

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Executive Office

**SUBMITTAL DATE:**  
July 26, 2005

**SUBJECT:** Position on Assembly Constitutional Amendment 13 (ACA 13) Harman to exempt flood control project fees from Proposition 218's two-thirds voter requirement.

**RECOMMENDED MOTION:** Receive and File.

**BACKGROUND:** On April 26, 2005, the Executive Office submitted a form 11 recommending the Board support ACA 13, a proposed law that would exempt flood control project fees and stormwater and urban runoff management project fees from the two-thirds vote requirement imposed by Proposition 218. The Board voted not to support ACA 13 and requested a report back on other financing options and a comprehensive plan to address flood, stormwater and urban runoff issues.

Subsequently, on July 12, 2005, the Flood Control District was asked to provide a presentation on the status of NPDES including new regulations, increasing costs, possible funding sources and water quality mitigation facility maintenance.

- continued

*Alex Gann*  
\_\_\_\_\_  
Alex Gann, Senior Management Analyst

|                       |                               |    |                                |                           |
|-----------------------|-------------------------------|----|--------------------------------|---------------------------|
| <b>FINANCIAL DATA</b> | Current F.Y. Total Cost:      | \$ | <b>In Current Year Budget:</b> |                           |
|                       | Current F.Y. Net County Cost: | \$ |                                | <b>Budget Adjustment:</b> |
|                       | Annual Net County Cost:       | \$ |                                | <b>For Fiscal Year:</b>   |

|                         |                                  |                          |
|-------------------------|----------------------------------|--------------------------|
| <b>SOURCE OF FUNDS:</b> | Positions To Be Deleted Per A-30 | <input type="checkbox"/> |
|                         | Requires 4/5 Vote                | <input type="checkbox"/> |

**C.E.O. RECOMMENDATION:** **APPROVE**

**County Executive Office Signature** *Bhonda King*

JUL 28 10:38 AM '05  
CLERK LEGAL & POLICE  
COUNTY OF RIVERSIDE

Dep't Recomm.:  Consent  Policy  
Per Exec. Ofc.:  Consent  Policy

Departmental Concurrence

The Board's request for a presentation from the Flood Control District is very similar to the report requested of the Executive Office. The Executive Office proposes that the two requests be merged into a single report/presentation and that the Executive Office take the lead (with cooperation from Flood Control) and return to the Board in October with a full report addressing the issues outlined by the Board.

The presentation will also provide a follow-up to the Detention Basin Workshop and discuss operation and maintenance issues associated with post-construction treatment control devices or best management practices. Other elements of the presentation will include federal and state grant funds available for addressing water quality issues, potential use of redevelopment funds for water quality issues, an analysis of other potential funding sources, background on water quality regulatory/permit requirements, and an assessment of current and future programmatic costs.

The Executive Office has been working with Flood Control, TLMA, Transportation, Building and Safety, Department of Environmental Health, and County Counsel to identify key issues that require resolution relative to our three water quality permits and a plan to address a methodical approach to resolve the issues. We are in the process of forming a Steering Committee to address policy and planning guidelines for the implementation and funding of our water quality requirements. Our water quality permit requirements cross departmental lines and it is anticipated that the Steering Committee will be able to identify roles and responsibilities that will lead to a strong cooperative relationship with all affected departments. Recommendations from the Steering Committee will also be included in the October presentation.