

# Safe, Clean Water Program

## Regional Oversight Committee



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### Meeting Minutes:

Tuesday, March 3, 2020

2:00pm - 4:00pm

Los Angeles County Public Works

900 South Fremont Ave. Alhambra, CA 91803

### Attendees

#### Committee Members Present:

Barbara Romero (City of Los Angeles)

Maria Mehranian (Cordoba Corp.)

Diana Tang (City of Long Beach)

Kristine Guerrero (League of Cities)

Belinda Faustinos (Nature For All)

Shelley Luce (Heal the Bay)

Lauren Ahkiam (LAANE)

Elva Yanez (Prevention Institute)

Charles Trevino (Upper San Gabriel Valley

Municipal Water District)

Carl Blum\* (LA County Flood Control District)

#### Committee Members Absent:

Diana Tang (City of Long Beach)

Irma Munoz\* (LA Regional Water Quality Control Board)

\*Non-voting members

See attached sign-in sheet for full list of attendees

### 1. Welcome and Introductions

Shelley Luce welcomed the committee members. All committee members made self-introductions.

### 2. Approval of January 30, 2020 meeting minutes

The Los Angeles County Flood Control District (District) provided a copy of the meeting minutes from the previous meeting. Staff announced that Irma Munoz noted via email that her comment on the January meeting regarding the importance of working closely with Water Board staff to ensure projects funded helped address maximum water quality compliance was not included on the January notes. The committee wanted to include Irma's note in the January minutes and moved to approve the minutes with such addition. Belinda Faustinos made a motion to approve the minutes. Charles Trevino seconded the motion and the minutes were approved unanimously.

### 3. Public Comment Period

No public comment.

### 4. Committee Member and District Updates

Matthew Frary (District) provided a summary of references and clarifications for the ROC based on the current Ordinance language, the standing interpretation of the 110% disadvantaged community benefit calculation, and the existing opportunities for ROC to inform policy considerations. Committee members reiterated that the guidelines for the 110% DAC ratio are written generically to be implemented effectively and that the Board offices allowed for potential refinements with an understanding there would be room for refinement going forward; other members stated that the guidelines were ambiguous and would like quantifiable metrics for community investment benefits and that voters should feel the program reflects what they voted for.

Mr. Frary gave a summary of the Watershed Area Steering Committee (WASC) and Scoring Committee meetings leading up to Stormwater Investment Plan (SIP) development. Kristine Guerrero asked if there was an appeal process for a project that did not meet the Threshold Score. Mr. Frary responded

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that there is no appeal of scoring, but that the calls for projects are ongoing and project proponents can clarify and resubmit their application for consideration. Shelley Luce mentioned that the Scoring Committee met earlier the same day and members seemed to be struggling with quantifying benefits such as community investments and disadvantaged communities, suggesting WASCs may struggle as well. Mr. Frary acknowledged the various opinions about the scoring criteria, reiterated the comprehensive process used to initially develop them, and noted that the committee members discussed interest in future discussions about potential modifications to the scoring methodology and its application.

Mr. Frary summarized the recent meeting of the Watershed Area Steering Committee Chairs. In that meeting, they discussed the Program guidelines as they pertain to the programming of the SIPs (including funding for DAC benefits, municipalities and the subprogram breakdown of 85% for Infrastructure, 10% for Technical Resources, and 5% for the Scientific Studies); the different scenarios for funding projects; and the anticipated default/standard processes for programming SIPs in the upcoming meetings (including the process for organic discussion, the ranking tool overview, and approval of the SIPs).

Ms. Faustinos shared concern for funding low-scoring projects as she is concerned that they are not worthy of funding. She would like the ROC to consider only the best projects. Mr. Frary reiterated that scoring is important but not a complete indicator in and of itself. The recommendations from WASCs will include a discussion of benefits and process.

Ms. Ahkiam asked if only a portion of requested funds could be given to a proponent rather than the complete amount requests. Mr. Frary said that requests were currently being considered by the WASCs as submitted by the applicants – i.e., no scope change and no change to total cost (but multi-year allocations could be re-distributed as able). Changes to scope or total cost would warrant a re-submission.

