COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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GAIL FARBER, Director

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ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

31 SEPTEMBER 14, 2010

SACHI A. HAMAI
EXECUTIVE OFFICER

September 14, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors.

RESOLUTION TO APPLY FOR INTEGRATED REGIONAL WATER MANAGEMENT PLANNING AND IMPLEMENTATION GRANT FUNDS (PROPOSITION 84)
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)

SUBJECT

This action is to adopt a resolution to authorize the Los Angeles County Flood Control District to file applications for Proposition 84 Planning and Implementation Grant funds with the California Department of Water Resources on behalf of itself and the Greater Los Angeles County Integrated Regional Water Management Group

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Adopt the resolution delegating authority to the Chief Engineer of the Los Angeles County Flood Control District or her designee to file applications with the California Department of Water Resources, on behalf of itself and other local entities in the Greater Los Angeles County Integrated Regional Water Management Group, for Proposition 84 Planning and Implementation Grant funds.

2 Designate the Chief Engineer of the Los Angeles County Flood Control District or her designee to act as the authorized representative of the Greater Los Angeles County Integrated Regional Water Management Group when conducting business with the California Department of Water Resources on any and all matters related to these grants, including negotiating and executing grant agreements and any amendments and signing requests for payment or reimbursement.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In November 2006, the voters of California enacted the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Proposition 84), adding provisions to the California Water Code Public Resources Code, Sections 75001-75130, authorizes the Legislature to appropriate $1 billion for an Integrated Regional Water Management Program (Program)

The intent of the Program is to encourage integrated regional strategies for the management of water resources and to provide funding through competitive grants for projects that protect communities from drought, improve water reliability, protect and improve water quality, and improve local water security by reducing dependence on imported water Under the guidelines, the Program indicated that application for grants must have a formally adopted Integrated Regional Water Management Plan (IRWMP) required by the State Water Code On October 14, 2008, under Agenda Item No 29, your Board authorized the Chief Engineer of the Los Angeles County Flood Control District (LACFCD) to execute a Memorandum of Understanding with interested parties to establish and participate in a Regional Water Management Group, in accordance to Sections 10530 to 10541 of the California Water Code, and developed the IRWMP using Proposition 50 grant funding awarded to the region in 2006

In August 2010, the California Department of Water Resources (DWR) released the adopted guidelines for Proposition 84 to establish the process and criteria to solicit applications, evaluate proposals, and award grants under the Program.

The Program consists of both planning grants for development and updating of IRWMPs and implementation grants to construct projects

Planning grants are intended to foster development, update, or complete components thereof to enhance regional planning efforts, and to assist applicants to become more eligible and competitive for implementation grant funding

The implementation grants are designed for projects that are ready, or nearly ready, to proceed to implementation The following local entities have proposed projects that have been selected to be included in the implementation grant proposal for the Greater Los Angeles County region (Region) the Cities of Calabasas, Hawthorne, Rolling Hills Estates, and Santa Monica, Las Virgenes Municipal Water District; City of Los Angeles Department of Public Works Bureau of Sanitation, City of Los Angeles Department of Water and Power; Arroyo Seco Foundation; Covina Irrigating Company; Three Valleys Municipal Water District; Water Replenishment District of Southern California, West Basin Municipal Water District; and LACFCD (collectively, Local Entities)

The LACFCD, as the lead agency, intends to submit Planning and Implementation Grant applications on behalf of itself and the other Local Entities, which will include a suite of 14 projects, and will identify the required minimum funding match of at least 25 percent of total project costs These 14 projects were selected by the Greater Los Angeles Integrated Regional Water Management Group from hundreds of proposed projects through a mutually agreed upon project prioritization process. The 14 projects are described in Enclosure A and include the Santa Anita Spreading Grounds Improvement Project, which is an LACFCD project.

The enclosed resolution (Enclosure B) will allow the Chief Engineer of the LACFCD or her designee to apply for Planning Grant funds in an amount not to exceed $1,000,000 and Implementation Grant funds in an amount not to exceed $24,000,000 If awarded grant funds, we will return to your Board

for acceptance of the grant funds and to request authority to negotiate and execute agreements with the other Local Entities that would be responsible for implementing each of the individual projects as well as providing the matching funds required as stated on the grant application Your Board's approval will also be required to proceed with the LACFCD's Santa Anita Spreading Grounds Improvement Project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness with Fiscal Sustainability (Goal 1) by actively seeking grant funds to augment the County's funding sources and Community and Municipal Services (Goal 3) since the implementation of the projects in the grant application would improve the quality of life for residents in the County of Los Angeles.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund

The total cost of updating the Greater Los Angeles County Region's IRWMP is estimated at $2,600,000, of which up to $1,000,000 will be reimbursed from the Planning Grant, if awarded The remaining amount will come from contributions from participants of the Greater Los Angeles Integrated Regional Water Management Group

The estimated total cost of implementing the 14 projects is approximately $120,500,000, of which $24,000,000 will be reimbursed from the Implementation Grant, if awarded The remaining amount will come from the Local Entities' matching funds.

The total cost of implementing the LACFCD's project, the Santa Anita Spreading Grounds Improvement Project, is estimated at $3,000,000 and will be budgeted in the Fiscal Year 2011-12 LACFCD Budget. If the grant is awarded, the LACFCD will receive $1,200,000 from the grant funds to partially reimburse the project.

Upon award of the Planning and/or Implementation Grant funds, we will request your Board to accept both grant funding, execute agreements, and authorize the updating of the plan and the implementation of the Santa Anita Spreading Grounds Improvement Project

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The grant programs each require grant applications to include a resolution from the jurisdiction's governing body identifying the representative authorized to file the applications and execute the grant agreements. The enclosed resolution has been prepared to conform to this requirement and has been approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

Adoption of the enclosed resolution does not constitute a project subject to the requirements of the California Environmental Quality Act (CEQA) in that it can be seen with certainty that the action will not result in a direct or reasonably foreseeable indirect physical change in the environment (Public Resources Code, Section 21065) If selected for grant funding, the LACFCD and the other Local Entities will demonstrate that they have complied with all applicable CEQA requirements, and the

appropriate environmental documents will be prepared in accordance with the requirements of CEQA and the Program guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The implementation of these projects will enhance the quality of life for residents in the region by improving water quality and water reliability while reducing dependence on imported water

CONCLUSION

Please return three adopted copies of this letter and three copies of the signed resolution to the Department of Public Works, Watershed Management Division

Respectfully submitted,

Gail Farber

GAIL FARBER
Director

GF·GH:sw

Enclosures

c: Chief Executive Office
County Counsel
Executive Office

Enclosure A

Greater Los Angeles County Integrated Regional Water Management: Proposition 84 Implementation Grant Funding (Round1)
*****Revised Regional Suite of Projects*****

	Project Name	Agency	Subregion	Brief Description of the Project	Total Capital Cost	Mimimum Grant Funding Requested	Percent Match (from Federal, local, donated non-State funds)
1	Leo J. Vander Lans Advanced Water Treatment Plant Expansion	Water Replenishment District	Lower Los Angeles/ San Gabriel	Expand Water Recycling plant to double the capacity of existing treatment process (microfiltration, reverse-osmosis, and ultraviolet light) and add advanced oxidation. Deliver highly treated recycled water to Alamitos Seawater Intrusion Barrier. fully replacing imported water demand at the barrier. Existing facility was implemented with consideration for expansion.	$ 25,000,000	$ 2,500,000	90 percent
2	Penmar Water Quality Improvement and Runoff Reuse Project	City of Los Angeles	South Bay	Installation of hydrodynamic separators, underground detention tank, chlorination facility, pump station and overflow systems. Off-site surface runoff will be diverted to project site. The diverted runoff shall be treated/disinfected. The disinfected effluent will be pumped through a smart irrigation system to decrease the current landscaping irrigation demand.	$ 24,000,000	$ 2,000,000	92 percent
3	Citywide Smart Irrigation Control Park Water Replacement	City of Calabasas	North Santa Monica Bay	Installation of a smart irrigation control system using ET technology at all city facilities, parks, street medians and parkways. It benefits two watersheds: Los Angeles River and Malibu Creek. Project reduces city irrigation usage by approximately 25 percent and reduces urban run-off.	$ 775,000	$ 581,250	25 percent
4	Tujunga Spreading Grounds Enhancement Project	Los Angeles, Dept of Water and Power	Upper Los Angeles	Tujunga Spreading Grounds Enhancement Project will improve water supply, water quality, flood control, and open space enhancements, native habitat, and wetlands with passive recreational and educational opportunities.	$ 24,000,000	$ 3,000,000	88 percent
5	Covina Irrigating Company Surface Water Treatment Plant Improvements	Covina Irrigating Company	Upper San Gabriel	Temple Water Treatment Plant treats local surface water and cannot meet new water quality regulations. Project includes improvements to the existing filtration facility and the addition of UV/Chloramination equipment to control disinfection by products formation and prevent pathogen contamination of finished drinking water.	$ 6,900,000	$ 1,500,000	78 percent
6	Whittier Narrows Conservation Pool Project	Water Replenishment District	Lower Los Angeles/ San Gabriel	Increase maximum Conservation Pool elevation behind the Whittier Narrows Dam from 201.6' to 205' to reuse/recharge locally available stormwater into Central Groundwater Basin. U.S Army Corps of Engineers requires updated Feasibility Study and environmental documents for 205' level. Project involves only operational changes to the dam; no physical improvements are required.	$ 720,000	$ 500,000	31 percent
7	Water and Energy Efficiency in the Multi-Family and Hotel Sectors	West Basin MWD	North Santa Monica Bay	Program directly installs water/energy efficiency devices in hotel/motel and multi-family dwellings. Replacement includes high-efficiency toilets, high-efficiency urinals, weather-based irrigation controllers, CFL bulbs, low-flow showerheads, and kitchen and bathroom sink aerators.	$ 566,100	$ 339,660	40 percent

Greater Los Angeles County Integrated Regional Water Management: Proposition 84 Implementation Grant Funding (Round1)
*****Revised Regional Suite of Projects*****

