

AGENDA REPORT

Agenda Item Approvals: City Manager Dept. Head Attorney

Finance

SAN CLEMENTE CITY COUNCIL MEETING Meeting Date: July 7, 2020

Department:

Utilities

Prepared By:

Cynthia Mallett, Environmental Programs Supervisor DR

Subject:

CITY COUNCIL APPOINTEE TO THE SOUTH ORANGE COUNTY WATERSHED MANAGEMENT

AREA (SOCWMA) EXECUTIVE COMMITTEE.

Fiscal Impact: None.

Summary:

Staff recommends the City Council appoint a representative and alternate to serve on

the SOCWMA Executive Committee.

Background:

SOCWMA acts through an Executive Committee and other committees established by the Executive Committee to collaborate in protecting and managing water resources in the SOCWMA through coordinated implementation of projects between cities, special districts, or other organizations operating in southern Orange County. California. The Agreement originally allowed for each of the parties to appoint an elected or executive level official from its organization to serve as its member and alternate on the Executive Committee. Due to a revision to the Agreement in 2019, only elected officials are allowed to serve on the Executive Committee unless a member of the committee is not comprised of elected officials, such as a non-profit organization.

Discussion:

The SOCWMA Agreement (Attachment 1) was entered into on December 14, 2010 and uses an Executive Committee Handbook (Attachment 2) to further clarify roles defined in the agreement and is updated on a regular basis. The Handbook was last revised in February 2019. The purpose of SOCWMA is to create a cooperative framework for planning and implementing water management strategies in South Orange County. Cooperative efforts include, but are not limited to: addressing water quality impairments; establishing priorities for water resource needs; integrating water resource solutions across traditional disciplinary bounds; and, jointly advocating for policies and funding that assist these goals.

It is vital that a City Council representative serve on the Executive Committee so that they are aware of and have ability to vote on proposed projects, grant opportunities. associated cost-share budgets and water resource management issues facing the South Orange County cities that will or have potential to impact and/or benefit the City of San Clemente. City staff are assigned to a Management Committee, which serves under the Executive Committee, and can provide information to the Executive Committee appointee to provide understanding and clarity to agenda items brought before the Executive Committee.

The City of San Clemente has benefited from a regional Prop. 50 Grant through SOCWMA in the amount of approximately \$5.7 million to expand its recycled water system. Executive Committee Members have the opportunity to review and vote on these types of projects for funding from various funding sources. It is beneficial to have an Elected Official attend these meetings so they can understand and vote on proposed regional projects, including future projects proposed by the City of San Clemente.

The Executive Committee has the following duties and powers:

- a) Identify and prioritize water resource issues, problems and improvement projects.
- b) Establish policy direction for SOCWMA and its committees.
- c) Approve an annual work plan for SOCWMA.
- d) Approve an annual cost-shared budget for the administration and activities of SOCWMA, its committees, projects, or actions, including any administrative support for SOCWMA (Annual Budget).
- e) Approve significant amendments of the South Orange County Integrated Regional Water Management Plan (hereinafter "IRWMP") and its prioritized lists of projects and activities.
- f) Approve grant applications for funding SOCWMA projects or programs.
- g) Allocate any new non-grant revenue sources available for SOCWMA projects based on capital improvement plan priorities.
- h) Encourage and facilitate voluntary agreements between the PARTIES to fund and implement SOCWMA projects and programs.
- Review and report to the PARTIES as to whether adequate and reasonable progress is being made on water quality and water resource issues in SOCWMA.
- j) Elect a chair and vice-chair.
- k) Meet upon the request of the chair, but at least every six months unless the PARTIES agree to meet less frequently.
- I) Establish procedures and rules of conduct for the group, as needed. PARTIES acknowledge that the Executive Committee cannot bind the PARTIES' respective organizations. All recommendations of the Executive Committee requiring funding or action on behalf of any PARTY are subject to approval by the PARTIES' governing bodies and subject to the budget process governing those bodies.

The Executive Committee shall approve an annual cost-shared budget for the administration and activities of the SOCWMA, its committees, projects, or actions, including any administrative support for the SOCWMA. The five-year cost-share average for the City of San Clemente is \$6,062 and the Fiscal Year 2019-20 cost share for the City was \$10,456. The Annual Cost-Shared Budget requires approval by 80 percent of the members of the Executive Committee. The responsibility for payment of the Annual Cost Share Budget is distributed equally among the parties. Each party shall include their respective share of the Annual Cost-Shared Budget in their agency's annual budget.

For matters on which the Executive Committee votes, each voting member shall have one vote. Actions of the Executive Committee shall be approved upon the affirmative vote of a majority of the representatives present. A simple majority of the Executive Committee shall constitute a quorum.

SOCWMA Executive Committee Meeting Info is as follows:

- Meeting Date/Frequency: Quarterly, first Thursday of the month (unless there is a conflict). Upcoming 2020 meeting dates approved are August 6, and November 5
- Time: 2:30 4:30 PM
- Location: Online meeting until further notice due to COVID-19. Otherwise, usual meeting location is at Laguna Niguel Council Chambers 30111 Crown Valley Parkway, Laguna Niguel, CA 92677

Recommended

Action:

STAFF RECOMMENDS THAT the City Council appoint an elected official representative and alternate representative to serve on the SOCWMA Executive Committee.

Attachments:

- 1. Cooperative Agreement for the South Orange County Watershed Management Area dated December 14, 2010.
- 2. Executive Committee Handbook dated February 2019.

Notification:

None

COOPERATIVE AGREEMENT FOR THE SOUTH ORANGE COUNTY WATERSHED MANAGEMENT AREA

This AGREEMENT is made and entered into this <u>III IM</u> day of <u>DECEMBER</u> 2010, by and between the signatories, hereinafter referred to as PARTIES, all being either the County of Orange, cities, special districts, or other organizations operating in southern Orange County, California.

RECITALS

WHEREAS, the municipalities and special districts in Orange County developed a countywide Water Quality Strategic Plan that recommends the formation of three Watershed Management Areas to better coordinate and implement collective water resource management strategies.

WHEREAS, a water resource management strategy as defined in the California Water Plan Update 2009 is a project, program, or policy that helps local agencies and governments manage their water, and related sources; and

WHEREAS, South Orange County Watershed Management Area comprises six watersheds in the San Juan Hydrologic Region: Laguna Coastal Streams, Aliso Creek, Dana Point Coastal Streams, San Juan Creek, San Clemente Coastal Streams, and San Mateo Creek, and is hereinafter referred to as the South Orange County Watershed Management Area (WMA).

WHEREAS, the PARTIES are all currently organizations operating in the South Orange County WMA and desire to collaborate in protecting and managing water resources in the South Orange County WMA through coordinated implementation of an integrated approach; and

WHEREAS, the PARTIES collectively have made significant investments in planning for flood management; urban runoff management; watershed management; water use efficiency; water supply and reliability; recycled water; habitat preservation, conservation, and restoration; water quality protection and improvement; resource stewardship; and related water resource management strategies; and

WHEREAS, the PARTIES collectively cover the planning area that contains significant need for major public infrastructure and conservation projects; and

WHEREAS, the PARTIES are willing to act in the best interest of the South Orange County WMA; and

WHEREAS, the PARTIES are committed to conduct planning efforts in an open accessible process; and

WHEREAS, the PARTIES have the institutional and fiscal capacity and systems to carry out planning and implementation efforts; and

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WHEREAS, this agreement is not intended to create a financial obligation on the part of any of the PARTIES and that the financial obligations of the PARTIES will be established through the annual budget developed pursuant to this agreement, which will be approved through each PARTIES' budget adoption process; and

WHEREAS, the agreement contemplates that individual projects will be governed by separate project implementation agreements that provide funding or in-kind assistance as generally described herein; and

WHEREAS, the PARTIES expect to benefit individually and/or collectively from their participation in this AGREEMENT; and

WHEREAS, the PARTIES will have voting authority; and

WHEREAS, the PARTIES recognize that there are entities within the South Orange County WMA that have responsibilities for water resource management, including but not limited to the San Diego Regional Water Quality Control Board, California Department of Fish and Game, California Department of Transportation, and Orange County Transportation Authority; and

WHEREAS, these other interested entities may be added to this AGREEMENT with approval of the Executive Committee and

WHEREAS, the PARTIES recognize that such entities may not be required to provide funding or in-kind assistance and will, therefore, not have voting authority and will be referred to as NON VOTING PARTIES.

NOW, THEREFORE, in consideration of the foregoing, the PARTIES agree as follows:

Section 1: Purpose

The purpose of this AGREEMENT is to establish the South Orange County WMA as a cooperative framework for planning and implementing water management strategies in the South Orange County WMA. Cooperative efforts include but are not limited to: addressing water quality impairments; establishing priorities for water resource needs; integrating water resource solutions across traditional disciplinary bounds; and jointly advocating for policies and funding that assist these goals.

Section 2: Governance and Committees

The South Orange County WMA shall be governed through the authority of this AGREEMENT with the provisions indicated below.

1. Executive Committee

The South Orange County WMA shall act through an Executive Committee and other committees established by the Executive Committee.

Page 2 of 29 South Orange County Watershed Management Area Cooperative Agreement 5/28/2010 Each of the PARTIES shall appoint an elected or executive level official from its organization to serve as its member and alternate on the Executive Committee. Representatives will serve on the Executive Committee at the pleasure of their appointing PARTY.

Each of the PARTIES shall designate a senior staff person as the point of contact to fulfill the intended purpose of this AGREEMENT.