The committee members discussed projects applying for operations and maintenance (O&M) funds and how the scoring process worked for those applications. Ms. Faustinos informed the committee that the Scoring Committee intended to discuss O&M at its next meeting.

Mr. Frary informed the committee that the General Income-Based Tax Reduction Program was recently opened for applications and gave an update on the Technical Resources Program, including the tentative timeline for Watershed Coordinator Request For Services and Qualifications (RFSQ). Ms. Romero asked if Watershed Coordinators would be paid differently in different watersheds. Mr. Frary informed that some watersheds such as Upper Los Angeles River would have three full-time Watershed Coordinators and others like North Santa Monica Bay would have one half a full-time Watershed Coordinator, and that the anticipated budget in SIPs is simply a placeholder until actual amount is determined in each watershed. There will be a mandatory meeting for Watershed Coordinators intending to submit a proposal. Ms. Faustinos reiterated that an additional training session for those who have not gone through the process of applying for a County contractor position would be helpful along with a help desk to aid those new to the process. Mr. Frary confirmed the staff will be available to support those that need it. Ms. Guerrero asked how long the RFSQ process will last (response was about 6 weeks) and if an applicant could apply for multiple watershed areas (response was that one entity may hold multiple positions but one full-time person must be assigned to each area/position).

### **5. Ex Parte Communication Disclosures**

Belinda Faustinos, Lauren Ahkiam, and Shelley Luce attended an Our Water LA (OWLA) meeting and conference calls where Safe, Clean Water Program was discussed. Also, Bruce Reznik of the Scoring Committee was also present at the OWLA meetings.

Kristine Guerrero attended a meeting with council members about submissions to the SCW Program.



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Charles Trevino attended a Upper San Gabriel Valley Municipal Water District meeting in which SCW Program was discussed.

Elva Yanez would like to circulate a white paper on stormwater to the members of the committee.

### **6. How to Evaluate Success of the SCWP**

Matt Frary gave an overview of the current reporting responsibilities for the Municipal Program and the Regional Program (proponents and committees), reporting frequency, benefits dashboard, and previewed that the District is also exploring outside third party efforts to help evaluate overall effectiveness of the Program.

The committee members discussed process for hiring such third-party consultants and gave suggestions such as the Pacific Institute, USC, and others that could potentially be helpful for research efforts. Kristine Guerrero asked Renee Purdy of the Regional Water Quality Control Board to comment. Ms. Purdy stated that additional metrics for the success of the SCW Program should be centered around measuring success by addressing water quality, achieving compliance, and reporting the amount of stormwater captured from the project level to water quality data from outfalls.

Ms. Luce suggested discussion on how to set goals for the program and asked what success looks like. Mr. Carl Blum suggested the priorities for the watershed be determined by the WASCs and would like to observe the quantitative data over a certain period (e.g., 3 years) to see the increase in benefits such as water quality and water supply as a percentage. Ms. Romero suggested built-in intent sooner than later would avoid missed opportunities.

The committee discussed goals and intent as well as broad metrics to measure success. One member suggested ongoing evaluation of the program process such as how funds were allocated and where the funds are implemented. Mr. Frary affirmed the intent and reiterated that, since the program is already in motion, this would be an overlapping/concurrent process where the WARPP reports and biennial hearings are anticipated to also be used to further define things like scoring and engagement.

### **7. Preview of the Fund Transfer Agreement**

Mr. Frary informed the committee that the Transfer Agreement templates would be available next week for a 30-day public review period. All input would be considered and the final templates will be subject to approval by the Board of Supervisors. The funds could be available to recipients 30-days after execution. The committee asked clarifying questions regarding the content of the agreements and Mr. Frary provided summaries of the high-level content for each category.

### **8. Public Comment Period**

No public comment.

### **9. Voting Items**

None

### **10. Items for Next Agenda**

Some discussion items for the next agenda included reviewing the SIPs that should be submitted by April and seeking input from RWQCB staff for input on the projects submitted.

### **11. Meeting Adjourned**

Shelley Luce thanked the committee members and public for their time and participation and adjourned the meeting.