	Project Name	Agency	Subregion	Brief Description of the Project	Total Capital Cost	Mimimum Grant Funding Requested	Percent Match (from Federal, local, donated non-State funds)
8	16th Street Watershed Runoff Use Demonstration Project	City of Santa Monica	South Bay	Two or three stage treatment, storage, infiltration and/or reuse project for all dry weather runoff, and up to 80 percent wet weather. Primary stage to remove trash, debris, and sediments. Secondary stage to filter out soluble pollutants, like heavy metals and organics, oil and grease. Final stage for storage and reuse, overflow to infiltration zone.	$ 2,000,222	$ 900,100	55 percent
9	Hahamonga Basin Multi-Use Project	Arroyo Seco Foundation	Upper Los Angeles	Hahamonga Basin Multiuse Project will improve water supply and ecosystem health through removal of sediment in basin, replacement of intake dam, habitat restoration, and open space/recreational trail improvements.	$ 7,255,000	$ 2,971,000	48 percent
10	San Antonio Spreading Grounds Improvements	Three Valleys MWD	Upper San Gabriel	San Antonio Spreading Grounds, Phase 1A Extend Pipeline northwest into spreading grounds to increase amount of conjunctive use water to be stored/used. Precludes property from development in the long-term thereby preserving sensitive habitat.	$ 5,000,000	$ 2,000,000	60 percent
11	Model Equestrian Center	City of Rolling Hills Estates	South Bay	Retain stormwater on site and direct drainage away from horse areas, structural controls for integrated pest management, landscape and exterior design to reduce heat islands, water conservation including cisterns for roof runoff for landscape irrigation, drought-tolerant landscaping and native plant buffers, trail connectivity, interpretive signage	$ 1,980,000	$ 900,000	55 percent
12	Santa Anita Spreading Grounds Improvement	Los Angeles County Flood Control District	Upper San Gabriel	Division of Safety of Dams regulations on Santa Anita Dam prevent recharge of Raymond Basin. Project includes rubber dam and levee at the headworks capable of handling higher flows from Santa Anita Dam and maximize recharge at the Spreading Grounds. Several Spreading Grounds basins will be deepened to increase capacity, interbasin structures will be built, and drop structures will settle out more turbid flows.	$ 3,000,000	$ 1,200,000	60 percent
13	Storm Drain Improvements & Installation of Infiltration Chambers on Hawthorne Boulevard	City of Hawthorne	South Bay	Drainage improvements along Hawthorne Boulevard between El Segundo Boulevard and Rosecrans Avenue, and installation of filtering devices to improve flood management and enhance the quality of storm drain runoff. Best Management Practices will be implemented, bringing this area into compliance with State and Federal requirements.	$ 6,000,000	$ 1,000,000	83 percent
14	Central Los Angeles County Regional Water Recycling Program	Los Angeles, Department of Water and Power	Upper Los Angeles	Central County of Los Angeles Regional Water Recycling Project will maximize the beneficial uses of an additional 13,000 acre-feet per year of recycled water available at Los Angeles Glendale Water Reclamation Plant.	$ 13,300,000	$ 2,800,000	79 percent
				Total for the Greater Los Angeles County Integrated Regional Water Management Suite of Projects:	**$ 120,496,322**	**$ 22,192,010**	**81 percent**

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RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, CALIFORNIA, ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, APPROVING THE FILING OF APPLICATIONS FOR INTEGRATED REGIONAL WATER MANAGEMENT PLANNING AND IMPLEMENTATION GRANTS

WHEREAS, the Legislature and the Governor of the State of California have provided funds for the Integrated Regional Water Management Grant Program pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Proposition 84); and

WHEREAS, this grant program is administered by the California Department of Water Resources; and

WHEREAS, the California Department of Water Resources requires the governing body of a grant applicant to designate, by resolution, an authorized representative for filing grant applications and executing grant agreements; and

WHEREAS, Los Angeles County Flood Control District (LACFCD) intends to submit an application for planning grant funds in the amount not to exceed One Million and 00/100 Dollars ($1,000,000.00) to update the Greater Los Angeles County Integrated Regional Water Management Plan; and

WHEREAS, the LACFCD intends to submit an application for Implementation Grant funds in the amount not to exceed Twenty-four Million and 00/100 Dollars ($24,000,000.00) for projects under the Integrated Regional Water Management Grant Program on behalf of the following local entities in the Greater Los Angeles County Region: the Cities of Calabasas, Hawthorne, Rolling Hills Estates, and Santa Monica; Las Virgenes Municipal Water District; City of Los Angeles Department of Public Works Bureau of Sanitation; City of Los Angeles Department of Water and Power; Arroyo Seco Foundation; Covina Irrigating Company; Three Valleys Municipal Water District; Water Replenishment District of Southern California, West Basin Municipal Water District; and the LACFCD (collectively, Local Entities); and

WHEREAS, the Local Entities have identified fourteen (14) projects in the Greater Los Angeles County Region to be included in the LACFCD's Implementation Grant proposal.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles, acting as the governing body of the LACFCD:

1 That applications be made to the California Department of Water Resources on behalf of the Local Entities to obtain Integrated Regional

Water Management Planning and Implementation Grants pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 and to enter into an agreement to receive grants for updating Integrated Regional Water Management Plan and implementation of fourteen (14) projects that protect communities from drought, conserve and improve water quality, restore habitat, and reduce dependency on imported water

2. That the Board of Supervisors authorizes and directs the Chief Engineer of the LACFCD or her designee to file such applications for Planning Grant funds in an amount not to exceed One Million and 00/100 Dollars ($1,000,000.00) and Implementation Grant Funds in an amount not to exceed Twenty-four Million and 00/100 Dollars ($24,000,000.00) and designates the Chief Engineer or her designee to act as the authorized representative of the LACFCD when conducting business with the California Department of Water Resources on any and all matters related to these grants, including negotiating and executing the grant agreements and any amendments and signing requests for payment/reimbursement.

The foregoing Resolution was adopted on the 14th day of September 2010, by the Board of Supervisors of the County of Los Angeles acting as the governing body of the LACFCD.

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By _____
Deputy

RP:sw
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COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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GAIL FARBER, Director

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IN REPLY PLEASE
REFER TO FILE: WM-0

January 3, 2011

TO: Each Supervisor

FROM: Gail Farber Gail Farber
Director of Public Works

INTEGRATED REGIONAL WATER MANAGEMENT – UPDATE ON APPLICATION FOR PROPOSITION 84 IMPLEMENTATION GRANT

On September 14, 2010, your Board passed a resolution that authorized the Los Angeles County Flood Control District (LACFCD), as the Chair of the Greater Los Angeles County Integrated Regional Water Management (IRWM), to file an application for the State's IRWM Implementation Grant Program for $22 million. At that time, the State's grant program was limited to $24 million. Therefore, the Board action referenced $22 million as a maximum application amount. However, the State has unexpectedly doubled the amount of grant funding available to $48 million. The Leadership Committee of the Greater Los Angeles IRWM group has subsequently voted to take advantage of this increase and submit an application for $32 million in grant funds.

The State requires that a resolution be passed as a condition to applying for this grant program. However, the State does not require that the resolution reference a grant funds dollar amount. Therefore, we believe that the State's requirement was met and that no further Board action is needed. We will proceed to file the application by the January 7, 2011, deadline. If we are successful in winning the $32 million, we will pursue your approval to accept the grant.

If you have any questions, please contact me or your staff may contact Mark Pestrella, Assistant Director, at (626) 458-4001 or mpestrella@dpw.lacounty.gov.

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cc: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

Eligible Application Documentation

LOS ANGELES COUNTY FLOOD CONTROL ACT

LOS ANGELES COUNTY FLOOD CONTROL ACT

January, 1977

A. E. Bruington, Chief Engineer
Los Angeles County Flood Control District
2250 Alcazar Street
Los Angeles, California 90033

LOS ANGELES COUNTY FLOOD CONTROL ACT

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LOS ANGELES COUNTY FLOOD CONTROL ACT

The people of the State of California do enact as follows:

SECTION 1. *Los Angeles County Flood Control District created.* A flood control district is hereby created, to be called "Los Angeles County Flood Control District," and the boundaries and territory of said district shall be as follows:

All that portion of the county of Los Angeles lying south of the north line of township 5 north, San Bernardino base, excepting therefrom the islands of Santa Catalina and San Clemente, and the islands off the coast included in Los Angeles County.

SECTION 2. *Objectives of act: Powers of district.* The objects and purposes of this act are to provide for the control and conservation of the flood, storm and other waste waters of said district, and to conserve such waters for beneficial and useful purposes by spreading, storing, retaining or causing to percolate into the soil within said district, or to save or conserve in any manner, all or any of such waters, and to protect from damage from such flood or storm waters, the harbors, waterways, public highways and property in said district.

Said Los Angeles County Flood Control District is hereby declared to be a body corporate and politic, and as such shall have power:

1. *Perpetual succession.* To have perpetual succession.

2. *Prosecution, etc., of actions.* To sue and be sued in the name of said district in all actions and proceedings in all courts and tribunals of competent jurisdiction.

3. *Adoption of seal.* To adopt a seal and alter it at pleasure.

4. *Acquisition of property.* To take by grant, purchase, gift, devise or lease, hold, use, enjoy, and to lease or dispose of real or personal property of every kind within or without the district necessary to the full exercise of its power.

5. *Construction of works.* To acquire or contract to acquire lands, rights of way, easements, privileges and property of every kind, and construct, maintain and operate any and all works or improvements within or without the district necessary or proper to carry out any of the objects or purposes of this act, and to complete, extend, add to, repair or otherwise improve any works or improvements acquired by it as herein authorized. Construction or improvement of existing facilities may involve landscaping and other aesthetic treatment in order that the facility will be compatible with existing or planned development in the area of improvement.

6. *Eminent domain.* To exercise the right of eminent domain, either within or without the District, to take any property necessary to carry out any of the objects or purposes of this act.

7. *Incurrence of debt.* To incur indebtedness, and to issue bonds in the manner herein provided.

7a. *Borrowing federal funds.* In addition to the powers given in the next preceding subsection, to borrow money from the United States of America, any agency or department thereof, or from any nonprofit corporation, organized under the laws of this State, to which the Reconstruction Finance Corporation, a corporation organized and existing under and by virtue of an act of Congress, entitled "Reconstruction Finance Corporation Act", or other agency, or department, of the Unites States Government, has authorized, or shall hereafter authorize, a loan to enable such nonprofit corporation to lend money to said Los Angeles County Flood Control District, for any flood control work authorized under this act, and to repay the same, in annual installments, over a period of not to exceed twenty (20) years, with interest at a rate of not to exceed four and one-fourth per centum (4¼%) per annum, payable semiannually, and, without the necessity of an election when authorized by resolution of the board of supervisors, as evidences of such indebtedness, said district is hereby authorized to execute and deliver a note, or a series of notes, or bonds, or other evidences of indebtedness, signed by the chairman of the board of supervisors of said district, which notes, bonds, or other evidences of indebtedness, shall be negotiable instruments if so declared in said resolution of the board of supervisors providing for their issuance, and said notes, bonds, or other evidences of indebtedness, may have interest coupons attached to evidence interest payments, signed by the facsimile signature of said chairman of said board. All applications for such loans shall specify the particular flood control work or projects for which the funds will be expended, and when received, the money shall be deposited in a special fund, and shall be expended for those purposes only which are described and referred to in the applications. If a surplus remains after the completion of said work, such surplus shall be applied to the payment of the note, notes, bonds, or other evidences of indebtedness, executed as aforesaid, for the loan including interest coupons. The Board of Supervisors shall annually, levy a tax upon the taxable real property of said district, clearly sufficient to pay the interest and installments of principal, as the same shall become due and payable, under any

loan made pursuant to the authority of this section, and to create and maintain a reserve fund to assure the prompt payment thereof, as may be provided by said resolution of the board of supervisors; provided, however, that the amount of taxes levied in any year, pursuant to the provisions of this subsection, shall, pro tanto, reduce the authority of the board of supervisors, during any such year, to levy taxes under Section 14 of this act, but this proviso shall not be a limitation upon the power and duty to levy and collect taxes under this subsection.

Notwithstanding any other provisions of law, interest earned on funds representing the proceeds of bonds of the District shall be deposited and retained in the reserve fund of the District to meet the principal and interest falling due on such bonds.

Notwithstanding anything in this subsection 7a to the contrary, the total amount which said district may borrow under the authority of any or all of the provisions of this subsection is limited to and shall not exceed in the aggregate the sum of four million five hundred thousand dollars ($4,500,000).

7b. *Sale of bonds to county.* The power granted in the next preceding subsection is hereby extended to authorize the issuance and sale of bonds or other evidences of indebtedness of said district to the County of Los Angeles and the purchase thereof by said county in accordance with "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county, incorporated city or town or municipal utility district or flood control district," approved April 23, 1913, as amended; all subject to the provisions and limitations of the next preceding subsection relative to the disposition and use of funds, interest rate, period of repayment, tax rate and mode of issuance. The total amount of bonds or other evidence of indebtedness, in the aggregate, which the district may issue and sell under the authority of subsection 7a and of this subsection is limited to and shall not exceed four million five hundred thousand dollars ($4,500,000).