For NON VOTING PARTIES, the representative will be a director or officer of the organization.

On matters on which the Executive Committee votes, each voting member shall have one vote. Actions of the Executive Committee shall be approved upon the affirmative vote of a majority of the representatives present. A simple majority of the Executive Committee shall constitute a quorum.

The Executive Committee will have the following duties and powers:

- a. Identify and prioritize water resource issues, problems and improvement projects.
- b. Establish policy direction for the South Orange County WMA and its committees.
- c. Approve an annual work plan for the South Orange County WMA.
- d. Approve an annual cost-shared budget for the administration and activities of the South Orange County WMA, its committees, projects, or actions, including any administrative support for the South Orange County WMA (Annual Budget).
- e. Approve significant amendments of the South Orange County Integrated Regional Water Management Plan (hereinafter "IRWMP") and its prioritized lists of projects and activities.
- f. Approve grant applications for funding South Orange County WMA projects or programs.
- g. Allocate any new non-grant revenue sources available for South Orange County WMA projects based on capital improvement plan priorities.
- h. Encourage and facilitate voluntary agreements between the PARTIES to fund and implement South Orange County WMA projects and programs.
- Review and report to the PARTIES as to whether adequate and reasonable progress is being made on water quality and water resource issues in the South Orange County WMA.
- j. Elect a chair and vice-chair.
- k. Meet upon the request of the chair, but at least every six months unless the PARTIES agree to meet less frequently.

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- I. Convene committees and workshops as deemed appropriate.
- m. Establish procedures and rules of conduct for the group, as needed.

PARTIES acknowledge that the Executive Committee cannot bind the PARTIES' respective organizations. All recommendations of the Executive Committee requiring funding or action on behalf of any PARTY are subject to approval by the PARTIES' governing bodies and subject to the budget process governing those bodies.

2. Annual Cost-Share Budget

The Executive Committee shall approve an annual cost-shared budget for the administration and activities of the South Orange County WMA, its committees, projects, or actions, including any administrative support for the South Orange County WMA. The Annual Cost-Shared Budget requires approval by 80 percent of the members of the Executive Committee. The responsibility for payment of the Annual Cost Share Budget shall be distributed equally among the PARTIES. Each PARTY shall include their respective share of the Annual Cost-Shared Budget in their agency's annual budget.

The COUNTY shall invoice each city for its annual deposit at the beginning of each fiscal year. Each PARTY shall pay the deposit within 45 days of the date of the invoice. Each PARTY's deposit shall be based on their prorated share of the approved Annual Budget, reduced for any surplus identified in the prior fiscal year end accounting.

Interest earned on the PARTIES' deposits will not be paid to the PARTIES, but will be credited against the PARTIES' share of the program costs.

The COUNTY shall prepare a fiscal year end accounting within 60 days of the end of the fiscal year. If the fiscal year end accounting results in costs (net of interest earnings) exceeding the sum of the deposits, the COUNTY shall invoice each PARTY for its prorated share of the excess cost. Each PARTY shall pay the billing within 45 days of the date of the invoice. If the fiscal year end accounting results in the sum of the deposits exceeding costs (net of interest earnings), the excess deposits will carry forward to reduce the billings for the following year.

Upon termination of the program a final accounting shall be performed by the COUNTY. If costs (net of interest earnings) exceed the sum of the deposits, the COUNTY shall invoice each PARTY for its prorated share of the excess. Each PARTY shall pay the invoice within 45 days of the date of the invoice. If the sum of the deposits exceeds the costs, the COUNTY shall reimburse to each PARTY its prorated share of the excess, within 45 days of the final accounting. Interest earnings are used to offset the PARTIES' share of program costs and will not be refunded to the PARTIES.

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3. Administrative Support

COUNTY will provide staff support for the South Orange County WMA and its committees and will perform services including planning activities, facilitating regional planning and coordination activities related to water resources, and general administration for the implementation of the South Orange County WMA's plans and work programs, as directed by the Executive Committee.

COUNTY or other PARTY designated by the Executive Committee (Designated Party) may receive and administer any funds received on behalf of the South Orange County WMA for the administration and implementation of its projects and programs.

Designated Party may retain qualified consultants for use on South Orange County WMA matters as directed by the Executive Committee, subject to the Designated Party's normal rules and procedures for procuring such services and subject to the annual work plan and Annual Budget approved by the Executive Committee.

Designated Party may undertake efforts directly on behalf of the South Orange County WMA as directed by the Executive Committee, if necessary.

Designated Party will endeavor to apply funds received through grants or from other sources to defray the expenses in the Annual Budget where practicable. The remaining expenses in the Annual Budget will be shared by the appropriate PARTIES according to an equitable allocation approved by the South Orange County WMA.

PARTIES will provide funds for implementation of the IRWMP and for the implementation of projects and activities in furtherance of the IRWMP through specific Implementation Agreements subject to approval by the COUNTY or other applicable PARTY and PROJECT PROPONENTS.

Section 3: Authority and Responsibilities

The PARTIES agree that the cooperative and integrated implementation of common water resource goals is in the best interests of the South Orange County WMA. The PARTIES agree to collaborate in good faith to seek funding and resources to implement the projects and activities in the South Orange County WMA and the associated work plans and programs.

The South Orange County WMA may authorize COUNTY or other designed PARTY to apply for grants or seek other funds to support the implementation of the IRWMP.

The South Orange County WMA through its Annual Budget will commit to continued IRWM planning on an appropriate annual basis to have an updated plan with a current list of projects and funding resources identified. This will ensure that the region is prepared for any funding opportunity that may arise.

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Section 4: Project Implementation Agreements

Implementation of any cost-shared programs shall be accomplished through PROJECT IMPLEMENTATION AGREEMENTS. These PROJECT IMPLEMENTATION AGREEMENTS shall designate a Managing Party responsible for managing the program that is the subject of that PROJECT IMPLEMENTATION AGREEMENT. The PARTIES to this AGREEMENT may be participants in these PROJECT IMPLEMENTATION AGREEMENTS.

Section 5: Terms and Provisions

All information about individual projects or activities undertaken pursuant to this AGREEMENT is the responsibility of the project proponent PARTY or PARTIES. The PARTIES shall not disclose private or confidential data about the projects or activities.

The PARTIES agree that COUNTY will administer this AGREEMENT and the overall program of implementation, that COUNTY review of individual projects is discretionary, and PARTIES shall not assume that COUNTY will discover errors and/or omissions. While COUNTY may submit grant applications, factual reports, monitoring data, and the like to granting agencies on behalf of the South Orange County WMA, the PARTIES acknowledge their responsibility for the accuracy, completeness, and timely submittal of project information submitted to COUNTY for this purpose.

The PARTIES are assumed to be familiar with and shall observe and comply with all federal, state, and local laws, ordinances, rules and regulations in any manner affecting the implementation of this AGREEMENT or projects or activities hereunder.

Section 6: Additional PARTIES

It is recognized that there are other entities within the South Orange County WMA that may have commitments to or responsibility for water quality and water resource management. The PARTIES hereto agree to engage with other entities, as appropriate, on the water quality and water resource issues described above. Additional PARTIES may be added to the AGREEMENT with approval of the Executive Committee and upon execution of the AGREEMENT by the additional PARTY. If such entity contributes funding to the South Orange County WMA, such additional Party shall be a voting PARTY with all rights and obligations of a PARTY under this Agreement. If such entity does not contribute funding but intends to participate in merely an advisory capacity, that PARTY shall be NON VOTING PARTY to this Agreement. Entities may participate in PROJECT IMPLEMENTATION AGREEMENTS without being PARTIES to this AGREEMENT.

Section 7: Amendment

All Amendments other than the addition of Parties in accordance with Section 6 above shall be in writing with the approval of a majority of the PARTIES. Any such written modification shall be attached and incorporated hereto.

Section 8: Assignment

Neither this AGREEMENT, nor any duties or obligations under this AGREEMENT, shall be assigned by any PARTY without the prior written consent of the Executive Committee. Should an assignment or transfer occur, whenever COUNTY, PARTY or other entity are named such reference shall be deemed to include the successor to the powers, duties and functions that are presently vested in COUNTY and the PARTY, and all agreements and covenants required hereby to be performed by or on behalf of COUNTY and PARTY shall bind and inure to the benefit of the respective successors there of whether so expressed or not.

Section 9: Execution

This AGREEMENT may be executed in counterpart and the signed counterparts shall constitute a single instrument.

Section 10: Withdrawal of Parties

Any PARTY or NON VOTING PARTY may withdraw its participation in this AGREEMENT upon ninety (90) days prior written notice to all of the other PARTIES, such withdrawal to be effective ninety (90) days after the notice is received or deemed received. If COUNTY withdrawals from this AGREEMENT the South Orange County WMA agrees to designate a different PARTY to assume the administrative

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South Orange County Watershed Management Area Cooperative Agreement 5/28/2010

role under this AGREEMENT who will assume all responsibilities of COUNTY. The balance of the PARTIES shall continue in the performance of the terms and conditions of this AGREEMENT unless and until the AGREEMENT is terminated.

Section 11: Term and Termination

The term of this AGREEMENT shall commence upon the date when all PARTIES have executed this document.

This AGREEMENT is subject to termination by majority vote of the Executive Committee.

