

ORDINANCE NO. _____

An ordinance adding Chapters 187 and 188 to Division 5 of the Los Angeles Administrative Code to establish the Measure W – Safe, Clean Water – Regional Projects Special Fund and the Measure W – Safe, Clean Water – Municipal Program Special Fund; and adding Chapter 27 to Division 8 to establish the Measure W – Safe, Clean Water Administrative Oversight Committee.

WHEREAS, on November 6, 2018, Los Angeles County voters approved Measure W – The Los Angeles County Safe, Clean Water – Program (Measure W), a parcel tax of 2.5 cents per square foot of impermeable surface to support the costs of stormwater-related programs and projects;

WHEREAS, Los Angeles County enacted an ordinance and implementation ordinance regarding Measure W (Chapter 16 and Chapter 18, respectively, of the Los Angeles County Flood Control District (LACFCD) Code);

WHEREAS, pursuant to these Los Angeles County ordinances, Measure W is administered by the LACFCD and revenues are allocated to three sub-programs – regional, municipal, and administrative – as follows: 50 percent of revenues are allocated for region-wide projects and are awarded on a competitive basis; 40 percent of revenues are allocated to municipalities in the same proportion as the amount of revenues collected within each municipality; and the remaining 10 percent is allocated to the LACFCD for implementation and administration of Measure W;

WHEREAS, eligible uses for revenues include projects that provide a water supply and/or water quality benefit and a community investment benefit;

WHEREAS, the City seeks to establish the Measure W – Safe, Clean Water – Regional Projects Special Fund administered by the Department of Public Works, Bureau of Sanitation for the receipt, retention, and disbursement of funds received from Measure W for regional projects;

WHEREAS, the LACFCD will form one watershed area steering committee per watershed (Watershed Area Steering Committee), for a total of nine steering committees each consisting of 17 members, seven from municipalities within the watershed, five agency stakeholders, and five community stakeholders;

WHEREAS, the City will appoint its municipal representatives on three Watershed Area Steering Committees and the lead City agency for Measure W;

WHEREAS, the City also seeks to establish the Measure W – Safe, Clean Water – Municipal Program Special Fund administered by the Department of Public Works, Bureau of Sanitation for the receipt, retention and disbursement of funds received from Measure W for municipal programs; and

WHEREAS, the City further seeks to establish the Measure W – Safe Clean Water – Administrative Oversight Committee, consisting of representatives from the Offices of the Mayor, City Administrative Officer, and the Chief Legislative Analyst to oversee the City’s administration of its Measure W program.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A new Chapter 187 is added to Division 5 of the Los Angeles Administrative Code to read as follows:

CHAPTER 187

**MEASURE W – SAFE, CLEAN WATER – REGIONAL PROJECTS
SPECIAL FUND**

Sec. 5.593. Creation and Administration of the Fund.

(a) There is hereby created and established within the Treasury of the City of Los Angeles a special fund to be known as the “**Measure W – Safe, Clean Water – Regional Projects Special Fund**,” hereinafter referred to as the “**Fund**.”

(b) The purpose of the Fund shall be for the receipt, retention, and disbursement of monies received from the Los Angeles County Safe, Clean Water Program for regional projects (Safe, Clean Water Program for Regional Projects). The monies placed in the Fund shall be used for regional projects pursuant to the Safe, Clean Water Program for Regional Projects.

(c) The Fund shall be administered by the Department of Public Works, Bureau of Sanitation (Fund Administrator).

(d) Expenditures from the Fund shall be made by the Fund Administrator solely to fund activities related to the purpose of the Fund and in accordance with the Safe, Clean Water Program.

(e) At the close of each fiscal year, monies not expended from the Fund, or any account within the Fund, shall remain in the Fund and shall not revert to the Reserve Fund in accordance with Charter Section 344.

(f) The Fund Administrator shall prepare and present to the City Council an annual report identifying all receipts into and all expenditures out of the Fund; the report shall also identify the purpose of the expenditures. Each report shall cover a fiscal year and shall be submitted within 90 days after the close of that fiscal year.

(g) The Fund shall be interest bearing. Interest and any other earnings attributable to monies in the Fund shall be credited to the Fund and devoted to the purposes of the Fund.