8. *Collection of taxes.* To cause taxes to be levied and collected for the purpose of paying any obligation of the district in the manner hereinafter provided.

9. *Making of contracts.* To make contracts, and to employ for temporary services only, expert appraisers, consultants and technical advisers, and to do all acts necessary for the full exercise of all powers vested in said district, or any of the officers thereof, by this act.

10. *Granting of easements.* To grant or otherwise convey to counties, cities and counties, cities or towns easements for street and highway purposes, over, along, upon, in, through, across or under any real property owned by said Los Angeles County Flood Control District.

11. *Disposal of rubbish, etc.* To remove, carry away and dispose of any rubbish, trash, debris or other inconvenient matter that may be dislodged, transported, conveyed or carried by means of, through, in, or along the works and structures operated or maintained hereunder and deposited upon the property of said district or elsewhere.

12. *Payment of bond premiums.* To pay premiums on bonds of contractors required under any contract wherein the amount payable to the contractor exceeds five million dollars ($5,000,000); provided, that the specifications in such cases shall specifically so provide and state that the bidder shall not include in his bids the cost of furnishing the required bonds.

13. *Disposal of property.* To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of said board of supervisors said property, or any interest therein or part thereof, is no longer required for the purposes of said district, or may be leased for any purpose without interfering with the use of the same for the purposes of said district, and to pay any compensation received therefor into the general fund of said district and use the same for the purposes of this act; provided, however, that nothing herein shall authorize the board of supervisors or other governing body of the district or any officer thereof to sell, lease or otherwise dispose of any water, water right, reservoir space or storage capacity or any interest or space therein except to public agencies for recreational purposes when such use is not inconsistent with the use thereof by the district for flood control and water conservation purposes; or except as hereinafter provided by Section 17 of this act; provided, however, that said district may grant and convey to the United States of America, or to any federal agency authorized to accept and pay for such land or interests in land, all lands and interest in land, now owned or hereafter acquired, lying within any channel, dam or reservoir site, improved or constructed, in whole or in part, with federal funds, upon payment to the district of sums equivalent to actual expenditures made by it in acquiring the lands and interests in land so conveyed and deemed reasonable by the Secretary of War and the Chief of Engineers.

14. *Recreational use of lands.* To provide, by agreement with other public agencies or private persons or entities or otherwise,

for the recreational use of the lands, facilities, and works of such district, which shall not interfere or be inconsistent, with the primary use and purpose of such lands, facilities, and works by such district.

15. *Addition of recreational facilities and preservation and enhancement of scenic beauty.* In addition to its other powers, the District shall have the power to preserve, enhance, and add recreational features to its properties and upon a finding by the Board of Supervisors that the acquisition is necessary for such purposes, to acquire, preserve, enhance, and add recreational features to lands or interests in lands contiguous to its properties, for the protection, preservation, and use of the scenic beauty and natural environment for such properties or such lands and to collect admission or use fees for such recreational features where deemed appropriate.

Protection of federal agencies. The said district by or through its board of supervisors, or other board or officers at any time succeeding to the duties or functions of its board of supervisors, is hereby authorized and empowered to warrant and defend the title to all land and interests therein so conveyed to the United States of America or to any such agency and their respective assigns; to covenant and agree to indemnify and keep indemnified and to hold and save harmless and exonerated the United States of America or any such agency, to which such lands or any interest therein are so conveyed by said district, from and against all demands, claims, liabilities, liens, actions, suits, charges, costs, loss, damages, expenses and attorneys' fees of whatsoever kind or nature, resulting from, arising out of or occasioned by any defect or defects whatsoever in the title to any such land or interest in land so conveyed by said district; to reimburse and save harmless and exonerated the United States of America or any such agency for any and all amounts, paid, and expenses incurred, in the compromise or settlement of any demands, claims, liabilities, liens, actions, suits, charges, costs, loss, damages, expenses and attorneys' fees of whatsoever kind or nature, resulting from, arising out of or occasioned by any claim to or defect or defects whatsoever in the title to any such land or interests in land so conveyed by said district; to pay all just compensation, costs and expenses, which may be incurred in any condemnation proceeding deemed necessary by the United States of America or such agency, in order to perfect title to any such land or interests in land, including without limitation all attorneys' fees, court costs and fees, cost of abstracts and other evidences of title, and all other costs, expenses or damages incurred or suffered by the United States of America or such agency; and consent is hereby given to the bringing of suit or other legal proceedings against said district by the United States of America or such agency, as the case may be, in the

proper district court of the United States, upon any cause of action arising out of any conveyance, contract or covenant made or entered into by said district pursuant to the authority granted in this act, or to enforce any claims, damages, loss or expenses arising out of or resulting from any defect whatsoever in the title to such land or any interest therein or any claims of others in or to such land or interest therein. [Amended by Stats 1927 ch 332 § 1 p 548; Stats 1929 ch 777 § 1 p 1547; Stats 1931 ch 797 § 2 p 1657; Stats 1935 ch 4 § 1 p 49, ch 342 § 1 p 1200; Stats 1939 ch 608 § 1 p 2021; Stats 1951 ch 1251 § 1 p 3102; Stats 1971 ch 803 § 1; Stats 1975 ch 410 § 1; Stats 1975 ch 1072 § 2; Stats 1975 ch 1276 § 33.]

SECTION 2.1 *Right of way acquisition revolving fund.* The board of supervisors of the Los Angeles County Flood Control District, by resolution adopted by four-fifths vote of the members thereof, may establish a Los Angeles County Flood Control District Right of Way Acquisition Revolving Fund, to be used in acquiring rights of way or other interests in real property for purposes authorized by this act, through purchase or condemnation. Money on deposit in said fund shall at no time exceed one-half of 1 percent of the assessed valuation of the Los Angeles County Flood Control District.

The Treasurer of Los Angeles County shall credit the Los Angeles County Flood Control District General Fund with interest on investments of the unexpended balances of said fund at the same rate and in the same manner as interest is credited to unallocated funds of the Los Angeles County Flood Control District in the custody of said treasurer. [Added by Stats 1968 ch 300 § 1.]

SECTION 2a. *Ordinances governing employment of help.* The said board shall provide by ordinance for the number of assistants, engineers, deputies, clerks, attaches and other persons to be employed by the Los Angeles County Flood Control District and for their compensation and duties and the times at which they shall be appointed. [Added by Stats 1939 ch 608 § 2 p 2025.]

SECTION 2b. *Appointment of chief engineer: Assistants.* The board shall appoint a chief engineer for said district who shall be the principal officer thereof and who shall be charged with the duty of managing and administering the affairs of said district, in accordance with the provisions of this act, subject to the direction and control of said board. The chief engineer shall appoint all assistants, engineers, deputies, clerks, attaches and other persons employed by said district as the number thereof is fixed and from time to time changed by the board. [Added by Stats 1939 ch 608 § 3 p 2025.]

SECTION 2c. *Civil service commission.* The Civil Service Commission of the County of Los Angeles shall be ex officio the civil service commission of the Los Angeles County Flood Control

District and said commission shall perform all of the duties herein prescribed without additional compensation. The district shall reimburse the county for all costs and expenses incurred by reason of the performance of said duties for the district. [Added by Stats 1939 ch 608 § 4 p 2026; Amended by Stats 1967 ch 158 § 1 p 1243; Stats 1968 ch 557 § 1.]

SECTION 2d. *Rules governing civil service: Scope of operation: Relation to county service.* All of the provisions of Article IX and X, Sections 30 to 49 inclusive, of the Charter of the County of Los Angeles, (except Section 32, paragraphs (a), (b), (c), (d) and (e) of Section 33 and Section 37), relating to civil service and the rights of officers and employees, and the rules of the Civil Service Commission of the County of Los Angeles as the same now exist or may hereafter be changed or amended, are hereby adopted by reference, for the purposes of this act; provided, however, that certain words used in said Article IX and X of said county charter and in said rules of the civil service commission shall for the purposes of this act be construed as follows: The word "county" or "Los Angeles County" shall be construed to include the Los Angeles County Flood Control District; the words "commission" and "commissioner" shall be construed to include the Commission and Commissioner of the Civil Service Commission and Civil Service Commissioner, respectively, of the Los Angeles County Flood Control District.

All persons employed by the Los Angeles County Flood Control District, except as expressly provided by Section 4 of this act, shall be appointed and shall hold his or her respective position and shall be subject to suspension, reduction or discharge in the same manner and under the same terms and conditions as in the case of persons employed in the classified civil service of the County of Los Angeles and shall constitute the classified civil service of the Los Angeles County Flood Control District.

If the Civil Service Commission of the County of Los Angeles finds that any person has been employed by the County of Los Angeles in a classified civil service position of the same grade or class as a similar position in the Los Angeles County Flood Control District, at the request of the Chief Engineer of the Los Angeles County Flood Control District the Los Angeles County Civil Service Commission shall certify said person as being eligible to transfer to and hold said district position with the same status and without further examination, if said person holds said position in the county classified civil service as a result of examination and certification by the county civil service commission. Any person entitled to participate in promotional examinations for positions in the county classified civil service shall similarly be entitled to participate in promotional examinations for positions in the classified civil service

of the Los Angeles County Flood Control District, pursuant to county civil service commission rules in effect at the time, and to be certified for said district positions by the county civil service commission and to be appointed to said district positions. [Added by Stats 1939 ch 608 § 5 p 2026; Amended by Stats 1959 ch 72 § 1 p 1932; Stats 1963 ch 482 § 1 p 1339; Stats 1968 ch 557 § 2.]

SECTION 2e. *Persons who must be appointed from civil service lists.* The chief engineer and all other persons employed by said district shall be appointed from the appropriate civil service list, for either permanent or temporary service; provided, however, that the temporary employment of experts, consultants or technical or other advisers for particular purposes, the employment of which is authorized by sections 2 and 4 of this act, and laborers for a temporary period as hereinafter provided, may be made by the board without reference to such civil service eligible list. [Added by Stats 1939 ch 608 § 6 p 2027.]

SECTION 2f. *Incumbents deemed permanent employees.* All persons in the service of the Los Angeles County Flood Control District on the first day of December, 1938, shall be deemed permanent employees in their respective positions, without examination, provided they have held such positions continuously for the six months immediately preceding. All other persons in such service on the first day of December, 1938, shall be deemed permanent employees in their respective positions without examination when they complete six months of continuous service in such positions; provided, however, that laborers employed for a temporary period, not exceeding sixty days, shall not be under civil service and may be employed, reduced or discharged as the needs of the district demand. [Added by Stats 1939 ch 608 § 7 p 2027.]

SECTION 2.5. *Power of district to acquire fee ownership of land in which it has easement rights.* The district also has the power to acquire, where the district has obtained surface easement rights in land, the fee ownership of the land in any case where the Board of Supervisors finds that such acquisition will allow either more efficient use or compatible uses of such land. [Added by Stats 1976 ch 118 § 1.]

SECTION 3. *Board of supervisors: Rules and regulations: Ex officio officers, assistants: Adoption, certification, recordation and publication of ordinances, etc.* The Board of Supervisors of Los Angeles County shall be, and they are hereby designated as, and empowered to act as, ex officio the board of supervisors of said Los Angeles County Flood Control District, and said board of supervisors is hereby authorized to adopt reasonable rules and regulations to facilitate the exercise of its powers and duties herein set forth.