Section 12: No Third Party Beneficiaries

Nothing in this AGREEMENT shall be construed to give any person, other than the COUNTY and PARTIES hereto, any legal or equitable right, remedy or claim under or in respect of this AGREEMENT or any provisions herein contained. This AGREEMENT and conditions and provisions hereof are intended to be and are for the sole and exclusive benefit of the COUNTY and PARTIES.

Section 13: Liability

It is mutually understood and agreed that, merely by the virtue of entering into this AGREEMENT, each PARTY neither relinquishes any rights nor assumes any liabilities for its own actions or the actions of other PARTIES. It is the intent of the PARTIES that the rights and liabilities of each PARTY shall remain the same, while this AGREEMENT is in force, as it was before this AGREEMENT was made, except as otherwise specifically provided in this AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates opposite their respective signatures.

Dated: 12-14-10 By: Chairman of the Board of Supervisors

APPROVED AS TO FORM:
County Counsel

By: Deputy

Dated: 12-14-10 By: Chairman of the Board of Supervisors

APPROVED AS TO FORM:
County Counsel

By: Deputy

Dated: 12-14-10 By: Chairman of the Board of Supervisors

By: Deputy

Dated: 12-14-10 By: Chairman of the Board of Supervisors

Clerk of the Board of Supervisors of

Orange County, California

Signature Blocks for Each Agency Follow:

CITY OF ALISO VIEJO

Name: Mark Pulone Title: City Manager

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

hokevys

Date **6-15-10**

Name: Doug

Title: City Manager

ATTEST:

APPROVED AS TO FORM:

City Attorney

CITY OF LAGUNA BEACH

By Remote Sull

Date 7/12/10

Name: Kenneth Frank Title: City Manager

ATTEST:

APPROVED AS TO FORM:

City Clerk

ity Attorney

CITY OF LAGUNA HIM

By / Well Ville Name: Bruge E. Channing Title: City Manager

Date_July 13, 2010

ATTEST:

APPROVED AS TO FORM:

City Attorney

Gregory E. Simonian

CITY OF	LAGUNA	NIGUEL	

Title: City Manager

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

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By Mylus (Celly Name: Leslie A (Keane

Title: City Manager

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

CITY OF LAKE FOREST

By Date Mame: Robert C. Dunek

Title: City Manager

ATTEST:

APPROVED AS TO FORM:

Stephenie Al Snith X

CITY OF MISSION VIEJO

By Clui Whey

Date 6 23 10

Name: Dennis Wilberg Title: City Manager

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

CITY OF RANCHO SANTA MARGARITA

By Clear Chaper

Date 9/21/15

Name: Steve Hayman Title: City Manager

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

CITY OF SAN CLEMENTE

Name: James Dahl

Date <u>(7/96/10</u>

Title: Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

ity Attorney

I, RITA MUELLER, RECORDS COORDINATOR FOR THE CITY CLERK DEPARTMENT OF THE CITY OF SAN CLEMENTE, STATE OF CALIFORNIA, HEREBY CERTIFY UNDER PENALTY OF PERJURY THE FOREGOING INSTRUMENT TO BE A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL NOW ON FILE IN MY DEPARTMENT.

DATE:

RITA MUELLER RECORDS COORDINATOR

DV

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CITY OF SAN JUAN CAPISTRANO

By ______Name: Joe Tait

Title: City Mahager

APPROVED AS TO FORM:

ATTEST:

EL TORO WATER DISTRIGT	
By Abu 1. // Name: Robert R. Hill Title: General Manager	Date 7/15/1.
APPROVED AS TO FORM: By	Date 1/15/10
Name:	
Title:	

MOULTON NIGUEL WATER DISTRICT	
By Killert Burnerman	Date 6-17-2010
Name: Bob Gumerman	
Title: General Manager	1.11
Title: General Manager APPROVED AS TO FORM: Bowe, Arres	on, Nies ? Glanbore
Name: PATRICIA B. GIGANORE	Date 6-1 (-20)0
Name: PATRYUA B. Glannone	
Title:	

MUNICIPAL WATER DISTRICT OF	ORANGE COUNTY
ву	Date
Name: Kevin P. Hunt	
Title: General Manager	
APPROVED AS TO FORM:	
Ву	Date
Name:	
Title:	

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SANTA MARGARITA WATER DISTRICT			
By Color O. Schot	Date_	9/27/10	
Name:/John 1/. Schatz			
Title: General Manager			
APPROVED AS TO FORM:			
By Coln O. Schot	Date	9/27/10	
Name: / / J			

SOUTH COAST WATER DISTRICT		
By Michael Banks	_ Date_	9/14/2016
Name: Michael Dunbar		/
Title: General Manager		
APPROVED AS TO FORM:		7
By 13 tricely	_ Date_	9/14/2010
Name: +, chi, Francis		1
Title:		

SOUTH	ORANGE COUNTY WASTEWATER AUTHORITY		
Ву	Janu Boos Date	8/5/10	_
Name:	Tom Rosales		
Title:	General Manager		
APPRO'	VED AS TO FORM: June, Armeson	Who	- Gennene
Ву	a Kin B. Carre Date 4.	1-16	
Name:	Patricia & Engirone		
Title:	Legal Consel SKLA		

TRABUCO CANYON WATER DISTRICT By Name: Don Chadd Title: General Manager	
APPROVED AS TO FORM:	
By Name: Title:	Date

Title: General Manager

IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

Name: Joan Arneson Title: Légal Counsel

LAGUNA BEACH COUNTY WATER DISTRICT		
By Andy Name: Renae Hinchey Title: General Manager	Date 12/4/15	er.
APPROVED AS TO FORM:	, /	
By and Maringster Name. Janet Morningster Title: Interin General Counsel	Date 12/7/15	-

South Orange County Watershed Management Area













































Watershed Executive Committee Handbook

January 2012

Updated February 2019

2019 South Orange County Watershed Management Area Executive Committee Members

Aliso Viejo	Tiffany Ackley
Dana Point	Paul Wyatt
El Toro Water District	Kay Havens
Irvine Ranch Water District	Mary Aileen Matheis
Laguna Beach	Bob Whalen
Laguna Beach County Water District	Debbie Neev
Laguna Hills	Erica Pezold
Laguna Niguel	Elaine Gennawey
Laguna Woods	Carol Moore
Lake Forest	Scott Voigts
Mission Viejo	Trish Kelley
Moulton Niguel Water District	Bill Moorhead
Municipal Water District of Orange County	Megan Yoo Schneider
County of Orange	Lisa Bartlett
Rancho Santa Margarita	Brad McGirr
San Clemente	
San Juan Basin Authority	Derek Reeve
San Juan Capistrano	Jack Hunt
Santa Margarita Water District	Saundra F. Jacobs
South Coast Water District	Doug Erdman
South OC Wastewater Authority	Rick Erkeneff
Trabuco Canyon Water District	Ed Mandich

Executive Officer - South OC WMA Executive Committee (and primary contact):

Amanda Carr, Deputy Director, OC Environmental Resources
County of Orange/OC Public Works/Environmental Resources

<u>Amanda.Carr@ocpw.ocgov.com</u>

(714) 955-0600

For more information about the South OC Watershed Management Area Executive Committee, please visit the website:

South OC WMA Executive Committee

For more information about the South OC Watershed Management Area, the Integrated Regional Water Management Plan, meetings and other activities, please visit:

www.southocirwm.org

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1. Organizational Overview

This handbook has been prepared to provide guidance on the organization and purpose for the **South**Orange County Watershed Management Area

(SOCWMA) Executive Committee. It articulates the goals for the SOCWMA along with the Executive Committee roles and responsibilities. This document also explains several water resource program (WRP) issues facing the SOCWMA about which the Committee may be asked for input and guidance as this new organization begins its work. The associated costs and financial implications of water resource issues in the SOCWMA are paramount to all parties involved. Therefore, the document outlines and identifies the initial anticipated costs and their impact to each member of the Committee. The document has also been designed to be an orientation handbook for new members of the Executive Committee. For that reason, the Cooperative Agreement that established the Executive Committee and the Funding Agreements are included as appendices to this document.

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South Orange County Watershed Management Area

2. Mission, Goals and Objectives of the South Orange County Watershed Management Area Executive Committee

2.1. Mission

The mission of the SOCWMA Executive Committee is to provide a framework for cooperation on regional water resource issues in the SOCWMA.

2.2. Goals

The goals of the SOCWMA Executive Committee, where viable, are to:

- 1. Develop sustainable water supplies;
- 2. Cultivate storage for potable and recycled water, and stormwater/low flow capture;
- 3. Integrate and improve hydrologic functioning of the watershed to optimize flood protection, water conservation and water quality protection;
- 4. Protect, enhance, restore and connect habitat in the watershed;
- 5. Integrate economic development with watershed restoration efforts;
- 6. Facilitate watershed stewardship to support watershed goals;
- Build and sustain effective relationships between watershed stakeholders to achieve common goals through positive communication, collaboration, consensus and coordination and to foster regional projects to maximize water resources;
- 8. Operate as an effective, efficient, innovative, responsive, and transparent governing authority;
- 9. Maximize funding opportunities for all watershed partners;
- 10. Optimize flood protection, water conservation, water quality protection and water supply resources;
- 11. Support project integration where it is possible to achieve multiple goals.

2.3. Objectives

The Objectives of the SOCWMA Executive Committee are to:

- Review and approve allocation of grant funding through the SOCWMA Integrated Regional Water Management Plan (IRWM Plan);
- 2. Provide oversight for the SOCWMA and any updates to the IRWM Plan;
- 3. Endorse project implementation agreements for any cost-shared or integrated projects.

