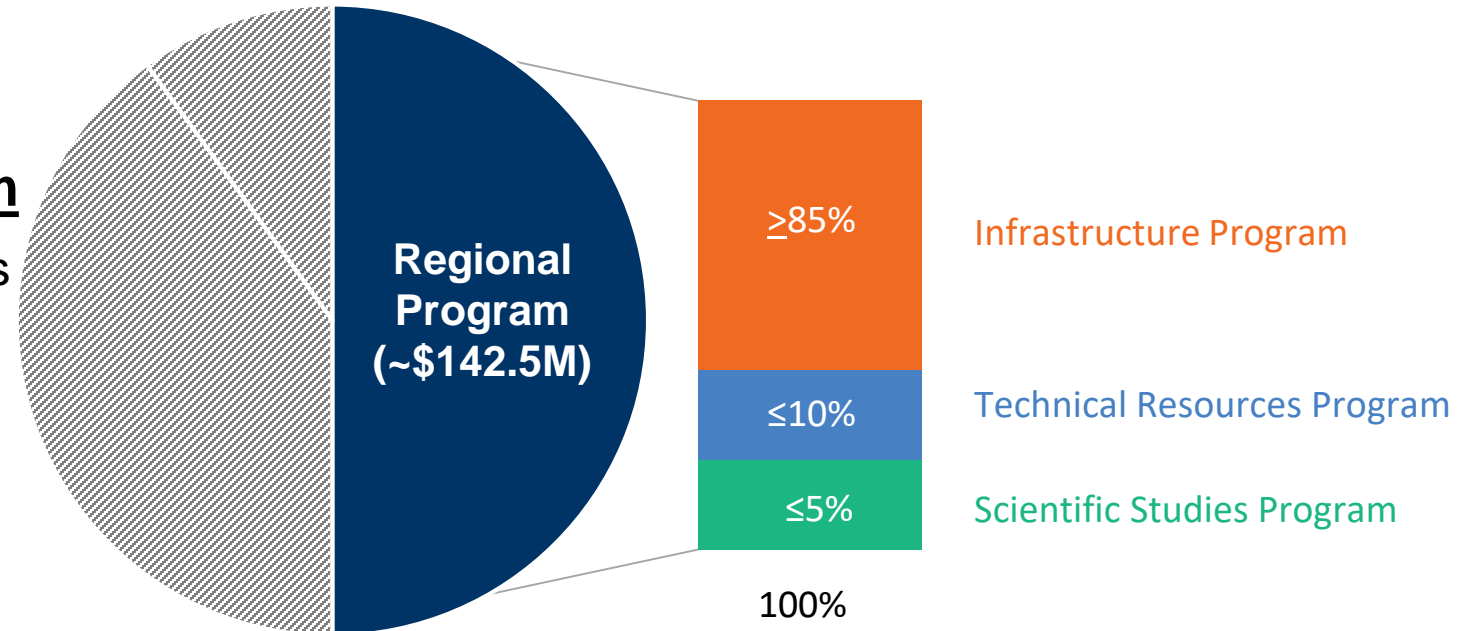
- Implementation of Infrastructure Program
- Transfer Agreement for qualified Project Developers

Up to 10% Technical Resources Program

- District to provide Technical Assistance Teams and Watershed Coordinator contracts.
- No Transfer Agreements for this sub-program

Up to 5%: Scientific Studies Program

- Eligible scientific and other activities with a nexus to increasing stormwater capture or reducing stormwater urban runoff pollution
- Agency with primary responsibility will execute Transfer Agreement





Stormwater Investment Plans

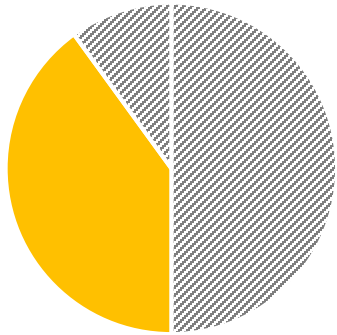


- 1-year funding recommendation
(with projected recommendations next 4 years)
- WASCs will annually verify project schedule, budget, scope, and benefits are consistent with initial proposal
- Transfer Agreement will include amounts approved in the SIP for the first year
- Addendum will be executed for subsequent approved SIP funding allocations

	FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2023-2024	FY 2024-2025
	Budget	Projection	Projection	Projection	Projection
PROJECT - FEASIBILITY STUDY DEVELOPMENT					
TECHNICAL RESOURCES PROGRAM (up to 10%)					
Feasibility Studies/Concepts					
Watershed Coordinators					
Technical Assistance Team/Feasibility Study					
Technical Assistance Team/Feasibility Study					
PROJECT - POST-FEASIBILITY STUDY					
INFRASTRUCTURE PROGRAM (not less than 85%)					
Design/Permits/CEQA Budget					
Project					
Project					
Project					
Right of Way Acquisition Budget					
Project					
Project					
Project					
Construction					
Project					
Project					
Project					
O&M					
Project					
Project					
Project					
NON-PROJECT ACTIVITIES					
SCIENTIFIC STUDIES PROGRAM (Up to 5%)					
Special Studies					
Project					
Project					
Monitoring					
Project					
TOTAL =					