The county counsel, county clerk, county assessor, county tax collector, county auditor, director of personnel, and county treasurer of the County of Los Angeles, and their successors in office, and all other officers of said Los Angeles County, their assistants, deputies, clerks and employees, shall be ex officio officers, assistants, deputies, clerks and employees respectively of said Los Angeles County Flood Control District, and shall respectively perform, unless otherwise provided by said board of supervisors, the same various duties for said district as for said Los Angeles County without additional compensation in order to carry out the provisions of this act. The district shall reimburse the county for all costs and expenses incurred by reason of the performance of said duties, including the duties performed by members of the board of supervisors, for the district.

All ordinances, resolutions and other legislative acts for said district shall be adopted by said board of supervisors and certified to, recorded and published, in the same manner except as herein otherwise expressly provided, as are ordinances, resolutions or other legislative acts for the County of Los Angeles. [Amended by Stats 1939 ch 608 § 8 p 2027; Stats 1941 ch 597 § 1 p 1982; Stats 1945 ch 966 § 1 p 1864; Stats 1953 ch 856 § 1 p 2185; Stats 1968 ch 557 § 3.]

SECTION 3a. *Bond by persons included in civil service system: Schedule bond: Liability of surety: Premiums.* The board of supervisors may require any person included within the civil service system to give an official bond in an amount to be prescribed by the board. Any such person may be included with other persons in a schedule bond executed by a qualified corporate surety and inuring to the benefit of the district and of the officer under whom he holds office or employment. The liability of the surety on the schedule bond is not affected by any change of the person holding any principal office, but continues as long as any person named in the schedule bond is included therein and continues to exercise the duties of his office or employment. The premiums on official and schedule bonds required by the board are district charges. [Added by Stats 1949 ch 449 § 1 p 793].

SECTION 3.1. *Supervisors' authority to establish zones: Purpose: Expenditures: Designation of zone: Definitions.* The board of supervisors, by resolution, may from time to time establish a zone or zones within the district for the purpose of financing the acquisition of and conserving of imported or reclaimed water, or both, which acquisition the board has determined will be of special benefit to the area within any such zone. Water so acquired shall be conserved by the district in a manner beneficial to the zone. Expenditures for the purpose of conserving water so acquired may

be made from funds derived from taxes levied pursuant to Section 14 of this act but such expenditures therefrom shall not exceed an amount equal to the amounts levied within the zone under the provisions of said Section 14. Such zone shall be accurately described and shall be designated by a zone number by said resolution, and shall include all territory which will be specially benefited by the conservation of the water so acquired and conserved.

As used in Sections 3.1 to 3.6 of this act, the term "public district" shall not include metropolitan water districts, but shall include all other public districts; the term "imported water" shall mean water imported from a source which is not tributary to the ground water supply in the zone; and the term "reclaimed water" shall include water reclaimed from sewage or other wastes, but shall not include waters recaptured or re-used by the owners or producers thereof. [Added by Stats 1st Ex Sess 1950 ch 71 § 1 p 539; Amended by Stats 1951 ch 971 § 1 p 2592; Stats 1959 ch 1984 § 1 p 4590.]

SECTION 3.2. *Same: District engineer's report: Adoption of report: Hearing on establishment of zones: Notice: Contents of notice: Time for filing protests: Contents of protest: Effect of protest: Form of protests by cities and public districts: Proceedings at hearings: Determination of supervisors.* Prior to the hearing on the proposal to establish any zone, as hereinafter provided, the board of supervisors shall by resolution direct the chief engineer of the district to make and file a report with said board of supervisors which shall show:

(1) A general description of the work to be done by the district in conserving water acquired.

(2) A general description of the lands, rights of way, easements and property to be taken, acquired or injured in carrying out such work.

(3) An estimate of the cost of such work, including an estimate of the cost of lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work, and also of all incidental expenses and of all operating, maintenance and other costs likely to be incurred in connection therewith.

(4) The proposed boundaries of the zone. For the purposes of the notice of hearing, the proposed boundaries shall be described to include all properties which may be benefited by the proposed zone without regard to the current or proposed use of imported or reclaimed waters on said properties, other than as a result of the work proposed to be done by the district.

The report shall be considered by the board of supervisors

which may by resolution either adopt the same as filed or refer the report back to the chief engineer of the district for modification or change. When a report satisfactory to said board of supervisors has been filed with such board as aforesaid, the board by resolution shall adopt the report and shall estimate the amounts of all capital expenditures and of all operating, maintenance and other costs necessary to conserve water within the proposed zone.

Before establishing any zone under Section 3.1 of this act, the board of supervisors shall hold a public hearing upon the proposal. Notice of the hearing shall be published once a week for two consecutive weeks, the date of the second publication to be at least 30 days prior to said hearing, in a newspaper of general circulation published within the proposed zone, if there be such newspaper, and if there be no such newspaper then by posting notice of the hearing at least 40 days prior thereto in five public places, within said proposed zone, as designated by the board. Notice shall be given to all cities and to all public districts formed for the purpose of supplying water within the proposed zone by mailing a copy of the notice to the chairman of the governing bodies thereof at least 30 days prior to said hearing. Said notice shall describe the boundaries of the proposed zone, shall state whether it is proposed to acquire imported or reclaimed water or both, shall refer to the report of the chief engineer as adopted by the board, shall contain a general statement of the proposed method of conservation as described in said report, and shall set forth the amounts of all capital expenditures and of all operating, maintenance and other costs necessary to conserve water within such proposed zone as so estimated by the board. Said notice also shall contain a statement that written and oral protests against the formation of the zone or the inclusion of property therein will be considered at the time of the hearing, and that if sufficient written protests against the establishment of the zone are filed with the clerk of the board at least 15 days before the date set for the hearing, the proceeding shall be abandoned.

If sufficient written protests against the establishment of the proposed zone are filed with the clerk of the board at least 15 days prior to the date set in the notice for the hearing, the proceedings shall be abandoned as hereinafter provided.

Written protests by property owners shall give the name and address of the protestant and shall describe the taxable real property within the proposed zone assessed to such protestant. The clerk shall transmit such protests, or a list of such properties showing the protestant as to each such property, to the assessor, who shall certify to the board of supervisors whether such properties assessed to such protestants, as shown by the last equalized county assessment roll, have an assessed value in excess of 10 percent of the assessed value of all of the taxable real property within the proposed zone. If the

protest is in excess of the said 10 percent the proceedings shall be abandoned and no further proceeding relating to the creation of a zone affecting such property may be had for at least six months after the date set in the notice for the hearing.

Protests by cities and by public districts formed for the purpose of supplying water shall be in the form of certified copies of resolutions of their governing bodies. If protests are filed which have been adopted by a majority vote of the governing bodies of cities or of public districts formed for the purpose of supplying water, within which cities or public districts or both, there is taxable real property situated within the proposed zone as described in the notice of hearing, having an assessed value equal to not less than 60 percent of the assessed value of all of the taxable real property within the proposed zone as described in said notice of hearing, as shown on the last equalized assessment roll, then the proceedings shall be abandoned and no further proceedings relating to the creation of a zone affecting such property may be had for at least six months after the date set in the notice of hearing.

If the proceedings are not terminated by the protests of property owners or by the protests of cities or of public districts formed for the purpose of supplying water, as above provided, the board of supervisors may proceed with the hearing and shall consider such protests and any additional written or oral protests which may be made either against the establishment of the proposed zone or the inclusion therein of any property, or both. The hearing may be continued from time to time but not to exceed 60 days in the aggregate. Upon the conclusion of the hearing the board may abandon the proposal or may adopt a resolution establishing the zone for the purpose specified in the notice, including therein all properties within the described boundaries of the proposed zone which the board finds will be specially benefited thereby.

In determining the properties which will be specially benefited by inclusion in the proposed zone the board shall consider the availability to such properties, other than as a result of said work so proposed to be done by the district, of imported or reclaimed water and the present and contemplated use of such water thereon.

A statement regarding the zone boundaries, or any change thereof, shall be filed as provided in Chapter 8, Part 1, Division 2, Title 5, of the Government Code. [Added by Stats 1st Ex Sess 1950 ch 71 § 2 p 540; Amended by Stats 1951 ch 971 § 2 p 2592.]

SECTION 3.3. *Levy of special tax on zone established: Maximum rate: Expenditures: Contract for imported and/or reclaimed water.* Whenever any zone is established pursuant to Section 3.1 of this act, a special tax may be levied each year thereafter by the

board of supervisors upon the taxable real property within said zone to defray the cost of acquiring and conserving the water for which the zone is established. Said tax in any one fiscal year shall not exceed five cents ($0.05) on each one hundred dollars ($100) of assessed valuation. It shall be in addition to any other taxes provided for by this act, and shall be levied and collected at the same time and in the same manner as such other taxes. All funds collected by reason of said tax shall be expended only on behalf of the zone and only for the purpose of acquiring water or for the purpose of conserving such acquired water, including costs of planning and engineering investigations, operation and maintenance costs, costs of constructing conservation facilities, and costs of lands, rights of way, easements and property, as set forth in the notice of hearing upon the proposal to establish the zone.

Expenditures for the purpose of acquiring imported or reclaimed water, or both, as set out in Section 3.1 of this act, may be made by the district from funds derived from the special tax or taxes levied pursuant to this section upon the taxable real property within such zone established under said Section 3.1, but not from any other funds. No contract for the acquisition of imported or reclaimed water, or both, shall be entered into by the district which does not provide, that, unless sooner terminated, all obligations thereunder shall terminate at the end of any fiscal year during or at the end of which the zone within which the water is to be conserved, is terminated. [Added by Stats 1st Ex Sess 1950 ch 71 § 4 p 540; Amended by Stats 1951 ch 971 § 3 p 2595; Stats 1959 ch 1984 § 2 p 4590.]

SECTION 3.5. *Exclusion from zone: Petition for hearing: Notice: Proceedings.* Any part of the land included within an established zone may be excluded therefrom by the board of supervisors if at a hearing on the matter it determines that the exclusion would be for the best interests of the zone, or that the land would no longer be specially benefited by its continued inclusion in the zone and that the land remaining in the zone would continue to be specially benefited by remaining as a zone. The board may order such hearing on its own motion and shall do so upon a petition for exclusion being filed with the clerk of the board, signed by the owners of 10 percent in assessed value of the real property within the area described in the petition or upon receipt by the clerk of a resolution requesting exclusion, adopted by the majority vote of the governing body of any city, or of any public district formed for the purpose of supplying water, all or any part of which is included in the zone. Petitions of property owners must contain a description of the property in which each signer claims ownership, sufficient to identify the same. The clerk shall transmit such petition to the assessor who shall certify to the board of supervisors whether such

properties assessed to such petitioners, as shown on the last equalized assessment roll, have an assessed value of 10 percent or more of the assessed value of all taxable real property within the area sought to be excluded.

Notice of such hearing shall be given in the manner described in Section 3.2 and shall contain a description of the land sought to be excluded and a statement of the purpose of the hearing.

At the hearing, evidence may be presented concerning either or both of the elements to be determined by the board as a prerequisite to the exclusion of the land described. The hearing may be continued from time to time not to exceed 60 days in the aggregate. If the board so determines, it shall thereupon by resolution declare such land excluded from the zone. [Added by Stats 1951 ch 971 § 4 p 2595.]

SECTION 3.6. *Termination of zones. Order of petition for hearing.* Any zone established pursuant to Section 3.1 of this act may be terminated by the board of supervisors after a public hearing on the matter. Such hearing may be ordered upon motion of the board, and shall be ordered upon a petition for termination being filed with the clerk of the board, signed by the owners of 10 percent of the taxable real property within the zone as ascertained by reference to the last equalized county assessment roll, or upon the filing with the clerk of a resolution requesting termination adopted by a majority vote of the governing body of any city, or of any public district formed for the purpose of supplying water, all or any part of which is included within the zone. The determination of the percentage of owners of real property signing the petition for termination shall be made and certified to by the assessor in the manner described in Section 3.5.