3. Programs Areas for the South Orange County Watershed Management Area

Specific program emphasis for the SOCWMA is discussed below.

3.1. Water Quality

Urbanization over the past several decades has increased the imperviousness of our watersheds and led to watershed issues such as hydromodification and mobilization of pollutants from increased urban stormwater runoff. Sediment, nutrients, bacteria, pesticides and trash are just a few of the pollutants commonly associated with urban stormwater runoff which represent water quality concerns for the SOCWMA. Significant efforts to manage and improve the quality of stormwater runoff have taken place over the past several years. However, the cities, agencies, and other watershed groups of the SOCWMA continue to identify areas in need of improvement. In 2017, a proposed Water Quality Improvement Plan (WQIP) was developed by the municipalities of South Orange County to meet requirements of the municipal separate storm sewer system (MS4) permit issued by the San Diego Regional Water Quality

Control Board. The WQIP identifies high priority water quality conditions and details goals, strategies, and schedules to address them.

3.2. Water Supply

Water supplies for the SOCWMA are diverse and include groundwater, desalted groundwater, recycled water, and imported water. Both treated and untreated imported water are delivered through a regional system owned and operated by the Metropolitan Water District of Southern California (MET). The members of the SOCWMA are significantly concerned that approximately 97¹ percent of South Orange County's current potable water needs are met by imported water delivered through the State Water Project and the Colorado River Aqueduct.

3.3. Water Conservation

The water supply agencies in the region understand the critical and declining condition of water supplies throughout the State and the western United States and are actively working to enhance local water supplies and decrease reliance on imported water. Water conservation is one way to reduce this reliance on imported supplies. SBx7-7 enacted in 2009 requires a 20% reduction in urban per capita water use by the end of 2020; the resultant Best Management Practices (BMPs) developed in conjunction with water suppliers from across the State offer cost-effective opportunities to moderate the amount of imported and local water supplies required by municipal and industrial users. Water use efficiency programs are offered both regionally by the Municipal Water District of Orange County (MWDOC) and locally by individual water agencies.

3.4. Flood Protection

There are many flood control channels and associated facilities within the SOCWMA. There are over 350 miles of flood control facilities in the entire County. The County and its Flood Control District, along with the SOCWMA members, have placed a top priority on proper planning to reduce flood risk to life and property, preparing for foreseeable flood events, improving flood control, and reacting in a timely manner to areas of flooding and severe soil erosion.

3.5. Habitat

The SOCWMA is located within the boundaries of The Southern Sub-Region Natural Community Conservation Plan/Master Streambed Alteration Agreement/Habitat Conservation Plan. The SOCWMA includes a number of protected areas that form a network of interconnected and isolated biological communities. This Plan is the result of a collaborative effort involving multiple federal, state, and local agencies. It is one of three large-area efforts in the Southern Sub-region, including the San Juan Creek Watershed/Western San Mateo Creek Watershed (SJ/SM) Special Area Management Plan by the U.S. Army Corps of Engineers, and the General Plan Amendment /Zone Change by the County of Orange, which addresses local land use considerations.

3.6. Integrated Regional Water Management Planning

The SOCWMA group embraces the Integrated Regional Water Management (IRWM) Planning model because it brings together short and long term management strategies that will protect and improve regional water supply and water quality. The region embraced the Integrated Regional Water Management Planning Act of 2002 to enhance forward-thinking planning for water resources in an even more coordinated fashion. This is especially critical with increasingly overlapping goals to build local

¹ 2016 OC Water Reliability Study; MWDOC

water supply reliability and to address high priority water quality conditions through the aforementioned WQIP.

The County of Orange, cities, water, wastewater and watershed agencies of the SOCWMA confer on a regular basis to identify necessary programs that integrate the areas of water supply reliability and efficiency, and water quality to determine how to prioritize programs and projects across the region. These agencies are involved in Urban Water Management Plans, Groundwater Management Plans, the WQIP, Water Master Plans and other watershed planning. The IRWM Plan includes a process for prioritizing projects and a Project List highlighting the many projects planned by IRWM Group agencies and other stakeholders, in alignment with these planning efforts.

The South Orange County IRWM Group agencies maintain the belief that water management strategies can and should be integrated to provide a reliable water supply, protect and improve water quality, and achieve other multiple water resource objectives. For example, the IRWM Plan was developed to provide a regional perspective for maximizing and diversifying local sources to increase reliability, recognizing that although imported water is expected to remain part of the portfolio, it is subject to interruptions from infrastructure failure and natural disasters as well as fluctuations in policy and pricing. Also, the IRWM Plan provides a mechanism for local agencies to coordinate resources and share data to address watershed-scale issues, such as urban runoff impacting the Critical Coastal Area (CCA) at Doheny State Park Beach in Dana Point and the Areas of Special Biological Significance (marine managed areas) in Laguna Beach, at the Irvine Coast at Crystal Cove State Park and in Newport Beach.

4. The IRWM Plan goals are met through the planning and implementation of projects. Additionally, the IRWM Plan provides a framework for stakeholder coordination, regional engagement in long-range water planning, to establish water priorities for the region, and for securing potential funding for projects. As the IRWM Plan is implemented, the County of Orange, as agent of the State of California, will serve as a conduit for funding to the individual agencies proposing the projects².

IRWM Plan Goals include:

- a) Coordinate, balance, improve and integrate flood management, while improving water quality, water supply, water conservation and habitat, while recognizing the potential impacts of climate change, such as more intense storms that occur on less frequent intervals.
- b) Balance the competing interests of the community in a way that protects environmental resources while promoting a healthy economy.
- c) Continue to build and sustain effective, collaborative relationships among all watershed stakeholders, to achieve the objectives of the South Orange County IRWM Plan.

5. Accomplishments through Spring 2018 include:

- a) Formation of the South Orange County Watershed Management Area and Completion and adoption of South Orange County IRWM Plan in 2006
- b) Secured and completed \$25 million Proposition 50 IRWM Plan grant for the following 7 projects:
 - Municipal Water District of Orange County, Water Use Efficiency Program Expansion
 - Santa Margarita Water District, Canada Gobernadora Multipurpose Basin
 - City of Laguna Beach, Heisler Park Marine Habitat Protection

² The IRWM Plan in of itself does not commit any resources to implementation of any project nor does its creation constitute a commitment by the County of Orange or any member agency to carry out any of the proposed projects. Determinations to proceed with individual projects and required environmental review under the California Environmental Quality Act will be performed by the individual agencies prior to distribution of funding.

- South Orange County Wastewater Authority, J.B. Latham Treatment Plant Advanced Water Treatment System (project deleted in 2010 with funding allocated to two other projects: El Toro Water District and South Coast Water District the same year).
- City of San Juan Capistrano, Recycled Water Transmission System Improvements
- City of San Clemente, Recycled Water Treatment and Distribution
- County of Orange, Aliso Creek Ecosystem Restoration Project
- c) Secured and completed \$457,416 Prop 84 IRWM planning grant for the following components:
 - Update and revise IRWM to Prop 84 Standards
 - Prepare Climate Change Analysis
 - Prepare Salt and Nutrient Management Plan
 - Prepare Groundwater Management and Facility Plan
 - Prepare Floodplain Management Plan
- d) Execution of South Orange County Watershed Management Area Cooperative Agreement and amendment in 2010
- e) Establishment of the South Orange County Watershed Management Area Executive Committee in 2010
- f) Secured a \$2,316,780 Prop 84 Round 1 IRWM Plan implementation grant for the following 3 projects:
 - Municipal Water District of Orange County: South Orange County Water Smart Landscape Project
 - City of Laguna Beach: Rockledge Ocean Protection Project
 - Trabuco Canyon Water District: Shadow Rock Detention Basin Facility Recovery Project
- g) Update of IRWM Plan and adoption in 2013 (available at SOCWMA IRWM Plan)
- h) Secured a \$1,708,647 Prop 84 Round 2 IRWM implementation grant for the following 4 projects:
 - Municipal Water District of Orange County: Comprehensive Landscape Water Use Efficiency
 - Audubon Starr Ranch Sanctuary's Riparian Invasive Control, Restoration, Monitoring, and Education Project
 - Irvine Ranch Water District's Baker Water Treatment Plant
 - South Coast Water District Targeted Water Conservation Programs
- i) Secured a \$1,500,000 Prop 84 Drought implementation grant for the following three projects:
 - Santa Margarita Water District: Califia Recycled Water Project
 - South Coast Water District: Recycled Water Expansion Project
 - Moulton Niguel Water District: Recycled Water Extension
- j) Secured a \$4,949,368 2015 Prop 84 implementation grant for the following six projects:
 - City of Aliso Viejo: Dairy Fork Wetland
 - USDA Forest Service, Cleveland National Forest: San Juan Aquatic Passage and Habitat Improvement
 - City of Laguna Niguel: Crown Valley Park Channel Entry Improvements
 - Municipal Water District of Orange County: Strategic Turfgrass Removal & Design Assistance Program
 - Santa Margarita Water District: 3A Water Recycling Plant Tertiary Expansion
 - South Coast Water District: Recycled Water Distribution Upgrade
- k) Completed a strategic visioning process to establish the IRWM Group priorities for the WMA and set the path of future project and collaborative planning.
- I) Prepared and submitted (February 2017) the Orange County Stormwater Resource Plan (OC SWRP) to comply with State Water Board requirements for funding of stormwater capture and use projects in future IRWM grant programs. OC SWRP will be attached to the IRWM Plan.
- m) Completed a new climate change analysis in 2017 to comply with the 2016 IRWM Plan Standards and for reference by project proponents.