# Regional Oversight Committee Meeting

## COMMITTEE MEMBER SIGN-IN



Member Name	Municipality/ Organization	Email Address	Signature
Diana Tang	City of Long Beach	Diana.Tang@longbeach.gov	
Barbara Romero	City of Los Angeles	barbara.romero@lacity.org; rki.esquer@lacity.org	PRESENT
Maria Mehranian	Cordoba / Former RWQCB Chair	mmehranian@cordobacorp.com	<i>Maria Mehranian</i>
Carl Blum	Flood Control District	clblum@pacbell.net	<i>Carl Blum</i>
Shelley Luce	Heal the Bay	sluca@healthebay.org	<i>Shelley Luce</i>
Lauren Ahkiam	LAANE	lahkiam@laane.org	PRESENT
Irma Munoz	LARW/QCB	irma.munoz@mujeresdelaterra.org	
Kristine Guerrero	League of Cities	kguerrero@cacities.org	<i>Kristine Guerrero</i>
Belinda Faustinos	Nature For All	belinda@lanatureforall.org	PRESENT
Elva Yanez	Prevention Institute	elva@preventioninstitute.org	PRESENT
Charles Trevino	Upper San Gabriel Valley MWD	cmtwater@yahoo.com	<i>Charles Trevino</i>

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PUBLIC SIGN-IN



First Name	Last Name	Municipality/Organization	Email Address
Nora Nelson	N	City of Glendora	Nelsonjudy95@gmail.com
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Joyce	Amaro	LA City	joyce.amaro@lacity.org
Michael	OWARY	APD CleanWater Technology	info@cleantwatertechnologies.net

\*Signing or completing this form is voluntary for members of the public

## ROC Clarifications/References

### Primary role of ROC

“assessing and making recommendations to the Board regarding whether the SCW Program Goals are being achieved” (16.03.z) rather than reviewing/developing policy.

### DAC calculation

[Implementation Ordinance](#), 18.07.B.2.c:

“Funding for **Projects that provide DAC Benefits** shall not be less than one hundred and ten percent (110%) of the ratio of the DAC population to the total population in each Watershed Area. To facilitate compliance with this requirement, the District will work with stakeholders and Watershed Coordinator(s) to utilize existing tools to identify high-priority geographies for water-quality improvement projects and other projects that create DAC Benefits within DACs, to help inform WASCs as they consider project recommendations.”

### Existing built-in opportunities for ROC policy input

There are two mechanisms for the ROC to include policy recommendations in its role:

1) Through recommendations/feedback provided to WASCs and Board following review

- [ROC Operating Guidelines](#), VII.1, last paragraph:

“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.**”

- [WASC Operating Guidelines](#), VII.2(8):

“Consider the findings and recommendations from the ROC as guidance to potentially enhance future SIPs and/or revise current SIPs before Board consideration. The WASC will need to confirm final recommendation as soon as possible following ROC feedback and ROC feedback will be included in the transmittal of SIPs to the Board.”

- [Implementation Ordinance](#), 18.08.C:

- ROC providing “any comments or concurrence with the WASC evaluations” of the quarterly and annual progress and expenditure reports (18.08.C.2)
- ROC “recommendations for adjustments to the following year’s SIPs” to WASC and Board following annual review of Watershed Area Regional Program Progress (WARPP) Reports for each Watershed Area (18.08.C.3)
- ROC recommendations regarding the Municipalities’ annual reports (18.08.C.4)

2) Through the biennial hearing process

- 18.03: The Board may consider revisions to Chapter 16 of this code and this Chapter 18 in connection with the first biennial public hearing, as described in Section 18.08.C.5. below, and as needed thereafter.

- 18.08.C.5: The ROC shall biennially prepare a SCW Program Progress Report for the Board in accordance with the following procedures:
  - a. The ROC shall prepare a draft SCW Program Progress Report, circulate the draft for public comment, and conduct a noticed public hearing to receive public comments on the draft;
  - b. After the conclusion of the public hearing, the ROC shall revise the draft SCW Program Progress Report as it determines necessary or appropriate based on the public comments received; and
  - c. The ROC shall submit the final SCW Program Progress Report to the Board and make the final Report available to the public.