Notice of hearing. Notice of such hearing shall be given in the manner described in Section 3.2. The notice shall contain a description of the zone, a general statement of its activities, and the purpose of the hearing.

Hearing: Resolution terminating zone. At the hearing, evidence may be presented concerning the necessity, or lack thereof, for continuing the zone. The hearing may be continued from time to time not to exceed 60 days in the aggregate. If the board determines that such necessity no longer exists, or that the public interest otherwise requires the termination of the zone, or that the real property is no longer benefited, the board shall thereupon by resolution declare the zone terminated for all purposes except those necessary to finance outstanding contracts. When such contracts have been satisfied the zone will terminate for all purposes, effective at the close of the then current fiscal year.

Termination without hearing. Such a zone shall terminate without hearing at the end of the third or fourth fiscal year during which taxes were, or could have been, levied for zone purposes if certified copies of resolutions requesting such termination are filed with the board of supervisors, as hereinafter provided, on or before 60 days prior to the date of the requested termination. Such resolutions shall be sufficient if adopted by a majority vote of the governing bodies of cities or of public districts formed for the purpose of supplying water within which cities or public districts or both, there is taxable real property situated within the zone having an assessed value equal to not less than 35 percent of the assessed value of all of the taxable real property within the zone, as shown by the equalized assessment roll of such fiscal year.

Same: Protests against termination. If not sooner terminated, such zone shall terminate without hearing at the end of the fifth fiscal year during which taxes were, or could have been, levied for zone purposes. A new zone, comprising or including all or any part of an original zone which has been terminated pursuant to the provisions of this section, shall not be established if protests are filed with the clerk of the board, at least fifteen (15) days prior to the date set for hearing thereon, which protests have been adopted by a majority vote of the governing bodies of cities or of public districts formed for the purpose of supplying water, within which cities or public districts or both, there is taxable real property situated within the proposed zone as described in the notice of hearing, having an assessed value equal to not less than 35 percent of the assessed value of all of the taxable real property within the proposed zone as described in said notice of hearing, as shown on the last equalized assessment roll. Such a new zone may be established during the life of the original zone, or subsequent re-established zone, to be operative at the beginning of the fiscal year following the fiscal year during which the pervious zone terminates. Procedures as described in Section 3.3 for levying and collecting taxes for such a new zone may be followed irrespective of the existence of a previous zone.

Disposition of funds. Any remaining funds of a terminated zone shall be added to the general funds of the district and shall be expended by the district for water conservation in a manner beneficial to the area within the terminated zone in addition to that normally performed; provided, that water conservation as herein used shall be deemed to mean and include both acquisition and conservation of waters and such remaining funds may be expended for the purpose of acquiring waters or for the purpose of conserving such waters for the benefit of such area. [Added by Stats 1951 ch 971 § 5 p 2596; Amended by Stats 1957 ch 829 § 1 p 2049, effective June 6, 1957; Stats 1959 ch 1984 § 3 p 4591.]

SECTION 4. *Formulation of control pl*
Contents of report. Said board of supervisors
and power, and it shall be their duty to em
competent engineer or engineers to investigate carefully the best plan to control the flood and storm and other waste waters of said district, and to conserve such waters for beneficial and useful purposes by spreading, storing, retaining or causing to percolate into the soil within said district, and to save or conserve in any manner, any or all of such waters, and to protect the harbors, waterways, public highways and property in said district from damage from such waters; and to obtain such other information in regard thereto as may be deemed necessary or useful for carrying out the purposes of this act, and such resolution shall direct such engineer or engineers to make and file a report with said board of supervisors which shall show:

1. A general description of the work to be done.

2. General plans, profiles, cross sections and general specifications of the work to be done.

3. A general description of the lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work.

4. A map which shall show the location of the proposed work and improvements, and lands, rights of way, easements and property to be taken, acquired or injured in carrying out said work, and any other information in regard to same that may be deemed necessary or useful.

5. An estimate of the cost of such work, including an estimate of the cost of lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work, and also of all incidental expenses likely to be incurred in connection therewith, including legal, clerical, engineering, superintendence, inspection, printing and advertising, and stating the total amount of bonds necessary to be issued to pay for the same. [Amended by Stats 1931 ch 797 § 3 p 1659; Stats 1939 ch 608 § 9 p 2028.]

SECTION 5. *Adoption by resolution.* After the report of the engineer or engineers provided for in the next preceding section has been filed with the said board of supervisors, said board shall consider the same, and may by resolution either adopt the same as filed, or may refer such report to such engineer or engineers, or to any other engineer or engineers, to be modified or changed, and when a report satisfactory to said board of supervisors has been filed with said board by any such engineer or engineers employed as aforesaid, the said board shall by resolution adopt said report, and

state the amount of the entire estimated cost for which bonds are to be voted, and a finding in said resolution adopted by said board of supervisors as to the sufficiency of said report, and that the same complies with all the requirements of this act in relation thereto, shall be final and conclusive against all persons except the State of California upon suit commenced by the attorney general.

SECTION 6. *Special election.* After the adoption of the report by said board of supervisors, as above provided, said board shall without delay call a special election and submit to the qualified electors of said district the proposition of incurring a bonded debt in the amount and for the purposes stated in said report.

Said board of supervisors shall call such special election by ordinance, and shall recite therein the objects and purposes for which the indebtedness is proposed to be incurred; provided, that it shall be sufficient to give a brief general description of such objects and purposes, and refer to the report adopted by said board of supervisors, and on file for particulars; and said ordinance shall also state the estimated cost of the proposed work and improvements, the amount of the principal of the indebtedness to be incurred therefor, and what part of such indebtedness shall be paid each and every year, and which shall not be less than one-fortieth of the whole amount of such indebtedness, and the rate of interest to be paid on such indebtedness, and shall fix the date on which such special election shall be held, the manner of holding the same, and the manner of voting for or against incurring such indebtedness. The rate of interest to be paid on such indebtedness shall not exceed 8 per centum per annum.

For the purposes of said election, said board of supervisors shall in said ordinance establish election precincts within the boundaries of the said district, and may form election precincts by consolidating the precincts established for general election purposes in said district to a number not exceeding six for each such bond election precinct, and shall designate a polling place and shall appoint election boards, the composition of which shall correspond with the boards appointed in general elections in Los Angeles County. Any election called pursuant to this section may be consolidated with any other election, pursuant to the provisions of Chapter 4, of Part 2, of Division 11 of the Elections Code if the ordinance calling the election authorizes the consolidation. If the election called pursuant to this section is consolidated with any election, the notice thereof need not set forth the precincts, place, or places of holding the election, or the names of the officers appointed to conduct the election, but may instead state that the precincts, place, or places of holding the election, and officers appointed to conduct the election shall be the same as those provided for such other election within

the territory affected by the consolidation and set forth in the ordinance, order, resolution, or notice calling, providing for, or giving notice of such other election and except where consolidation is with a state primary or a state general election, reference shall be made to such ordinance, resolution or notice, by number and title, or date of adoption, or by date or proposed date of publication and the name of the newspaper in which the publication has been or will be made, or by any other definite description.

In all particulars not recited in such ordinance, such election shall be held as nearly as practicable in conformity with the general election laws of the State.

Said board of supervisors shall cause so much of said report as covers a general description of the work to be done, and the map showing the location of the proposed work and improvements, to be printed at least 30 days before the date fixed for such election, and a copy thereof furnished to every qualified elector of said district who shall apply for the same.

Said ordinance calling such election shall, prior to the date set for such election, be published pursuant to Section 6062 of the Government Code in a newspaper of general circulation, printed and published in said district and designated by said board of supervisors for said purpose. No other notice of such election need be given.

Any defect or irregularity in the proceedings prior to the calling of such election shall not affect the validity of the bonds.

If at such election a majority of the votes cast are in favor of incurring such bonded indebtedness, then bonds of said district for the amount stated in such proceedings shall be issued and sold as in this act provided. [Amended by Stats 1927 ch 158 § 6 p 301; Stats 1953 ch 856 § 1.5 p 2186; Stats 1957 ch 357 § 228 p 1078; Stats 1971 ch 209 § 1; Stats 1975 ch 360 § 1.]

SECTION 7. *Bonds: Prescribing form: Payment: Denominations: Interest: Signatures.* The said board of supervisors shall, subject to the provisions of this act, prescribe by ordinance the form of said bonds, and of the interest coupons attached thereto. As to any bond issue authorized pursuant to this act prior to January 1, 1970, the bonds shall be payable substantially in the following manner: A part to be determined by said board, and which shall not be less than one-fortieth part of the whole amount of such indebtedness, shall be payable each and every year on a day and date, and at a place to be fixed by said board, and designate in such bonds, together with the interest on all sums unpaid on such date until the whole of said indebtedness shall have been paid.

As to any bond issue authorized pursuant to this act following January 1, 1970, the board may divide the principal amount of any issue into two or more series and fix different dates for the bonds of each series. The bonds of one series may be made payable at different times from those of any other series; provided, that the earliest maturity of each issue or series, as the case may be shall not be more than two years from the date of the bonds of said issue or series. The final maturity date of any bond shall not exceed 40 years from the date of the bond. Every year beginning with the date of the earliest maturity of each issue or series of bonds, as the case may be, not less than one-fortieth of the whole of the indebtedness evidenced by such issue or such series shall be payable.

The bonds shall be issued in such denominations as the said board of supervisors may determine and shall be payable on the day and at the place fixed in said bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of 8 per centum per annum, and shall be payable semiannually, and said bonds shall be signed by the chairman of the board of supervisors, and countersigned by the auditor of said Los Angeles County, and the seal of said district shall be affixed thereto. Such signatures and countersignatures may be printed, lithographed, engraved, or otherwise mechanically reproduced, except that one of said signatures or countersignatures to said bonds shall be manually affixed. Any such signature may be affixed in accordance with the provisions of the Uniform Facsimile Signatures of Public Officials Act, Chapter 6 (commencing with Section 5500) of Title 1 of the Government Code. The interest coupons of said bonds shall be numbered consecutively and signed by the auditor of said Los Angeles County by his engraved or lithographed signature. In case any such officer whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds. [Amended by Stats 1953 ch 91 § 1 p 812; Stats 1957 ch 1150 § 10 p 2443; Stats 1959 ch 1061 § 8 p 3109; Stats 1963 ch 736 § 16 p 1753; Stats 1969 ch 450 § 1; Stats 1971 ch 209 § 2; Stats 1975 ch 360 § 2.]

SECTION 7.1 *Call and redemption of bonds before maturity: resolution: statement on bond.* As to any bond issue authorized pursuant to this act following January 1, 1970, in the resolution providing for the issuance of the bonds, the board may provide for the call and redemption of all or any part of the bonds on any interest payment date prior to their fixed maturity, at their par value plus a specified premium, if any, and accrued interest. The bonds to be called for redemption prior to maturity shall be selected in

such manner as the board may provide in said resolution. If a bond is subject to call and redemption a statement to that effect shall be set forth on the face of the bond. [Added by Stats 1969 ch 450 § 2.]

SECTION 7.2 *Same: notice of redemption.* As to any bond issue authorized pursuant to this act following January 1, 1970, notice of redemption shall be published at such time and in such manner as the board may provide in the resolution providing for the issuance of the bonds. [Added by Stats 1969 ch 450 § 3.]