- n) Developed a comprehensive <u>Data Management System (DMS)</u> in 2017-18 for the WMA that includes: information about the IRWM Plan, including a mechanism for submittal of public comments; data and descriptions for all projects previously funded through the South OC WMA IRWM; capability for project proponents/stakeholders to submit projects for inclusion in the IRWM Project List through a streamlined process that provides geospatial context for projects (i.e. project mapping); regional planning tools; information about Team Arundo efforts and grant funding opportunities; and opportunities for stakeholder involvement.
- o) Initiated a Water Needs Assessment for under-represented communities in the South OC WMA in late 2017 that will conclude in late 2018.
- p) Completed an update of the IRWM Plan for Executive Committee review and approval at the May 2018 Executive Committee meeting.

5.1. Intra-County Coordination

The SOCWMA is adjacent to the Central Orange County WMA, which lies within the Santa Ana Regional Water Quality Control Board boundary. The North, Central, and South County WMAs are integrated through the sharing of County Staff and Countywide programs, including the Water Use Efficiency Task Force, and the Orange County Stormwater Program. The North and Central WMA IRWM Plans were merged in 2017-18 into one OC Plan for the whole Santa Ana Regional Water Quality Control Board jurisdictional area of Orange County and submitted to SAWPA for incorporation into the One Water One Watershed IRWM Plan.

In addition, integration is effectively achieved across regional boundaries by the Orange County Water District, the Municipal Water District of Orange County and member agencies. Stormwater management and pollution control are effectively coordinated across watershed boundaries by OC Public Works (County of Orange) as principal NPDES permittee, TMDL program coordinator and flood control system infrastructure operator (i.e. Flood Programs) for the majority of waterways in the county (350 linear miles).

Environmental stewardship is integrated across adjacent regions through the Nature Reserve of Orange County as administrator of the Central/Coastal Orange County Habitat Conservation Plan, environmental coalitions such as the Friends of Harbors, Beaches, and Parks Orange County Green Vision, and the oversight and planning of regulatory agencies such as the California Department of Fish and Game.

There are no gaps between the three WMAs with respect to management of any of the IRWM Plan elements, and any overlaps will be addressed by County staff to avoid unnecessary duplication of effort.

5.2. San Diego Region Inter-County Coordination for State Funding Distribution

The State of California distributes water resource funding to various regions. The SOCWMA is part of the San Diego funding area comprised of South Orange County, Riverside and San Diego County. In February 2008, the South Orange County Integrated Regional Water Management Planning group and the two other planning regions representing the State's San Diego Funding Area began coordination to identify cooperative opportunities, share information, and determine equitable allocation of funding that allowed certainty and trust to be built. Through regular meetings, the Tri-County Funding Area Coordinating Committee (FACC) developed an MOU, which was reviewed and approved by all Regional Watershed Management Group (RWMG) agencies from each planning region. Each public agency was represented by staff, agency council, and executive management in reviewing the MOU. This process

culminated in full execution of the MOU for Integrated Regional Water Management Planning and Funding in the San Diego Funding Area on April 28, 2009, attached as (APPENDIX B:).

In June 2008, the Tri-County FACC sent a letter to the State Department of Water Resources (DWR) offering to work directly with DWR as a test program in inter-regional collaboration. DWR staff encouraged the development of alternatives to consider governance and organization of the regions. This interaction was very beneficial because it allowed Tri-County FACC members to explore ways to work together and provided a timely opportunity to review progress to date with the RWMG agencies and the advisory committees of all the planning regions.

The MOU provides for a long-term stable watershed planning group to coordinate current and future issues related to IRWM planning in the larger Funding Area. The coordinating role of the committee provides for MOU renewal to support the IRWM program for each grant cycle. Funding allocations are specific to each State bond, because of the nature and specifics of the bond language. The MOU has been amended for Proposition 1 grant programs.

The Tri-County FACC MOU accomplishes the following for the San Diego Funding Area:

- Defines terms, which enables all parties to use a common language;
- Clearly identifies boundaries of the three planning regions covering the entire Funding Area;
- Identifies Watershed Overlay Areas to facilitate planning and coordination in cross-boundary watersheds;
- Creates an ongoing process for coordination and planning in the Funding Area and in the Overlay Areas;
- Provides for advisory committee cross membership to promote understanding, communication, and cooperation;
- Provides for IRWM Plan consistency, common references, and coordination of grant submittals to facilitate DWR's review process;
- Determines the funding allocation among the planning regions for each State bond cycle; and
- Identifies a process for identification and funding of common programs found by the Tri-County FACC to be of high value across the Funding Area

In the unlikely event that any RWMG agency or group withdraws from the Tri-County FACC, members of the Tri-County FACC will continue to coordinate with the withdrawn agency and consider them as a stakeholder to the maximum extent possible. Additionally, the remaining members will negotiate with the withdrawn member to determine fair allocation of funding within the principles provided in the MOU agreement and will notify DWR as to the outcome of these negotiation and coordination efforts.

The Tri-County FACC continues to work to identify areas of cooperation and to align planning efforts both to increase efficiency and to better inform each planning region about the efforts and plans of the others. The Tri-County FACC also ensures sustainable water resource planning within the Funding Area by serving as an umbrella organization, allowing the three IRWM regions to coordinate water resource planning activities and sharing of resources (where possible). Because man-made water infrastructure systems are the key water management units in the Funding Area, the planning regions reflect this reality and cross-boundary watershed issues are addressed via a collaborative subcommittee process.

The County of Orange Executive Committee Executive Officer acts as liaison between the SOCWMA Executive Committee and the Tri-County-FACC and is a member of the Tri-County FACC.

The three RWMGs will undertake coordinated planning within the Watershed Overlay Areas, one for the Santa Margarita River watershed area and one for the San Mateo Creek watershed area. A Watershed Overlay Subcommittee will consider issues and develop projects pertaining to the Overlay Areas, where possible. Water resources projects and programs that may benefit from Funding Areawide coordination, administration, funding, or support will be identified by the Tri-County FACC. Projects within the Watershed Overlay Areas identified as valuable and benefiting from cross-boundary coordination will be identified in the three IRWM project selection processes. A project may be proposed by a single RWMG or by several, where relevant to the Overlay Areas. However, the Tri-County FACC will coordinate to ensure that project costs are only identified once among the proposals.

6. Background for Structuring the South Orange County Watershed Management Area Executive Committee

Per direction from the Orange County Board of Supervisors in June 2003, the OC Public Works Department (now OC Public Works) led a Task Force of City Managers and special district General Managers to develop a countywide Water Quality Strategic Plan. Based on current successes and challenges, the task force proposed a new governance model for water resource programs based upon three Watershed Management Areas (WMAs) covering North, Central and South Orange County. The Watershed Management Area concept formalizes the partnership between the County, the Orange County Flood Control District, cities, special districts and other cooperating entities for these three areas. It builds upon the long-term cooperative model for managing the countywide municipal stormwater program as well as other desirable features from the partnerships that have been developed to manage other county regional programs. From this water quality strategic planning effort, the County was designated to serve as the regional program administrator, with implementation for each of the three geographic sub-areas of the County shown on the map on page 15.

The Task Force recommended the WMA model for the following reasons:

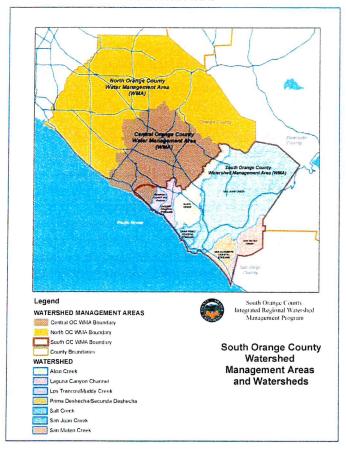
- Continue the watershed approach at a manageable scale
- Be consistent with the likely approach of current and future state stormwater permits
- Facilitate meaningful public and private stakeholder involvement
- Allow for sub-area control of priorities
- Provide a distribution structure for the renewed Measure M, a local sales tax that is slated to provide funding for water quality projects
- Follow the successful model of the Central Orange County Watershed Management Area Executive Committee and Management Committee
- Accommodate the differences in Regional Water Quality Control Boards
- · Account for differences in existing infrastructure
- Promote partnership opportunities, especially between cities and districts
- Allow for optimum attainment and use of existing and future funding sources
- Avoid new layers of government

The Task Force also considered three alternatives that were not selected for the reasons noted:

1. Status Quo - NPDES Implementation Agreement

- a. Does not promote water/special district participation
- b. Does not facilitate collaborative implementation at sub-area level
- 2. Ad hoc Inter-Agency Agreements
 - a. Would not help make best use of a regional funding source
 - b. Would require many individual agreements and negotiations
- 3. Formation of a New Special District or Stormwater Utility District
 - a. Creates new layer of bureaucracy and new governing board
 - b. Only has value if regional funding source is created; does not facilitate cost-sharing of existing resources

SOCWMA MAP



The SOCWMA shown above includes the region that encompasses the San Juan Hydrologic unit in South Orange County, California, as defined by the San Diego Regional Water Quality Control Board, Region 9 Basin Plan. The region includes the Newport Coast watershed in the North; however most of the Newport Coast watershed, which covers about 11 miles, falls within the Santa Ana Regional Water Quality Control Board, Region 8 with a small portion to the south falling within the jurisdiction of Region 9. Therefore, only the Region 9 portion is included in the South Orange County Region. The watersheds include the Laguna coastal streams, Aliso Creek, Dana Point coastal streams, San Juan Creek, San Clemente coastal streams, and San Mateo Creek. The basins include the San Juan groundwater basin and a small portion of the San Mateo groundwater basin. The SOCWMA is located solely within the San Diego Regional Water Quality Control Board's boundary.

