

Council Meeting of
November 21, 2006

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: City Manager – Consideration of the League of California Cities, Los Angeles County Division, hiring of consultant for Los Angeles Regional Water Quality Control Board

RECOMMENDATION

The City Manager recommends that City Council:

- 1) Consider the League of California Cities, Los Angeles County Division decision to hire a consultant to provide services to the Board Member representing Municipal Government on the Los Angeles Regional Water Quality Control Board, and
- 2) Authorize the City's voting delegate or alternate to execute the Official Ballot indicating Council's decision.

Funding

Not applicable.

BACKGROUND / ANALYSIS

The Los Angeles Regional Water Quality Control Board (Regional Board) is the state agency that regulates ground and surface water quality in the Los Angeles Region. Some of the issues of concern to the Regional Board include but are not limited to:

- Storm water NPDES Permit
- Waste Discharge
- Permit for reclaimed water
- The TMDL for Toxics, Metals, Chlorides and Trash
- Copper Concentrations
- The application of the California Toxic Rule to both drinking water and storm water

One Board Member is appointed to represent Municipal Governments and is an elected official. Due to the increasing technical and scientific nature of the topics under

consideration by the board, it has been determined that a consultant familiar with, for example, water chemistry, geology, hydrology, climatology, biology, and case law in the water field, could provide necessary information to the Municipal Board Member to better understand subject areas.

On October 17, 2006, the Board of Directors of the League of California Cities, Los Angeles County Division met to discuss the Division's proposed involvement in and support for the hiring of a consultant to assist the Board Member. The Board of Directors approved the proposal (Attachment B) and is now seeking ratification by its member Cities. Each Member City is entitled to one vote, which must be cast either by the City's designated voting delegate or alternate.

At this time, it is requested that Council consider whether or not to concur with the League of California Cities to enter into a contract with a consultant to provide services to the Board Member representing Municipal Government on the Los Angeles Regional Water Quality Control Board. It is also requested that Council authorize execution of the League of California Cities Los Angeles County Division Official Ballot by either the voting delegate or alternate.

Respectfully submitted,

LeROY J. JACKSON
CITY MANAGER

By 
Nhung Huynh
Management Aide

CONCUR:


LeRoy J. Jackson
City Manager

Attachments: A) Letter from Los Angeles County Division Board of Directors
B) Proposal to hire consultant to assist the Board Member representing Municipal Governments on the Los Angeles Regional Water Quality Control Board

M E M O R A N D U M

06 NOV -7 AM 9: 22

To: Los Angeles County Division Delegate or Alternate

CC: Los Angeles County Division City Managers

From: Los Angeles County Division Board of Directors
Eloisa Klementich, Executive Director

Date: November 3, 2006

Re: Board Member Representing Municipal Government on the Los Angeles Regional Water Quality Control Board

On October 17, 2006, the Board of Directors of the League of California Cities, Los Angeles County Division met to discuss the Division's proposed involvement in and support for the hiring of a consultant to assist the Board Member who represents Municipal Governments on the Los Angeles Regional Water Quality Control Board. The Division's Board of Directors has approved the attached proposal and is now seeking ratification by our member Cities.

Due to the urgent nature of this item, plus the fact that the Los Angeles County Division will not meet during November and December, the Board, desirous of moving ahead with this project, has authorized that a membership vote be conducted by mail. Each Member City is entitled to one vote, which must be cast either by the City's designated representative or their alternate. Enclosed please find your ballot. We request the ballot be postmarked by December 15, 2006. You may respond either by mail or fax to the Los Angeles County Division office.

Should you have any questions or comments, please do not hesitate to contact Eloisa Klementich, Executive Director, at 818-212-3238 or eklementich@cacities.org.

THANK YOU



League of California Cities Los Angeles County Division

OFFICIAL BALLOT

I have received and have reviewed the Proposal for the Board Member Representing Municipal Government on the Los Angeles Regional Water Quality Control Board.

I, as my city's delegate or alternate, vote in the following manner in reference to the proposal that was approved by the Executive Board on October 17, 2006:

- Support
- Oppose
- Abstain

Delegate/Alternate Name: _____

Delegate/Alternate Signature: _____

City: _____

General Comments: _____

Please fax to 818-364-1002 or send via mail to P.O. Box 921737, Sylmar, CA 91392-1737 by (postmarked if mailing the ballot) **December 15th**.



League of California Cities, Los Angeles Division

DATE: October 24, 2006

TO: League of California Cities, Los Angeles County Division
Board of Directors

FROM: Eloisa Klementich, Executive Director

RE: Board Member Representing Municipal Government on the Los Angeles Regional Water Quality Control Board

Action

Approve support for the League of California Cities to enter into a contract with a consultant to provide services to the Board Member representing Municipal Government on the Los Angeles Regional Water Quality Control Board. Additionally, approve the League of California Cities, Los Angeles County Division to provide local contract administration and authorize funding in the amount of \$15,000 for a pilot program. The six month pilot program shall be reviewed prior to the end of the initial six months to ascertain its effectiveness. Upon concurrence from all parties, an additional amount of up to \$15,000 shall be available to fund the program for the duration of its initial year.