SECTION 7.3 *Same: cessation of interest.* As to any bond issue authorized pursuant to this act following January 1, 1970, if funds are made available for the payment of the principal, interest, and premium on the bonds called, the interest on the bonds shall cease after the date fixed for redemption. [Added by Stats 1969 ch 450 § 4.]

SECTION 7.4 *Issuance of refunding bonds.* As to any bond issue authorized pursuant to this act following January 1, 1970, the board may authorize by resolution the issuance of refunding bonds in a principal amount sufficient to provide funds for the payment of all bonds to be refunded thereby, and in addition for the payment of all expenses incident to the calling, retiring or paying of such outstanding bonds and the issuance of such refunding bonds. These expenses include any amount necessary to be made available for the payment of interest upon such refunding bonds from the date upon which the bonds to be refunded will be paid pursuant to the call thereof or agreement with the holders thereof, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing thereon to the date of recall or retirement. [Added by Stats 1969 ch 450 § 5.]

SECTION 8. *Sale of bonds.* The said board of supervisors may issue and sell the bonds of such district authorized as hereinbefore provided at not less than par value, and the proceeds of the sale of such bonds shall be placed in the treasury of the county of Los Angeles to the credit of said district, and the proper record of such transactions shall be placed upon the books of said county treasury, and said district fund shall be applied exclusively to the purposes and objects mentioned in the ordinance calling such special bond election as aforesaid, subject to the provisions in this act contained. Payments from said district fund shall be made upon demands prepared, presented, allowed and audited in the same manner as demands upon the funds of the county of Los Angeles.

SECTION 9. *Bonds lien on property.* Any bonds issued under the provisions of this act shall be a lien upon the property of the district, and the lien for the bonds of any issue shall be a preferred lien to that of any subsequent issue. Said bonds and the interest

thereon shall be paid by revenue derived from an annual tax upon the real property within said district, and all the real property in the district shall be and remain liable to be taxed for such payments as hereinafter provided.

SECTION 10. *Tax levy.* The board of supervisors shall levy a tax each year upon the taxable real property in such district sufficient to pay the interest on said bonds as it becomes due, and such portion of the principal thereof as is to become due before the proceeds from the next general tax levy are available. Such tax shall be levied and collected on said real property at the same time and in the same manner as the general tax levy for county purposes, and when collected shall be paid into the county treasury of said Los Angeles County to the credit of said district fund, and will be available and shall be used for the payment of the principal and interest on said bonds, and for no other purpose. The principal and interest on said bonds shall be paid by the county treasurer of said Los Angeles County in the manner provided by law for the payment of principal and interest on bonds of said county. [Amended by Stats 1953 ch 856 § 2 p 2187.]

SECTION 11. *Political Code tax levy provisions adopted.* The provisions of the Political Code of this state, prescribing the manner of levying, assessing, equalizing and collecting of taxes, including the sale of property for delinquency, and the redemption from such sale, and the duties of the several county officers with respect thereto, are, so far as they are applicable, and not in conflict with the specific provisions of this act, hereby adopted and made a part hereof. Such officers shall be liable upon their several official bonds for the faithful discharge of the duties imposed upon them by this act.

SECTION 12. *Bonds legal investments for trust funds, etc.* The bonds of said Los Angeles Flood Control District issued pursuant to this act, shall be legal investments for all trust funds, and for the funds of all insurance companies, banks, both commercial and savings, and trust companies, and for the state school funds, and whenever any money or funds may by law now or hereafter enacted be invested in bonds of cities, cities and counties, counties, school districts or municipalities in the State of California, such money or funds may be invested in the said bonds of said district issued in accordance with the provisions of this act, and whenever bonds of cities, cities and counties, counties, school districts or municipalities, may by any law now or hereafter enacted be used as security for the performance of any act, such bonds of said district may be so used.

This section of this act is intended to be and shall be considered the latest enactment of the matters herein contained, and any and all

acts or parts of any acts in conflict with the provisions hereof are hereby repealed.

SECTION 13. *Value of bonds.* All bonds issued by said district under the provisions of this act are hereby given the same force, value and use as bonds issued by any municipality in this state, and shall be free and exempt from all taxation within the State of California.

SECTION 13¼. *Acceptance of transfer of storm drain improvements and drainage system: Control and jurisdiction.* [Repealed by Stats 1972 ch 732 § 1.]

SECTION 13½. *Authority to accept improvements transferred: Classes of improvements: Bond liability: Special Tax for payment of bonds: Transfer by city: Special tax for expenses of operation, etc.* [Repealed by Stats 1972 ch 732 § 2.]

SECTION 13¾. *Acceptance of transfer of storm drain improvements and drainage improvements: Control and jurisdiction: Transfer by city or county: Tax levy for operation, maintenance, repair.* The Board of Supervisors of the Los Angeles County Flood Control District shall have power to accept on behalf of said district a transfer and conveyance of storm drain improvements and drainage systems lying within or without the territorial limits of said district, provided that such improvements or systems benefit property within the territorial limits of the district, whenever the governing body of any public agency owning or exercising jurisdiction over such storm drain and drainage improvements, by resolution describing them, requests the said Los Angeles County Flood Control District to accept the same or when the owner of such storm drain improvement or drainage system tenders a conveyance thereof. Upon such acceptance, the Board of Supervisors of said district shall thereupon assume sole control and jurisdiction over such storm drain and drainage systems and shall thereafter provide for the operation, maintenance, repair and improvement thereof, except that such flood control district shall not assume or be liable for any bonded indebtedness that may be against the said storm drain or drainage systems. Any city or county within whose limits any storm drain or drainage system has been constructed, and which storm drain or drainage system also lies within the territorial limits of said Los Angeles County Flood Control District, may, by a four-fifths vote of the legislative body of such city or county, transfer and convey to said flood control district any such storm drain or drainage systems for future operation, maintenance, repair and improvement, and upon acceptance of any storm drain improvement under this section the board of supervisors of said flood control district shall have power, and it shall be its duty, to

levy a special tax each year upon the taxable real property in said district sufficient to pay the cost and expenses of operating, maintaining, repairing and improving such storm drain and drainage systems so transferred and accepted, excepting only the payment of interest and principal on any outstanding bonds for which the said district shall not be liable. Said special tax shall likewise be levied, collected, and expended to pay the cost and expenses of operating, maintaining, repairing, and improving all storm drain improvements or drainage systems, or both, constructed by said district with bond funds authorized at any bond election held under the authority of this act. Said tax shall be levied and collected at the same time and in the same manner as the general tax for county purposes, and the revenue derived from said tax shall be paid into the county treasury to the credit of said flood control district and said board of supervisors shall have the power to control and order the expenditure thereof for said purposes. Taxes levied under authority of this section shall be separate and distinct from, and shall be in addition to the taxes authorized to be levied under Section 14 of this act. [Added by Stats 1943 ch 743 § 1 p 2505; Stats 1945 ch 457 § 1 p 955; Stats 1951 ch 1251 § 1.5 p 3106; Stats 1953 ch 856 § 2.5 p 2187; Stats 1955 ch 573 § 1 p 1071; Stats 1957 ch 829 § 2 p 2050, effective June 6, 1957; Amended by Stats 1972 ch 732 § 3.]

SECTION 14. *Tax levy for maintenance.* The board of supervisors of said district shall have power, in any year, to levy a tax upon the taxable real property in said district, to carry out any of the objects or purposes of this act, and to pay the cost and expenses of maintaining, operating, extending and repairing any work or improvements of said district for the ensuing fiscal year, and said tax shall be levied and collected at the same time and in the same manner as the general tax levy for county purposes, and the revenue derived from said tax shall be paid into the county treasury to the credit of said district, and said board of supervisors shall have the power to control and order the expenditure thereof for said purposes; provided, however, that such tax levied under this section for any one fiscal year shall not exceed fifteen cents ($0.15) on each one hundred dollars ($100) of the assessed valuation of the real property in said district, exclusive of any tax levied to meet the bonded indebtedness of said district, and the interest thereon. [Amended by Stats 4th Ex Sess 1944 ch 39 § 1 p 162.]

SECTION 14½. *Claims against district.* Claims for money or damages against the district are governed by Part 3 (commencing with Section 900) and Part 4 (commencing with Section 940) of Division 3.6 of Title 1 of the Government Code, except as provided

therein. Claims not governed thereby or by other statutes or by ordinances or regulations authorized by law and expressly applicable to such claims shall be prepared and presented to the governing body, and all claims shall be audited and paid, in the same manner and with the same effect as are similar claims against the county. [Added by Stats 1959 ch 1728 § 16 p 4163; Amended by Stats 1963 ch 1715 § 109 p 3413.]

SECTION 15. *Letting contracts: Procedure: Improvements in, etc., highways: Approval of plans and specifications.* All contracts for any improvement or unit of work, except as hereinafter provided, estimated to cost in excess of twenty-five thousand dollars ($25,000), shall be let to the lowest responsible bidder in the manner hereinafter provided. The said board of supervisors of said district shall advertise by five or more insertions in a daily newspaper of general circulation, or by two or more insertions in a weekly newspaper of general circulation, printed and published in said district, inviting sealed proposals for the construction of the improvement or work. The said board shall require the successful bidder or bidders to file with the board good and sufficient bonds, to be approved by the board, conditioned upon the faithful performance of the contract and upon the payment of all claims for labor and material in connection therewith, such bonds to contain the terms and conditions set forth in Chapter 7 (commencing with Section 3247) of Title 15 of Part 4 of Division 3 of the Civil Code and to be subject to the provisions of that chapter, and shall also have the right to reject any and all bids not suitable to the best interests of the district. In the event all proposals are rejected or no proposals are received pursuant to advertisement therefor, or the estimated cost of such work does not exceed the sum of ten thousand dollars ($10,000), or the work consists of channel protection, dam protection, temporary work, maintenance work, or of emergency work when necessary in order to protect life and property from impending flood damage, the board of supervisors may, without advertising for bids therefor, have said work done by force account. Emergency work, found by the board of supervisors to be necessary in order to protect life and property from impending flood damage, may also be done by negotiated contract without advertising for bids therefor.

It shall be the duty of the purchasing agent of Los Angeles County, and ex officio the purchasing agent of the Los Angeles County Flood Control District, unless otherwise ordered by the board of supervisors, to purchase for the district all materials, supplies, equipment and other personal property necessary to carry out the purposes of this act, except emergency purchases, and to engage independent contractors to perform sundry services for the

district, where the aggregate cost of such work, exclusive of materials to be furnished by the district, does not exceed twenty-five thousand dollars ($25,000). Said purchasing agent shall make all such purchases and contracts upon proper requisition therefor, signed by the chief engineer of the district.

Any improvement for which bonds are voted under the provisions of this act shall be made in conformity with the report, plans, specifications and map theretofore adopted, as above specified, unless the doing of any such work described in said report shall be prohibited by law, or be rendered contrary to the best interests of said district by some change of conditions in relation thereto, in which event said board of supervisors may, by vote of four-fifths of all the members thereof, order necessary changes made in such proposed work or improvements, and may cause new plans and specifications to be made and adopted therefor.

Any work or improvement provided for in this act may be located, constructed and maintained in, along or across any public road or highway in the County of Los Angeles, in such manner as to afford security for life and property, but the said board of supervisors of said district shall restore or cause to be restored such road or highway to its former state as near as may be, so as not to impair its usefulness.