7. Structure and Governance

The formal governance structure for the SOCWMA comprises three tiers: The Executive Committee, Management Committee and a Stakeholders Group.

7.1. South Orange County Watershed Management Area Executive Committee

The Executive Committee serves as the governing body for the SOCWMA. Each party to the Cooperative Agreement attached as (APPENDIX A:), shall appoint an official and alternate elected representative to serve on the Executive Committee. Member organizations without elected officials shall appoint an executive-level official. Representatives will serve on the Executive Committee at the pleasure of their appointing entity. Meetings of the Executive Committee are open to the public and operate under the

Ralph M. Brown Act. The Executive Committee shall have a minimum of two officers. Officers of the Executive Committee shall be a Chair and Vice-Chair. The officers will serve a two-year term. At least one officer will be a representative from a Water agency or City. In the absence of the Chair, the Vice-Chair shall preside. Officers of the Executive Committee shall facilitate meetings using the parliamentary procedure - Robert's Rules of Order (see Appendix C).

Members of the Executive Committee will attend and participate in at least two meetings per year and are encouraged to participate on Ad Hoc Committees that may be established from time to time.

Members of the Executive Committee will have the following duties and powers:

- 1. Identify and prioritize water resource issues, problems, and improvement projects.
- 2. Establish policy direction for the SOCWMA and its committees.
- 3. Approve an annual work plan.
 - 4. Approve an annual cost-shared budget (Annual Budget).
- 5. Approve significant amendments of the South Orange County Integrated Regional Water Management Plan (hereinafter "IRWM Plan") and its prioritized lists of projects and activities.
- 6. Approve grant applications for funding SOCWMA projects or programs.
- 7. Allocate any new non-grant revenue sources available for SOCWMA projects based on capital improvement plan priorities.
- 8. Encourage and facilitate voluntary agreements to fund and implement South Orange County WMA projects and programs.
- 9. Review and report as to whether adequate and reasonable progress is being made on water quality and water resource issues in the SOCWMA.
- 10. Nominate and elect a Chair and Vice-Chair to preside at all meetings.

7.2. South Orange County Watershed Management Area Management Committee

The Management Committee functions as a Technical Advisory and Planning Group. The Management Committee is an invite-only committee that carries out work as directed by the Executive Committee and is comprised of senior staff members from the participating organizations. The Executive Committee may also choose to add others to the Management Committee to represent other interested parties such as regulatory agencies and non-governmental organizations. The Management Committee is responsible for developing and providing recommendations to the Executive Committee on matters of decision-making importance. The Management Committee will meet on an as-needed basis, but no fewer than 4 times per year.

7.3. South Orange County Watershed Management Area Stakeholders

The broader South Orange County Watershed Management Area Stakeholders Group informs both the Executive and Management Committees. This group shares information on issues, solutions, and priorities. The Stakeholders Group, which includes governmental organizations, non-governmental organizations and the public at large, represents balance between multiple and sometimes competing issues associated with the natural and built environments of the watershed through education, outreach, and coordination of watershed management issues. A comprehensive Disadvantaged Community (DAC) Needs Assessment will take place throughout 2018 to define DACs, underrepresented communities (URCs), economically distressed areas (EDAs) and to identify water resource needs for these and other stakeholder communities (e.g. Native American Tribal communities). Stakeholder groups meet periodically, as necessary.

Organizational Structure

Relationships between South Orange County Watershed Management Area Committees, Member Agencies, County Staff, and Stakeholders



The diagram above depicts how the Executive Committee relates to its member agencies, Management Committee, Stakeholders Group, and County Staff. OC Watersheds staff convenes informational meetings for discussion among the Management Committee, whose members in turn advise and take direction from their respective Executive Committee members. These members make recommendations to their respective local agency boards or councils regarding agreements and projects

8. Costs and Funding

8.1. Financial Implications

Securing adequate funding for public services and programs is a challenge, with ever-increasing competition for public funds. With the passage of Proposition 13 in 1978, ad valorem property taxes are limited to one percent of assessed value, and agencies must use other means to collect revenue for programs and services, such as user fees, property-related fees, regulatory fees, and development impact fees. Several of these require voter approval for initiation and increase, making their adoption uncertain. The costs to achieve sustained water quality improvements, protect coastal resources, and improve local water supply reliability are escalating. In some cases, there is no dedicated funding source available to implement projects and programs where there is no nexus with the provision of direct

services. The agencies within the South Orange County region are progressive in their approach to this challenge, using tiered rate structures to encourage water conservation, building capital funding needs into their rate structures, and pursuing grant funding, where available. However, more funding is still necessary, specifically in light of ongoing and new water quality regulations that are being implemented by the State with increasingly high costs.

8.2. Historical Costs

The County of Orange funded the program from 2004 - 2009, partially offset through state grants. Tasks completed during that timeframe include:

- IRWM Plan Preparation (2005), including consultant contracts with Psomas and Mary Jane Foley
- IRWM Plan Update (2006), including consultant contracts with Psomas and Mary Jane Foley
- IRWM Plan Grant Preparation (2006), including consultant contract with Psomas
- Grant advocacy and Prop 50 grant contract negotiation (2004 2009), including consultant contracts with Mary Jane Foley and Daniel Cozad
- Obtaining \$25,000,000 grant from the State Water Resources Control Board
- Grant administration of \$25 million Prop 50 State Water Resources Control Board grant
- Arundo Mapping and Removal Plan for the South County WMA, including consultant contract with Dendra Inc.
- Region wide permits covering invasive plant removal for all Team Arundo participants
- Tri-FACC participation, Regional Acceptance Process (RAP) Activities and submittals

Historical costs through 2009 are provided herein for reference on the table below.

South Orange County Watershed Management Area Historical Costs and Revenue FY 2004 - 2009

	Ex	penses 2004-2	009	Revenue 2004-2009					
	Staff	Consultant	Total	Grants	County	Cost-share	Total		
Committee Support	\$23,000		\$ 23,000		\$23,000	0	\$23,000		
IRWM Plan Preparation (2005)	\$20,000	\$125,000	\$145,000		\$145,000	0	\$145,000		
IRWM Plan Grant Application for Prop 50	\$10,000	\$ 25,000	\$ 35,000		\$35,000	0	\$ 35,000		
IRWM Plan Grant Administration (2008-9)	\$40,000	0	\$ 40,000	\$40,000	0	0	\$ 40,000		
Team Arundo Implementation	\$5,000	\$60,000	\$65,000	\$50,000	\$15,000	0	\$65,000		
Tri-FACC participation and RAP for Prop 84	\$25,000	0	\$25,000		\$25,000	0	\$25,000		
Total	\$123,000	\$210,000	\$333,000	\$90,000	\$243,000	0	\$333,000		

8.3. Budget and Work Plan 2011 - 2012

The following tasks were undertaken and cost-shared equally between the parties in accordance with the attached cost share agreement for the 2011 – 2012 calendar years as follows:

- IRWMPIRWM Plan Update: Consultant contract and prioritization of projects for next round of Prop 84
- Prop 84 planning and implementation grant submittals
- Grant administration: Prop 50 and Prop 84
- Executive Committee support
 - Council and Board presentations on WMA and Executive Committee formation
 - inaugural meeting of Executive Committee including agenda package preparation and minutes
- Management Committee support for four meetings
 Stakeholder Group support for six meetings

South Orange County Watershed Management Area Work Plan Budget FY 2011-12

2010-12		Expenses		Revenue					
	Staff	Consultant	Total	Grants	County	Cost-share*	Total		
IRWM Plan Update for Prop 84	\$10,000	\$50,000	\$60,000	\$60,000			\$60,000		
IRWM Plan Prop 50 and 84 Grant Administration	\$ 25,000		\$ 25,000	\$ 25,000			\$25,000		
Executive Committee 2 meetings, presentations to Boards and Councils	\$ 8,800		\$ 8,800	\$4,400		\$4,400	\$8,800		
Management Committee, 4 meetings	\$ 2,800		\$ 2,800	\$1,400		\$1,400	\$2,800		
Stakeholder Group meetings, 6 meetings	\$ 5,400		\$ 5,400	\$2,700		\$2,700	\$5,400		
Team Arundo Implementation and grant preparation	\$ 5,000		\$ 5,000			\$5,000	\$5,000		
IRWM Plan Prop 84 Planning & Implementation submittals	10,000	60,000	\$ 70,000		\$10,000	\$60,000	60,000		
Total	\$67,000	\$110,000	\$177,000	\$93,500	\$10,000	\$73,500	\$177,000		

^{*}Cost-share split evenly by municipalities (12) and Water/Special Districts(8): Aliso Viejo, Dana Point, Laguna Beach, Laguna Hills, Laguna Niguel, Laguna Woods, Lake Forest, Mission Viejo, Rancho Santa Margarita, San Clemente, San Juan Capistrano, County of Orange/OCFCD; El Toro Water District, Moulton Niguel Water District, Municipal Water District of Orange County, Santa Margarita Water District, South Coast Water District, South Orange County Wastewater Authority, Trabuco Canyon Water District; and the Irvine Ranch Water District.