Municipal Program



**40% Program
revenue**

Provides local control to
maximize flexibility to
address local issues

Responsibilities under the Municipal Program

- Prioritize Water Quality projects; Multi-Benefit Projects are encouraged
- Prepare annual plan for how SCW Program funds will be used in the ensuing fiscal year
- Comply with all reporting and audit requirements
- Engage with Stakeholders in the planning process
- Comply with all Transfer Agreement requirements

Maintenance Effort

- Up to 30% may be used to pay for costs and expenses incurred related to the continuation or maintenance of applicable Programs/Projects implemented prior to November 6, 2018.



Transfer Agreement Overview



Regional Program Transfer Agreement

- Agreement between Project Developer and District
- Infrastructure Projects or Scientific Studies in an approved Stormwater Investment Plan (SIP)
- Renewed annually via addendum after subsequent SIP approval

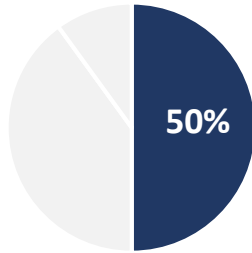
Municipal Program Transfer Agreement

- Agreement between City and District
- City's Annual Plan due
- Initial term is 3 to 5 years, with subsequent 3-year terms



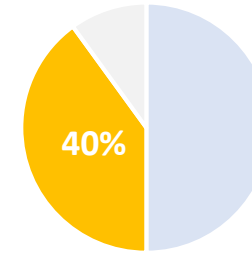
SAFE
CLEAN
WATER

Important Dates



Regional TA Exhibits

- Detailed Scope of Work will be due 30-days from execution
- Audit reports due 6 months after a 3-year period and at the completion of a project
- Progress reports due quarterly, 45-days after close of each quarter



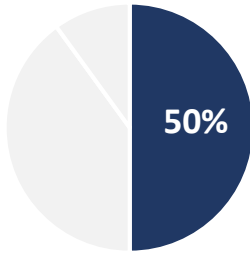
Municipal TA Exhibits

- Annual expenditure plans will be due 45-days from execution and then April 1 each subsequent year
- Audit reports due 6 months after each 3-year period
- Progress reports are due annually, 45-days after close of Fiscal Year



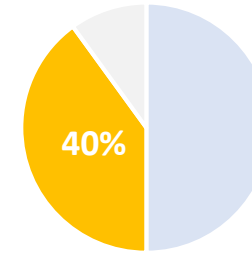
SAFE
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Description of TA Exhibits



Regional TA Exhibits

- A – Scope of Work
- B – General Terms and Conditions
- C – Special Conditions
- D – Addendum to Agreement
- E – Nature-Based Solutions
(Best Management Practices)
- F – Operations and Maintenance Guidance
Document



Municipal TA Exhibits

- A – Annual Plan Contents
- B – General Terms And Conditions
- C- Special Conditions
- D – Nature-based Solutions
(Best Management Practices)
- E – Operations And Maintenance Guidance
Document

BLUE FONT- Regional TA

ORANGE FONT – Municipal TA

GREEN FONT – Regional and Municipal TA



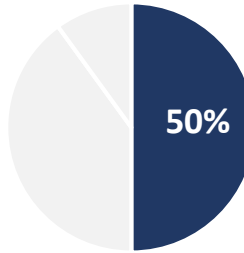
Regional TA

Exhibit A: Scope of Work



Project Developer will provide (30-days after execution) the following:

1. Budget Plan
2. Compliance with SCW Program Goals
3. Estimated Reasonable Cost
4. Description and Scope of Work
5. Operations and Maintenance Plan and tactics for incorporating workforce elements
6. Post-Construction Monitoring
7. Sustainability Rating
8. Stakeholder and Community Outreach/Engagement Plan





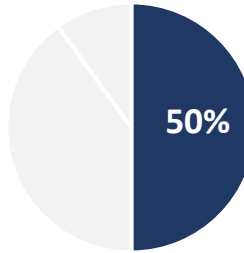
Regional TA

Exhibit A-8: Engagement



Stakeholder and Community Outreach/Engagement Plan for Regional Program Infrastructure Projects:

- Outreach activities provide information to residents about upcoming meetings or engagement activities
- Engagement activities solicit, address and seek input from community members
- Opportunities to highlight workforce elements of Projects



Infrastructure Program Project Funds	Required Activity 1	Required Activity 2
Up to \$2 M	Outreach or Engagement	
Up to \$10 M	Outreach	Engagement
Over \$10 M	Outreach	2 Engagements



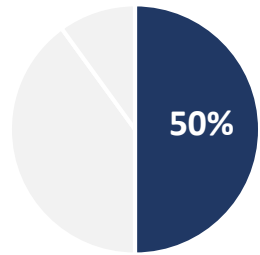
Regional TA

Exhibit B: General Terms and Conditions



Project Developer will comply with the provisions in Exhibit B including but not limited to the following:

1. Audit and Recordkeeping
2. Accounting and Deposit of Funds
3. Reporting
4. Lapsed Funds provision
5. Requirements Related to Contractors
6. Final Inspection and Certification of Registered Professional
7. Continuous Use of Funded Activity





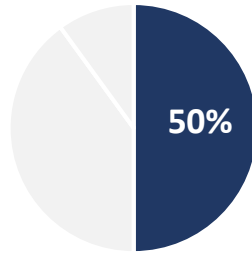
Regional TA

Exhibit D: Addendum to Agreement



Project Developer will execute an addendum:

1. Executed annually for subsequent Fiscal Year funds
2. Contingent on approval of subsequent SIP
3. Addendum contains reference to original Agreement
4. Budget Plan for the next disbursement will be required
5. Signatory page to be completed



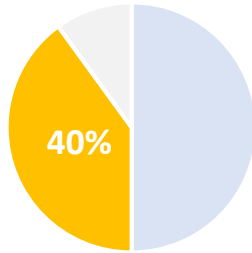


Municipal TA

Exhibit A: Annual Plan



Municipality will provide Annual Plan (45-days after execution and by April 1 for each subsequent year the following):



1. Description of all projects
2. Description of all programs
3. Description of Operations and Maintenance activities
4. Stakeholder and community outreach/engagement activities
5. Description of post-construction monitoring
6. Provide status of projects with ISI verification
7. Programmatic budget for the SCW Program Payment



Municipal TA

Exhibit B: General Terms and Conditions



Municipality will comply with the provisions in Exhibit B including but not limited to the following:

1. Audit and Recordkeeping
2. Accounting and Deposit of Funds
3. Reporting
4. Lapsed Funds provision
5. Final Inspection and Certification of Registered Professional
6. Continuous Use of Funded Activity

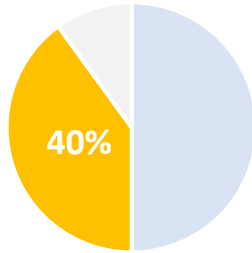
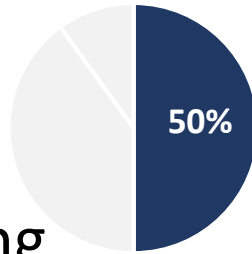




Exhibit C: Special Conditions



CEQA Requirements



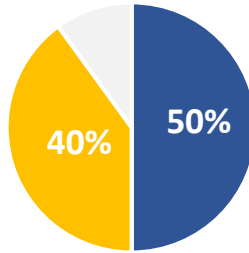
1. Acknowledgement that the Recipient of funds is the lead agency regarding compliance
2. Agreement to indemnify and hold harmless District
3. In the case of one or more significant environmental impacts that cannot be feasibly mitigated, the Recipient shall notify the District
4. In the case the project is terminated the Recipient shall promptly return all previously disbursed but unspent SCW Program funds
5. Provisions are included for public agency and non-public agency Recipients
6. Only be applicable on the Regional Program Transfer Agreement.



Exhibit D/E: Nature-Based Solutions (NBS) Best Management Practices



Nature-Based Solutions



1. Guidance for the incorporation of Nature-Based Solutions (NBS)
2. Methods include:
 - Vegetation/Green Space
 - Increase of Permeability
 - Protection of Undeveloped Mountains & Floodplains
 - Creation & Restoration of Riparian Habitat & Wetlands
 - New Landscape Elements
 - Enhancement of Soils
3. Each Method includes guidance for Good/Better/Best Guidelines for achievement of those levels

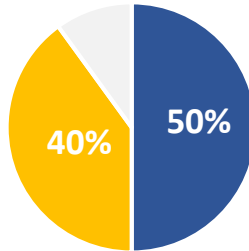


Exhibit E/F: Operations and Maintenance Guidance Document



O&M Guidance

1. Guidance for O&M of Infrastructure Projects
2. Activities include:
 - a. Litter Control
 - b. Vegetation Maintenance
 - c. Wildlife Management
 - d. Facility Inspection
 - e. Irrigation System Management
 - f. Erosion Management
 - g. Ongoing Monitoring Activities
 - h. Vector and Nuisance Insect Control
3. Each activity includes specific examples





Tentative Schedule and Milestones



Public Review of templates

- **Extended to April 21**
- District will collect and consider comments

Board Consideration of templates

- Mid-May 2020

Municipal Agreements

- June 2020
- Cities receive and begin executing Municipal Agreements
- Funds available 30-days after execution

Board consideration of SIPs

- July 2020:

Regional Agreements

- August 2020
- Developers receive Regional Agreements
- Funds available 30-days after execution

Submit to SafeCleanWaterLA@pw.lacounty.gov





We will take questions until 11:00AM PST

For questions or more information, contact us at:

www.SafeCleanWaterLA.org

SafeCleanWaterLA@pw.lacounty.gov

1-833-ASK-SCWP (1-833-275-7297)