The plans and specifications for any work proposed to be done, or improvements to be made, under this act, in any municipality in said district shall first be approved by the legislative body of such municipality before the commencement of such work or improvements, and before any contract shall be let therefor; provided, that in the event such legislative body shall refuse or neglect to approve the said plans and specifications for such work or improvement within 30 days after being requested by said board of supervisors so to do, then said board of supervisors shall omit the doing of such work or making of such improvements within such municipality, and such omission shall not affect the validity of its proceedings under this act, and the funds which were to be expended for such proposed work or improvement in said municipality may be expended elsewhere by said board of supervisors for carrying out the purposes of this act. [Amended by Stats 1927 ch 586 § 1 p 1016; Stats 1931 ch 284 § 1 p 690; Stats 1945 ch 1118 § 1 p 2126; Stats 1951 ch 1251 § 2 p 3107; Stats 1957 ch 1106 § 1 p 2409; Stats 1965 ch 1982 § 1 p 4507; Stats 1972 ch 141 § 1; Stats 1976 ch 859 § 1.]

SECTION 15a. *Insertion of provisions prescribed as condition for federal aid.* The governing body of said district shall have full authority to cause to be inserted in specifications and contracts for

any flood control work financed or paid for in whole or in part out of moneys obtained from the United States of America or any department or agency thereof as a loan, grant or appropriation, such provisions or terms as may be prescribed by the United States of America or such department or agency as a condition upon which such Federal funds are loaned, granted or appropriated. [Added by Stats 1935 ch 285 § 1 p 1003, effective June 7, 1935.]

SECTION 15b. *Covering or crossing facilities.* The governing body of said district may, upon receiving request therefor, cause to be designed and inserted in the specifications and contract for any flood control channel or storm drain, as to any portion thereof, planned to be constructed under this act as an open channel, provision for the construction in conjunction therewith of facilities for the covering or crossing over of any such portion, or a part of such portion if, in the judgment of said governing body, such crossing or covering will not impair the usefulness of said flood control channel or storm drain and will not be otherwise adverse to the best interests of said district; provided, however, that as to any such requested covering or crossing facilities the costs of design and construction are to be fully borne by the requesting party or parties.

The governing body of the district may expend funds of the district for the construction of facilities for the covering or crossing over of any portion of existing flood control channels or storm drains of the district whenever it determines such expenditures to be in the best interests of the district. The district may also expend for such purpose any funds provided it by any local agency within the district for the construction of facilities for the covering or crossing over of any portion of existing flood control channels or storm drains of the district. [Added by Stats 1961 ch 343 § 1 p 1383; Amended by Stats 1971 ch 204 § 1.]

SECTION 16. *Powers of board generally: Right of eminent domain.* The said board of supervisors of said district shall have power to make and enforce all needful rules and regulations for the administration and government of said district, and to perform all other acts necessary or proper to accomplish the purposes of this act.

Said board of supervisors shall have power to do all work and to construct and acquire all improvements necessary or useful for carrying out any of the purposes of this act; and said board of supervisors shall have power to acquire either within or without the boundaries of said district, by purchase, donation or by other lawful means in the name of said district, from private

persons, corporations, reclamation districts, swamp land districts, levee districts, protection districts, drainage districts, irrigation districts, or other public corporations or agencies or districts, all lands, rights of way, easements, property or materials necessary or useful for carrying out any of the purposes of this act; to make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the exercise of the powers conferred by this act, or arising out of the use, taking or damage of any property, rights of way or easements, for any of such purposes; to compensate any reclamation district, protection district, drainage district, irrigation district or other district, public corporation or agency or district, for any right of way, easement or property taken over or acquired by said Los Angeles County Flood Control District as a part of its work of flood control or conservation or protection provided for in this act, and any such reclamation district, protection district, drainage district, irrigation district or other district or public corporation or agency is hereby given power and authority to distribute such compensation in any manner that may be now or hereafter allowed by law; to maintain actions to restrain the doing of any act or thing that may be injurious to carrying out any of the purposes of this act by said district, or that may interfere with the successful execution of said work, or for damages for injury thereto; to do any and all things necessary or incident to the powers hereby granted, or to carry out any of the objects and purposes of this act; to require, by appropriate legal proceedings, the owner or owners of any bridge, trestle, wire line, viaduct, embankment or other structure which shall be intersected, traversed or crossed by any channel, ditch, bed of any stream, waterway, conduit or canal, so to construct or alter the same as to offer a minimum of obstruction to the free flow of water through or along any such channel, ditch, bed of any stream, waterway, conduit or canal, and whenever necessary in the case of existing works or structures, to require the removal or alteration thereof for such purpose; provided, however, that nothing in this act contained shall be deemed to authorize said district in exercising any of its powers to take, damage or destroy any property or to require the removal, relocation, alteration or destruction of any bridge, railroad, wire line, pipeline, facility or other structure unless just compensation therefor be first made, in the manner and to the extent required by the Constitution of the United States and the Constitution of California.

The board of supervisors of said district is hereby vested with full power to do all other acts or things necessary or useful for the promotion of the work of the control of the flood and storm waters of said district, and to conserve such waters for beneficial and useful purposes, and to protect from damage from such storm or flood

waters the harbors, waterways, public highways and property in said district; provided, however, that nothing in this act contained shall be deemed to authorize said district, or any person or persons, to divert the waters of any river, creek, stream, irrigation system, canal or ditch, from its channel, to the detriment of any person or persons having any interest in such river, creek, stream, irrigation system, canal or ditch, or the waters thereof or therein, unless previous compensation be first ascertained and paid therefor, under the laws of this State authorizing the taking of private property for public uses; and provided further, that nothing in this act contained shall be construed as in any way affecting the plenary power of any incorporated city, city and county, or town, or municipal or county water district, to provide for a water supply of such public corporation, or as affecting the absolute control of any properties of such public corporations necessary for such water supply, and nothing herein contained shall be construed as vesting any power of control over such properties in said Los Angeles County Flood Control District, or in any officer thereof, or in any person referred to in this act; and provided further, that nothing in this act contained shall be deemed to authorize said board of supervisors to raise money for said district by any method or system other than that by the issuing of bonds, or the levying of a tax upon the assessed value of all the real property in said district in the manner in this act provided, except from the sale and lease of its property as herein provided. [Amended by Stats 1939 ch 608 § 10 p 2028; Stats 1953 ch 1139 §1 p 2635; Stats 1975 ch 1276 §6.]

SECTION 16a. *Revolving fund: Authority to establish: Manner of establishment.* The board of supervisors of the district may establish a revolving fund for the use of any official of the district by adopting a resolution setting forth: (a) the necessity for the fund, (b) the office, department or service for which the fund is available, and (c) the amount of the fund, which shall not exceed five thousand dollars ($5,000). Certified copies of the resolution shall be transmitted to the county auditor and county treasurer. [Added by Stats 1949 ch 449 § 2 p 793; Amended by Stats 1970 ch 171 § 1; Stats 1976 ch 12 § 1.]

SECTION 16b. *Same: Bond by officer for whose use fund created: Conditions of bond: Warrant for fund: Drawing and payment.* Before any money is withdrawn from the county treasury to be placed in the revolving fund, the officer for whose use the fund is created shall file with the clerk of the board of supervisors a bond executed by himself as principal and by an admitted surety insurer, in an amount equal to that of the revolving fund. The bond shall be conditioned upon the faithful administration of the fund and upon the willingness and ability of the principal to account for and pay

over the fund upon demand of the board of supervisors at any time. Upon the filing of the required bond the auditor shall draw his warrant in favor of the officer for whose benefit the revolving fund is created and the treasurer shall pay the warrant. [Added by Stats 1949 ch 449 § 3 p 793.]

SECTION 16c. *Same: Use of funds: Receipts.* The officer may be authorized to use the fund for making change, when necessary in carrying on his official work. He shall not be authorized to expend any portion of the revolving fund except for services or material which are a legal charge against the district. Any expenditure in excess of one dollar ($1) shall not be made unless a receipt is obtained, setting forth the date, purpose of the expenditure, and the amount expended. [Added by Stats 1949 ch 449 § 4 p 794.]

SECTION 16d. *Same: Reimbursement of fund: Account of fund.* Demand shall be made upon the district for reimbursement of the fund in the same manner that other demands are made and shall be supported by receipts. All sums received in satisfaction of the demands shall be returned to the revolving fund. Upon demand of the auditor or the board of supervisors the officer entrusted with the fund shall give an account of the fund. [Added by Stats 1949 ch 449 § 5 p 794.]

SECTION 16e. *Same: Reduction or discontinuance of fund: Reimbursement of officer for expenditures from fund.* The said board of supervisors may at any time reduce or discontinue the revolving fund established by its order. If the revolving fund is ordered reduced, the officer using it shall immediately return to the county treasurer the amount necessary to reduce the fund as ordered by the board. If the fund is discontinued the officer shall immediately refund it to the county treasurer. A reasonable time shall be allowed the officer to reimburse himself by demand on the district for expenditures legally made from the fund. [Added by Stats 1949 ch 449 § 6 p 794.]

SECTION 16½. *Eminent domain: Power to take property interest deemed necessary: Resolution as evidence: Condemnation of property adjacent to property devoted to public use.* [Repealed by Stats 1975 ch 1276 § 7.]

SECTION 16⅝. *Same: Where part of parcel needed, and remainder will be damaged.* [Repealed by Stats 1975 ch 1276 8.]

SECTION 16¾. *Taking or removal of part of house or other structure.* [Repealed by Stats 1975 ch 1276 § 9.]

SECT [illegible] *rvisors in connection with cont* [illegible] board of supervisors of said distr [illegible] rity to cooperate with and to ac [illegible] California, or any of its engineers, officers, boards, commissions, departments or agencies, or with the government of the United States, or any of its engineers, officers, boards, commissions, departments or agencies, or with any public or private corporation, in the construction, operation and maintenance of any work for the controlling of flood or storm waters of said district, or for the protection of property, or any of the harbors, channels, waterways, roads or highways in said district, or for the purpose of conserving said waters or waters imported from without the district or waters reclaimed from sewage or other wastes when such imported or reclaimed waters are furnished without cost to the district, including, but not limited to, surface and subsurface storage, for beneficial use and to adopt a definite plan or system of work for such purpose, and when so adopted no substantial change affecting their interest shall thereafter be made in the same without the express consent of the officer, board, commission, department or agency of the State or Federal Government, or public or private corporation, in conjunction with which the same was originally adopted. Expenditures for the purpose of conserving such imported or reclaimed waters may be made from funds derived from taxes levied pursuant to Section 14 of this act but such expenditures therefrom shall not exceed an amount equal to the amounts levied under the provisions of said Section 14 within the area specially benefited by the conservation of such imported or reclaimed waters.

Said board of supervisors of said district shall have full power and authority to contract with any municipality, irrigation district, or metropolitan water district, for the construction by such municipality, irrigation district, or metropolitan water district, at its own expense under plans approved by said flood control district, of works for the enlargement and increase of storage capacity of any reservoir, work, or structure used or to be used for the controlling and conservation of flood or storm waters of said flood control district, and to authorize by contract, or otherwise, the use by any such municipality, irrigation district or metropolitan water district of said enlarged and increased storage capacity or space thereby created, of such reservoir, work, or structure in excess of that now designed and approved for controlling and conserving the flood or storm waters, of said Los Angeles County Flood Control District, and for the storage and release of waters coming entirely from points outside of said flood control district; provided, however, such use of such enlarged and increased space or storage capacity shall at all times be subject to the use and control of said Los Angeles County

Flood Control District for the controlling or conservation of such flood or storm waters by the said flood control district. [Amended by Stats 1927 ch 586 § 2 p 1017; Stats 1929 ch 777 § 2 p 1549; Stats 1951 ch 1002 § 1 p 2636.]