8.4. Budget and Work Plan 2013 – 2015

The following tasks were undertaken and cost-shared equally between the parties in accordance with the attached cost share agreement for the 2013 – 2015 calendar years as follows:

- · Complete IRWM Plan Update, including consultant contract with Tetra Tech
- Start Proposition 84 Round 3 implementation submittal process and call for projects
- Grant administration: Proposition 50, Proposition 84 Planning and Proposition 84 Implementation Rounds 1 and 2
- Committee support:

- o 3 Executive Committee meetings, including agenda package preparation and minutes
- o 12 Management Committee and/or Stakeholder meetings
- o 6 Ad hoc Committee meetings for IRWM Plan
- Advocacy for Proposition 84 grant funding, including potential travel to Sacramento
- Team Arundo program oversight and permit renewal
- Complete IRWM Plan Update, including consultant contract with Tetra Tech
- Prepare Proposition 84 Round 3 implementation submittal

(Continued on the next page)

South Orange County Watershed Management Area Work Plan Budget FY 2015-17

LINE ITEM		AF	PROPRIATION	15	REVENUES		
		County Costs	Consultant Services	Total	Grants/ County	Shared Costs	Total
1 - *	FY 2013-14						
1.	IRWM Plan Update for Proposition 84	5,000	105,750	110,750	85,750	25,000	110,750
2.	Grant Administration	200,000	0	200,000	200,000	0	200,000
3. • •	Committee Support 3 Executive 12 Management /Stakeholder 6 Ad hoc	50,000	0	50,000	0	50,000	50,000
4.	Team Arundo Implementation	5,000	25,000	30,000	0	30,000	30,000
5.	IRWM Implementation, Round 3 Grant Application ¹	5,000	0	5,000	5,000	0	5,000
,	Total	265,000	130,750	395,750	290,750	105,000	395,750
COST SH	ARE PER PARTY FY 2013-14					\$5,250	
	FY 2014-15			:- "			
	IRWM Plan Update for Proposition 84	5,000	0	5,000	0	5,000	5,000
7.	Grant Administration	200,000	0	200,000	200,000	0	200,000
•	Committee Support 3 Executive 12 Management /Stakeholder 6 Ad hoc	50,000	0	50,000	0	50,000	50,000
9.	Team Arundo Implementation	5,000	10,000	15,000	0	15,000	15,000
	IRWM Implementation, Round 3 Grant Application ¹	5,000	45,000	50,000	5,000	45,000	50,000
	Total	265,000	55,000	320,000	205,000	115,000	320,000
COST SHA	ARE PER PARTY FY 2014-15					\$5,750	
GRAND T	OTAL	530,000	185,750	715,750	495,750	220,000	715,750

¹ County of Orange to provide revenue to offset this item

8.5. Budget and Work Plan 2015 - 2017

The following tasks were undertaken and cost-shared equally between the parties in accordance with the attached cost share agreement for the 2013 – 2015 calendar years as follows:

- Complete IRWM Plan Update, including consultant contract with Tetra Tech
- Start Proposition 84 Round 3 implementation submittal process and call for projects
- Grant administration: Proposition 50, Proposition 84 Planning and Proposition 84 Implementation Rounds 1 and 2
- Committee support:
 - o 3 Executive Committee meetings, including agenda package preparation and minutes
 - 12 Management Committee and/or Stakeholder meetings
 - o 6 Ad hoc Committee meetings for IRWM Plan
- Advocacy for Proposition 84 grant funding, including potential travel to Sacramento
- · Team Arundo program oversight and permit renewal
- · Complete IRWM Plan Update, including consultant contract with Tetra Tech
- Prepare Proposition 84 Round 3 implementation submittal

South Orange County Watershed Management Area Work Plan Budget FY 2015-17

LINE ITEM	AP	PROPRIATION	IS	REVENUES		
	County Costs	Consultant Services	Total	Grants/ County	Shared Costs	Total
FY 2015-16	:					-
11. Proposition 84 2015 Implementation Submittal	10,000	60,000	70,000	10,000	60,000	70,000
2. Call for Projects	10,000	0	10,000	10,000	0	10,000
13. Grant Administration	30,000	0	30,000	30,000	0	30,000
 14. Committee Support 4 Executive 12 Management /Stakeholder 6 Ad hoc 	60,000	0	60,000	0	60,000	60,000
15. Advocacy for Prop 84 and Water Bond	2,500	0	2,500	0	2,500	2,500
16. Team Arundo Program Oversight	5,000	0	5,000	0	5,000	5,000
Total	117,500	60,000	177,500	50,000	127,500	177,500
COST SHARE PER PARTY FY 2015-16					\$6,375 ¹	7.5%
FY 2016-17				1		
17. Grant Administration	30,000	0	30,000	30,000	0	30,000
 18. Committee Support 3 Executive 12 Management /Stakeholder 6 Ad hoc 	60,000	0	60,000	0	60,000	60,000
19. Advocacy for Prop 84 and Water Bond	2,500	0	2,500	0	2,500	2,500
20. Team Arundo Program Oversight	5,000	10,000	15,000	5,000	10,000	15,000
21. IRWM Plan Update*	10,000	60,000	70,000	10,000	60,000	70,000
Total	107,500	70,000	177,500	45,000	132,500	177,500
COST SHARE PER PARTY FY 2016-17			re Navigas i sac		\$6,625 ²	
GRAND TOTAL	225,000	130,000	355,000	95,000	260,000	355,000

^{*}Executive Committee approved funding originally allocated for Proposition 1 (Water Bond) grant application to IRWM Plan update due to modified State Department of Water Resources schedules.

¹Executive Committee approved the budget at the June 4, 2015 meeting; the addition of Laguna Beach County Water District as a member agency was approved at the September 3, 2015 meeting. The adjusted shared cost to be invoiced per member agency is \$6,071.43 for FY 2015-16.

²Executive Committee approved the budget at the June 4, 2015 meeting; the addition of Laguna Beach County Water District as a member agency was approved at the September 3, 2015 meeting. The adjusted shared cost to be invoiced per member agency is \$6,309.52 for FY 2016-17.

Reallocation South Orange County Watershed Management Area Work Plan Budget FY 2017-19

LINE ITEM	APPROPRIATIONS			REVENUES				
	County Costs	Consultant Services	Total Cost Share	Grants/ County	County FTE (Hours, if applicable)	Shared Costs	Total	
FY 2017-18								
22. Proposition 1 Implementation Grant Submittals	0	2,500	2,500	10,000	N/A	60,000	70,000	
23. Call for Projects & List Management	10,000	0	0	10,000	N/A	0	10,000	
24. Grant Administration	45,000	0	0	45,000	N/A	0	45,000	
25. Data Management & Monitoring	15,000	0	15,000	0	0.125 (260)	15,000	15,000	
 26. Committee Support 4 Executive 12 Management /Stakeholder 6 Ad hoc & IPAC 	60,000	0	60,000	0	0.40 (832)	60,000	60,000	
27. Stormwater Resource Plan (South OC portion)	10,000	40,000	40,000*	10,000	N/A	40,000	50,000	
28. Team Arundo Program Oversight	1,000	0	1,000	0	0.0075 (16)	1,000	1,000	
29. Regional Project Development	5,000	30,000	35,000	0	0.035 (73)	15,000	15,000	
COST SHARE PER PARTY FY 2017-18 (N	O CHANGE,					\$9,095.241		
FY 2018-19								
30. Grant Administration	45,000	0	45,000	45,000	N/A	0	45,000	
31. Data Management & Monitoring	15,000	0	15,000	0	0.125 (260)	15,000	15,000	
 32. Committee Support 4 Executive 12 Management /Stakeholder 6 Ad hoc & IPAC 	60,000	0	60,000	0	0.40 (832)	60,000	60,000	
33. IRWM Plan & Stormwater Resource Plan Project List Management	5,000	0	5,000	0	0.035 (73)	5,000	5,000	
34. Team Arundo Program Oversight	5,000	0	5,000	0	0.035 (73)	5,000	5,000	
35. Proposition 1 Implementation Grant Submittals	20,000	92,500	92,500	10,000	N/A	60,000	70,000	
the state of the s	F 000	15.000	20,000	0	0.035 (73)	15.000	15.000	
36. Regional Project Development	5,000	15,000	20,000	U	0.055 (75)	15,000	15,000	

^{*}Expenditure not known; expect a majority of the budgeted \$40,000 to be spent in FY17-18; recommend carrying over remaining amount to FY18-19.

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¹ Executive Committee approved the proposed reallocations at the May 3, 2018 meeting. The shared cost to be invoice per member agency for FY 2017-18 is \$9,095.24.