(h) Municipal seat representatives of the City of Los Angeles in the applicable Watershed Area Steering Committees of the Safe, Clean Water Program, shall be as follows:

1. For the Central Santa Monica Bay Steering Committee, the Mayor, Council President, and Chair of the City Council's Energy, Climate Change and Environmental Justice (ECCEJ) Committee, or any successor committee, shall each appoint one municipal seat representative and alternate consistent with the Safe, Clean Water Program requirements for a term of three years;

2. For the Upper Los Angeles River Steering Committee, the Mayor, Council President, and Chair of the Council's ECCEJ Committee, or any successor committee, shall each appoint one municipal seat representative and alternate consistent with the Safe, Clean Water Program requirements for a term of three years;

3. For the South Santa Monica Bay Steering Committee, the Mayor shall appoint one municipal seat representative and alternate consistent with Safe, Clean Water Program requirements for a term of three years; and

4. The City's lead agency to work with Los Angeles County in support of Watershed Area Steering Committee activities associated with the Central Santa Monica Bay, Upper Los Angeles River, and South Santa Monica Bay watersheds shall be the Fund Administrator.

Sec. 2. A new Chapter 188 is added to Division 5 of the Los Angeles Administrative Code to read as follows:

CHAPTER 188

MEASURE W – SAFE, CLEAN WATER – MUNICIPAL PROGRAM SPECIAL FUND

Sec. 5.594. Creation and Administration of the Fund.

(a) There is hereby created and established within the Treasury of the City of Los Angeles a special fund to be known as the "**Measure W – Safe, Clean Water – Municipal Program Special Fund**," hereinafter referred to as the "**Fund**."

(b) The purpose of the Fund shall be for the receipt, retention, and disbursement of monies received from the Los Angeles County Safe, Clean Water Municipal Program (Safe, Clean Water Municipal Program). The monies placed in the

Fund shall be used for municipal programs pursuant to the Safe, Clean Water Municipal Program.

(c) The Fund shall be administered by the Department of Public Works, Bureau of Sanitation (Fund Administrator).

(d) Expenditures from the Fund shall be made by the Fund Administrator solely to fund activities related to the purpose of the Fund and in accordance with the Safe, Clean Water Municipal Program.

(e) At the close of each fiscal year, monies not expended from the Fund, or any account within the Fund, shall remain in the Fund and shall not revert to the Reserve Fund in accordance with Charter Section 344.

(f) The Fund Administrator shall prepare and present to the City Council an annual report identifying all receipts into and all expenditures out of the Fund, as well as the purpose of expenditures. Each report shall cover a fiscal year and shall be submitted within 90 days after the close of that fiscal year.

(g) The Fund shall be interest bearing. Interest and any other earnings attributable to monies in the Fund shall be credited to the Fund and devoted to the purposes of the Fund.

Sec. 3. A new Chapter 27 is added to Division 8 of the Los Angeles Administrative Code to read as follows:

CHAPTER 27

MEASURE W – SAFE, CLEAN WATER – ADMINISTRATIVE OVERSIGHT COMMITTEE

Sec. 8.328. Creation.

The City Council hereby creates and designates the Measure W – Safe, Clean Water – Administrative Oversight Committee (Administrative Oversight Committee) to oversee all City projects and programs funded with proceeds from the ballot measure adopted by the Los Angeles County voters in 2018 (Measure W – The Los Angeles County Safe, Clean Water – Program, referred to as the Measure W Program). Any actions or recommendations by the Administrative Oversight Committee shall be subject to approval by the City Council and the Mayor.

Sec. 8.328.1. Membership.

The Administrative Oversight Committee shall consist of the Mayor; the City Administrative Officer, who shall be the chairperson; and the Chief Legislative Analyst. Each of the members may designate someone to act on the member's behalf.

Sec. 8.328.2. Duties and Responsibilities.

The Administrative Oversight Committee shall ensure proper administration of the Measure W Program. The duties and responsibilities of the Administrative Oversight Committee shall include, but not be limited to:

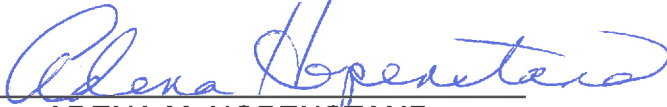
- (a) Develop and review criteria for the selection of projects as proposed by City departments;
- (b) Review project proposals to determine if they meet adopted project criteria;
- (c) Oversee, direct, and monitor the program and projects to ensure timely completion within approved schedules and budgets;
- (d) Monitor utilization and cost of City personnel, personal services contracts, expense, and equipment for the projects;
- (e) Review Memoranda of Agreement or Understanding between City departments and outside agencies concerning the program;
- (f) Resolve any issues of concern between the departments to address program and project needs; and
- (g) Take any other action as may be necessary to oversee the program and projects.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By



ADENA M. HOPENSTAND
Deputy City Attorney

Date

1/23/20

File No. 18-0384-S1

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____