SECTION 17a. *Right of way over State lands.* There is hereby granted to Los Angeles County Flood Control District the right of way for the location, construction and maintenance of flood control channels, ditches, waterways, conduits, canals, jetties, embankments, and protective works in, over and across public lands of the State of California, not otherwise disposed of or in use, not in any case exceeding in length or width that which is necessary for the construction of such works and adjuncts for the protection thereof. Whenever any selection of a right of way for such works or adjuncts thereto is made by the district the board of supervisors thereof must transmit to the Surveyor General, the Controller of the State, and the recorder of the county in which the selected lands are situated, a plat of the lands so selected, giving the extent thereof and the uses for which the same is claimed or desired, duly verified to be correct. If the Surveyor General shall approve the selections so made he shall endorse his approval upon the plat and issue to the district a permit to use such right of way and lands. [Added by Stats 1933 ch 574 § 1 p 1493.]

SECTION 18. *Issuance of additional bonds.* Whenever said board of supervisors shall by resolution duly passed by vote of four-fifths of all its members determine that the public interest or necessity of said district demands the issuance by said district of additional bonds for carrying out the work of flood control, water conservation or for any of the purposes of this act, said board of supervisors may again proceed as in this act provided, and have a report made and filed as provided for in Section 4 of this act, and may then submit to the qualified voters of said district the question of issuing additional bonds in the same manner and with like procedure as hereinbefore provided, and all the above provisions of this act for the issuing and sale of such bonds and for the expenditure of the proceeds thereof shall be deemed to apply to such issue of additional bonds. [Amended by Stats 1925 ch 448 p 973.]

SECTION 19. *Power of board of supervisors where proposition fails to carry.* Should the proposition of issuing bonds submitted at any election under this act fail to receive the requisite number of votes of the qualified voters voting at such election to incur the indebtedness for the purpose specified, the said board of supervisors of said district shall have power and authority at the expiration of six months after such election, to call or order another election for

incurring indebtedness and issuing bonds under the terms of this act, either for the same objects and purposes, or for any of the objects and purposes of this act.

SECTION 20. *Repeal of act not to affect bonds.* No repeal or amendment of this act which shall in any way affect or release any of the property in said district from the obligations of any outstanding bonds or indebtedness of said district, shall go into effect or be valid or become operative until all such bonds and outstanding indebtedness have been fully paid and discharged.

SECTION 21. *Construction of act.* This act, and every part thereof, shall be liberally construed to promote the objects thereof, and to carry out its intents and purposes.

SECTION 22. *Constitutionality.* In case any section or sections, or part of any section, of this act, shall be found to be unconstitutional or invalid, for any reason, the remainder of the act shall not thereby be invalidated, but shall remain in full force and effect.

SECTION 23. *Title.* This act may be designated and referred to as the "Los Angeles County Flood Control Act," and any reference thereto by such designation shall be deemed sufficient for all purposes.

OPERATING AGREEMENT

THIS OPERATING AGREEMENT, made and entered into this 26th day of December, 1984 by and between the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, hereinafter referred to as "DISTRICT" and the COUNTY OF LOS ANGELES, hereinafter referred to as "COUNTY."

WITNESSETH

WHEREAS, DISTRICT was created by the California Legislature by the Los Angeles County Flood Control Act, Chapter 755, Statutes of 1915; and

WHEREAS, the Act was created to provide for and perform certain therein specified functions, and to achieve certain therein specified objectives; and

WHEREAS, DISTRICT, under Section 2 of said Act, is declared to be a body corporate and politic empowered, among other things, to make contracts and to do all acts necessary for the full exercise of all powers vested in DISTRICT, or any of the officers thereof, by the Act; and

WHEREAS, under Section 3 of said Act, the Board of Supervisors of COUNTY is designated as, and empowered to act as, ex-officio the Board of Supervisors of DISTRICT; and,

WHEREAS, DISTRICT has a present and continued need for labor, services, equipment and supplies to carry out the present and ongoing functions of the DISTRICT, as set forth in the Act; and

WHEREAS, COUNTY has the capability to provide the necessary labor, services, equipment and supplies to carry out the present and ongoing functions of the DISTRICT; and

WHEREAS, DISTRICT and COUNTY will mutually benefit by use of said COUNTY labor, services, equipment and supplies by DISTRICT; and

WHEREAS, DISTRICT and COUNTY will also benefit by use of DISTRICT equipment and facilities by COUNTY in the performance, by COUNTY, of DISTRICT functions under this Agreement; and

WHEREAS, Section 56 3/4 of the Charter of the County of Los Angeles authorizes COUNTY, by agreement with DISTRICT, to perform any and all functions of DISTRICT.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by both DISTRICT and COUNTY and of the premises herein contained,

(1) COUNTY AGREES:

a. To provide to DISTRICT all necessary employees and to perform any and all DISTRICT functions necessary to carry out provisions of said Act, as requested by the Chief Engineer of DISTRICT.

b. To provide DISTRICT with and utilize COUNTY equipment, property, and facilities to supplement DISTRICT equipment, property, and facilities as authorized by the Director of Public Works of the COUNTY OF LOS ANGELES in the performance of DISTRICT functions.

c. That all personal and real property and equipment owned or leased by COUNTY and all facilities owned or leased by

COUNTY, furnished and utilized by COUNTY to perform DISTRICT functions under this Agreement shall remain the property of COUNTY.

d. That no service, labor, equipment, property, facilities or supplies shall be performed for or supplied to DISTRICT hereunder unless DISTRICT shall have available funds previously appropriated to cover the cost thereof.

e. To pay DISTRICT for the use-value (as established by the Auditor-Controller) of any DISTRICT equipment, property, or facilities provided by DISTRICT to COUNTY and utilized by COUNTY to perform COUNTY functions.

f. To indemnify, defend and save harmless DISTRICT, its agents, officers, and employees from and against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature whatsoever, including, but not limited to, bodily injury, death, personal injury or property damage arising from or connected with COUNTY'S acts or omissions hereunder.

(2) DISTRICT AGREES:

a. To pay COUNTY for the total cost of all services rendered by COUNTY, including labor, services, equipment, property, facilities and supplies as are provided under this Agreement. Such costs shall include applicable overhead, administration and depreciation in connection with any or all of the aforementioned items.

b. To provide the COUNTY an annual DISTRICT budget to be incorporated in the Department of Public Works budget

setting forth anticipated requirements for the next fiscal year.

c. To utilize COUNTY furnished services, labor, equipment, property, facilities and supplies in the performance of DISTRICT functions, in accordance with said Board approved DISTRICT budget.

d. To provide COUNTY with DISTRICT equipment, property, and facilities to supplement COUNTY equipment and facilities in the performance of DISTRICT functions, as may be authorized by the Director of Public Works of the County of Los Angeles.

e. That all personal and real property and equipment owned or leased by DISTRICT and all facilities owned or leased by DISTRICT and furnished to and utilized by COUNTY to perform DISTRICT functions under this Agreement shall remain the property of DISTRICT.

f. To indemnify, defend, and save harmless COUNTY, its agents, officers, and employees from and against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature whatsoever, including, but not limited to, bodily injury, death, personal injury or property damage arising from or connected with DISTRICT'S operations hereunder.

(3) IT IS MUTUALLY UNDERSTOOD AND AGREED:

a. That all COUNTY employees assigned to or otherwise utilized, to perform DISTRICT functions under this Agreement shall remain employees of COUNTY and shall retain all accumulated sick leave, vacation, retirement and other benefits and rights accrued by reason of their assignment to perform DISTRICT functions.

b. That the cost of work performed by COUNTY for DISTRICT or by DISTRICT for COUNTY under this Agreement, including the cost of services, labor, equipment, property, facilities and supplies, and other direct and indirect charges, shall be charged against funds reserved in the Department of Public Works budget for DISTRICT or COUNTY work respectively.

c. That the use-value (as established by the Auditor-Controller) of any DISTRICT equipment, property, or facilities provided by DISTRICT to COUNTY and utilized by COUNTY to perform DISTRICT functions under this Agreement shall be used to reduce the total costs of services provided hereunder.

d. That whenever the COUNTY and DISTRICT mutually agree as to the necessity for COUNTY to maintain an office, yard or similar facility on DISTRICT property for the performance of DISTRICT functions, DISTRICT shall furnish at its own cost and expense all necessary office space, furniture and furnishings, office supplies, janitorial services, telephone, light, water and other utilities.

Conversely, whenever the COUNTY and DISTRICT mutually agree

as to the necessity for COUNTY to maintain an office, yard or similar facility on COUNTY property for the performance of DISTRICT functions, COUNTY shall charge DISTRICT only that portion of costs attributable to the use of COUNTY office space, furniture and furnishings, office supplies, janitorial services, telephone, light, water and other utilities for DISTRICT functions.

It is expressly understood and agreed that in the event an office, yard or similar facility is maintained on DISTRICT property for COUNTY'S performance of DISTRICT functions, such quarters may be used by COUNTY in connection with the performance of COUNTY duties not connected with performance of DISTRICT functions, provided however that payment for such use shall be in accordance with Paragraph (1)e of this Agreement.

e. That in order to effectuate the purposes of this Agreement, the DISTRICT and the COUNTY shall take the necessary steps to transfer DISTRICT officers and employees to COUNTY. Officers and employees so transferred shall retain, at a minimum, all salary, sick leave, vacation, retirement and other benefits, rights and compensation accrued by reason of their earlier employment by DISTRICT and will be entitled to retain their continuous service status in the COUNTY and seniority in their class.

Before any personnel actions are taken based on seniority, such DISTRICT officers and employees so transferred who are in classes allocated only to DISTRICT, which are comparable

in rank and grade to COUNTY classes, shall be classified through an administrative change of class to the comparable COUNTY class, with COUNTY continuous service status and seniority in class retained. It is the intent of this Agreement that these employees shall then have restoration rights to the COUNTY classes which are comparable in rank and grade to the DISTRICT classes to which they would have had restoration rights.

(4) For the purpose of performing such services and functions, and for the purpose of giving official status to the performance hereof, every COUNTY officer and employee engaged in performing any such service or function shall be deemed to be an officer or employee of DISTRICT while performing services for DISTRICT within the scope of this Agreement.

(5) This Agreement may be modified or terminated by mutual consent of the parties hereto. Upon termination of the Agreement, any monies owed COUNTY by DISTRICT for services rendered and any monies owed DISTRICT by COUNTY pursuant to Paragraph (1)e, of this Agreement, shall become due and payable upon the final date of termination.

(6) The DISTRICT and COUNTY shall have no obligations or responsibilities to each other other than as provided herein or by law; further, this Agreement shall not affect in any way any existing debts, obligations or liabilities of the parties hereto.

(7) This Agreement shall be operative January 1, 1985.

IN WITNESS WHEREOF, said DISTRICT and COUNTY have caused this Operating Agreement to be executed by their respective officers, duly authorized, on the day, month, and year hereinabove first written.

ATTEST: LARRY J. MONTEILH
EXECUTIVE OFFICER —
CLERK OF THE BOARD OF SUPERVISORS

By _____, Deputy

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

_____
Chairman, Board of Supervisors

ATTEST: LARRY J. MONTEILH
EXECUTIVE OFFICER —
CLERK OF THE BOARD OF SUPERVISORS

By _____, Deputy

COUNTY OF LOS ANGELES

By _____
Chairman, Board of Supervisors

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

5 DEC 26 1984

LARRY J. MONTEILH
EXECUTIVE OFFICER

APPROVED AS TO FORM:

DE WITT W. CLINTON
County Counsel

By ORIGINAL SIGNED

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