 $^{^{2}\,\}mbox{The shared cost to be invoiced per member agency for FY 2018-19 is $7,619.05$

South Orange County Watershed Management Area Work Plan Budget FY 2017-19

8.6. Budget and Work Plan 2017 – 2019

The following tasks were undertaken and cost-shared equally between the parties in accordance with the attached cost share agreement for the 2017 – 2018 calendar years as follows:

- Proposition 1 Implementation Grant submittal (expected in Summer 2019)
- · Call for projects
- Grant administration: Proposition 84 Implementation Grants
- Data management system for collecting and making available project monitoring results
- Committee support:
 - o 4 Executive Committee meetings, including agenda package preparation and minutes
 - o 12 Management Committee and/or Stakeholder meetings
 - o 6 Ad hoc Committee meetings
- Team Arundo program oversight and permit renewal (where necessary)
- · Stormwater Resource Plan development for Proposition 1 funding
- · Regional project development

The following tasks were undertaken and cost-shared equally between the parties in accordance with the attached cost share agreement for the 2018 – 2019 calendar years as follows:

- Grant administration: Proposition 84 Implementation Grants and 2014 Water Bond
- Data management system for collecting and making available project monitoring results
- Committee support:
 - o 4 Executive Committee meetings, including agenda package preparation and minutes
 - o 12 Management Committee and/or Stakeholder meetings
 - o 6 Ad hoc Committee meetings for Project Prioritization
- IRWM Plan and Stormwater Resource Plan Project List management
- · Team Arundo program oversight and permit renewal
- Proposition 1 Implementation Grant submittal
- Regional project development

Changes to the FY 2017-19 budget table since FY 2015 – 2017 are as follows:

- Removal of funding for advocacy
- Addition of funding for Stormwater Resource Planning to comply with requirements of Proposition 1
- Reduction in funding allocated to Team Arundo
- Addition of data management, project tracking, and regional project development

South Orange County Watershed Management Area Work Plan Budget FY 2017-19

LINE ITEM	AI	PPROPRIATIO	NS	REVENUES			
	County Costs	Consultant Services	Total	Grants/ County	County FTE (if applicable)	Net Cost to 21 member agencies (Shared Costs)	
FY 2017-18							
Proposition 1 Implementation Grant Submittals	10,000	60,000	70,000	10,000	N/A	60,000	
Call for Projects & List Management	10,000	0	10,000	10,000	N/A	0	
3. Grant Administration	45,000	0	45,000	45,000	N/A	0	
4. Data Management & Monitoring	15,000	0	15,000	0.	0.125 (260)	15,000	
5. Committee Support4 Executive12 Management /Stakeholder6 Ad hoc & IPAC	60,000	0	60,000	0	0.40 (832)	60,000	
6. Stormwater Resource Plan (South OC portion)	10,000	40,000	50,000	10,000	N/A	40,000	
7. Team Arundo Program Oversight	1,000	0	1,000	0	0.0075 (16)	1,000	
8. Regional Project Development	5,000	10,000	15,000	0	0.035 (73)	15,000	
Total	156,000	110,000	266,000	75,000		191,000	
COST SHARE PER PARTY FY 2017-18						\$9,095.24 ¹	
FY 2018-19							
9. Grant Administration	45,000	0	45,000	45,000	N/A	0	
10. Data Management & Monitoring	15,000	0	15,000	0	0.125 (260)	15,000	
11. Committee Support 4 Executive 12 Management/Stakeholder 6 Ad hoc & IPAC	60,000	0	60,000	0	0.40 (832)	60,000	
12. IRWM Plan & Stormwater Resource Plan Project List Management	5,000	0	5,000	0	0.035 (73)	5,000	
13. Team Arundo Program Oversight	5,000	0	5,000	0	0.035 (73)	5,000	
14. Proposition 1 Implementation Grant Submittals	10,000	60,000	70,000	10,000	N/A	60,000	
15. Regional Project Development	5,000	10,000	15,000	0	0.035 (73)	15,000	
Total	145,000	70,000	215,000	55,000		160,000	
COST SHARE PER PARTY FY 2018-19						\$7,619.05 ²	
GRAND TOTAL	301,000	180,000	481,000	130,000		351,000	

¹ The Executive Committee approved the FY 2017-19 budget at the May 4, 2017 meeting with an effective date of July 1, 2017. The shared cost to be invoiced per member agency for FY 2018-19 is \$9,095.24. The shared cost to be invoiced per member agency for FY 2018-19 is \$7,619.05.

² The Executive Committee approved proposed re-allocations in the 2017-2019 budget; the addition of San Juan Basin Authority as a member agency was approved at the November 1, 2018 meeting. The shared cost to be invoiced per member agency for FY 2018-19 is \$7,619.05.

9. Public Outreach

For all Executive Committee meetings staff distributes agendas in advance, via e-mail, to nearly 100 stakeholder contacts interested in the SOCWMA. All meetings are public and any interested parties are welcome to attend; meetings are usually held at convenient locations centrally located within the WMA. Additionally, Executive Committee meetings operate under the Brown Act. Agendas are posted at least 72 hours in advance at several locations: with the Orange County Clerk of the Board, at the actual meeting location and on the OC Watersheds website. After an Executive Committee meeting, a pdf of the PowerPoint presentations from the meeting is posted on the OC Watersheds website and/or Data Management System (DMS) website. Meeting minutes are always placed on the next meeting agenda for Executive Committee approval. Public participation is welcomed at all meetings. There is always a specific time allotted for public comments. In addition, County of Orange, OC Environmental Resources staff serves as staff to the Executive Committee. Therefore, Executive Committee members and stakeholders can always ask OC Environmental Resources staff for more information.

APPENDIX A:

Cooperative Agreement for the South Orange County Watershed Management Area

APPENDIX B:

Memorandum of Understanding for Integrated Regional Water Management Planning (IRWM Plan) and Funding in the San Diego-Sub Region Funding Area

APPENDIX C:

Robert's Rules of Order Cheat Sheet: Robert's Rules of Order is a set of rules for conducting meetings that allow participants to be heard and to make decisions without confusion. It is often referred to as "parliamentary procedure."

Robert's Rules of Order Cheat Sheet

Robert's Rules of Order is a set of rules for conducting meetings that allow participants to be heard and to make decisions without confusion. It is often referred to as "parliamentary procedure."

General Order of the Executive Committee Meetings

- 1. Call to Order
- 2. Public Comment
- 3. Approval of Agenda (Action Item)
- 4. Approval of Minutes from Previous Meeting (Action Item)
- 5. Presentations
- 6. New Business (may include Action Items)
- 7. Committee Reports (may include Action Items)
- 8. Staff Reports
- 9. Member's Privilege/Announcements
- 10. Adjournment

Only voting members or alternate members (acting on behalf of an absent member as specified in Executive Committee Handbook) of the Executive Committee may motion, second, amend, or vote on an Action Item.

Procedure to Approve an Action Item:

Action items are items, almost always stated on the agenda that require action (review and vote) by the Executive Committee.

- 1. **Overview of Item:** A member of the committee or the Environmental Resources staff provides an overview of the action item.
- Declaration of Conflicts: Prior to any action regarding priority setting or allocations being taken, the Chair will ask members to disclose any conflicts and recuse themselves from the voting process.
- 3. **Motion:** Member raises hand and waits for recognition by the Chair. The member states the motion by saying: "I move that we ______." The member may give a brief explanation for introducing the motion.
- 4. Second: Another member must second the motion to continue.
- 5. **Discussion:** Chair calls for discussion on this motion. The member who introduced the motion has the right to speak first. Members wishing to discuss the motion raise their hands and wait for recognition from the Chair before speaking.
 - Amendments: During this time, members may amend a motion (see next page).
 - Ending Discussion: Members may "call the question" to end discussion (see next page).
 - Public Comment: Chair may ask for public comment from non-members after members have discussed the motion.
- 6. **Consensus or Roll-Call Vote:** Chair will ask if anyone blocks consensus of the motion. If no one blocks consensus, the motion carries (is approved). If consensus is blocked, then a roll-call vote is taken.
- 7. Announcement of Result: Chair announces the result of the vote.

Robert's Rules of Order Cheat Sheet

Procedure to Amend a Motion:

During discussion, it may become apparent that an amendment (change) to the original motion is necessary. Any member may request to amend the original motion, but the proposed amendment must be related to the subject of the main motion. Amendments are made during discussion, after a motion has been seconded.

- 1. Amendment: Member raises hand and waits for recognition by the Chair. The member states the amendment by saying: "I move to amend the motion by [striking and/or adding words/phrases]."
- 2. Second: Another member must second the amendment to continue.
- 3. Discussion: Chair calls for discussion on the amendment.
- 4. Consensus or Roll-Call Vote: Chair will ask if any one blocks consensus of the motion. If no one blocks consensus, the motion carries (is approved). If consensus is blocked, then a roll-call vote is taken.
- 5. **Announcement of Result:** Chair announces the result of the vote. If the amendment passes, the motion on the floor is now the amended motion. If the amendment fails, the original motion remains on the floor.

Description of Common Actions

Ending Discussion or "Call the Question": Members may "call the question" to end discussion on the motion if discussion seems to be dragging on or becoming redundant; however, it is NOT acceptable to call the question in order to prevent someone from expressing their opinion or while someone is speaking. If a member calls the question, a second and a 2/3 majority vote are required (no discussion) to close discussion and proceed to voting on the motion.

Temporarily Setting Aside a Motion or "Tabling a Motion": Tabling a motion lays aside an item of business temporarily in order to attend other business. A tabled motion cannot be taken from the table until another item of business has been transacted since the tabling. If the tabled motion is not removed from the table by the end of the next meeting, the motion ceases to exist.

Motion to Postpone: A member may move to delay action (voting) on a motion to a certain time, usually the next meeting. A postponed motion is considered unfinished business and automatically comes up for further consideration at the next meeting (or designated date).

Referral to Committee: During discussion, it may become apparent that further information is needed prior to voting on a motion and/or further work is necessary to reword a motion, in which case, the motion may be referred to a committee. If the motion passes, the committee, if not existing, should be appointed immediately or as soon as possible. The committee should report findings at the next meeting, unless specified otherwise.