Background:

Many of the cities in Los Angeles County have grown increasingly concerned over the growing complexity of regulations approved by the Los Angeles Regional Water Quality Control Board, the State Water Resources Board and the US Environmental Protection Agency. Council Members realize that they are now being asked to deal with issues that require familiarity with water chemistry, geology, hydrology, climatology, biology, flood control, civil engineering, statistics and economics, in addition to state and federal water regulations, case law in the water field and state and federal grant programs.

The Los Angeles Regional Water Quality Control Board (Regional Board) is the State agency that regulates ground and surface water quality in the Los Angeles Region. Their jurisdiction also includes a portions of Ventura, Santa Barbara and Kern Counties.

The Governor appoints the nine-member Regional Board. One member is appointed to represent Municipal Governments and must be an elected official. Board members serve four-year terms, once confirmed by the State Senate. Board members attend at least 10 business meetings annually. These business meetings function much like city council meetings, where the Board holds public hearings on permits and other regulatory rules, including municipal NPDES (National Pollution Discharge Elimination System) permits regulating storm water and wastewater, "brownfield" cleanups, drinking water requirements, chloride contamination and more. The Board also holds

“workshops” for special topics as necessary. Examples of recent workshops include meetings on the new septic tank regulations and the TMDL (Total Maximum Daily Load) requirements.

Some of the issues of concern to the Regional Board include but are not limited to:

- Storm water NPDES Permit
- Waste Discharge
- Permit for reclaimed water
- the TMDL for Toxics, Metals, Chlorides and Trash
- Copper Concentrations
- The application of the California Toxic Rule to both drinking water and storm water.

Due to the increasingly technical and scientific nature of the materials provided in advance of each meeting and the topics under consideration by the board, it has been determined that a knowledgeable consultant could provide necessary information to help the Municipal Board Member better understand and discuss the subjects on each agenda. It is the goal of the League of California Cities, Los Angeles County Division to assist by providing support to the Municipal Board Member so that person can better represent all the Division Members. This will be done in a manner consistent with the ex parte rules governing communication with water board members.

History:

The League of California Cities, Los Angeles County Division, has hired a consultant in the past to help decipher the complexities of other issues that have a wide affect on the member cities. With so many issues presented to Council Members, it is difficult to become an expert on all issues. It is for this reason, that the Division has supported hiring consultants to provide cities with a common interest the manner in which to better represent the needs of their constituents by having a better understanding of the issues at hand.

The State League office has, on occasion, provided support for its Divisions by serving as contracting agent for outside consultants. The League requires that the Division provide the funding to the League's main office for the consultant and serve as administrator for the program by 1) developing an RFP; 2) evaluating respondents to the RFP; 3) identifying the contract recipient; 4) defining the specific terms, duration and scope of work in the contract; 5) reviewing and approving consultant invoices; and 6) communicating with the League office throughout the process and program.

Qualifications:

The selected Consultant should have:

- Previous experience in both surface and groundwater regulations, NPDES Permits, TMDLs, SSO's, septic tank and sewer system permits.
- Previous experience in the working with the Regional Water Board and local agencies, such as the Los Angeles County Department of Public Works, the Los Angeles County Sanitation Districts and cities.
- No connection to any city or agency that holds any current permits administered by the Los Angeles Regional Water Quality Control Board
- The willingness and ability to enter into an MOU with the League of California Cities and administered by the League of California Cities, Los Angeles County Division. The consultant should also provide the following insurance coverage and meet any additional requirements contained within the League's standard contract:
 - Errors and Omissions Liability Insurance – Combined single limits of One Million dollars (\$1,000,000) for bodily injury and property; or
 - Professional Liability – Professional liability insurance with limits of at least One Million dollars (\$1,000,000,000).

Responsibilities:

- Stay abreast of actions taken by the State Water Resources Board and the US Environmental Protection Agency
- Attend all meetings of the Los Angeles Regional Water Quality Control Board in support of the Municipal Board Member.
- The selected Consultant shall be capable of providing analysis and making sound recommendations in the areas of surface and groundwater quality issues confronting the Los Angeles Area Division Member Cities. These issues include National Pollution Discharge Elimination Permits, Total Daily Maximum Daily Loads and Site Specific Objectives (SSO's), as well as other regulatory permits and actions. The consultant should also be familiar with septic tank and sewer system regulations.
- Consultant should be familiar with all relevant topics so as to provide the board member not only with background information and understanding, but also with alternative possible directions for consideration.