COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

February 16, 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:

APPROVAL OF AMENDMENT NO. 1 TO THE WHITTIER NARROWS RECYCLED WATER AGREEMENT TO ADD WHITTIER NARROWS COUNTY GOLF COURSE AND INCREASE THE PURCHASE OF RECYCLED WATER (SUPERVISORIAL DISTRICT 1) (3 VOTES)

SUBJECT

Request approval to execute Amendment No. 1 to Agreement No. 10279 with the Upper San Gabriel Valley Municipal Water District and San Gabriel Valley Water Company to add the Whittier Narrows County Golf Course, increase the purchase amount of recycled water to irrigate this golf course, lease the equal amount of ground water back to the San Gabriel Valley Water Company, and reimburse the Upper San Gabriel Valley Municipal Water District for the pressure reducing valves.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find the proposed actions categorically exempt from the California Environmental Quality Act in accordance with Section 15301 of the State California Environmental Quality Act Guidelines, and Class 1 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, because the project provided for a minor alteration of existing public mechanical equipment.

2. Approve and authorize the Director of the Department of Parks and Recreation to execute Amendment No. 1 to add the Whittier Narrows County Golf Course to the Whittier Narrows Recycled Water Agreement No. 10279 with the Upper San Gabriel Valley Municipal Water District and San Gabriel Valley Water Company.

3. Authorize the Director of the Department of Parks and Recreation to increase the purchase of recycled water from the San Gabriel Valley Water Company, on an annual basis to irrigate the landscape at Whittier Narrows County Golf Course and lease back ground water rights of the equal amount of the purchased recycled water, at an agreed upon price, lesser than the rates in the current Agreement.

4. Authorize the Director of the Department of Parks and Recreation to reimburse the Upper San Gabriel Valley Municipal Water District for the water pressure release valves installed at the Whittier Narrows County Golf Course. These water pressure release valves were installed by Upper San Gabriel Valley Municipal Water District from the point of connection to the Golf Course at a cost of $166,145.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of these recommendations will allow the Department of Parks and Recreation (Department) to increase the purchase amount of recycled water and lease back the equal amount of ground water to the San Gabriel Valley Water Company, consistent with the rates in the current Agreement. This will allow the Department to expand the use of recycled water at the Whittier Narrows County Golf Course, assisting in the conservation of potable water supplies within the Main San Gabriel Ground Water Basin.

On June 13, 2006, your Board approved the Agreement between the Department and the Upper San Gabriel Municipal Water District and the San Gabriel Valley Water Company for the construction of an irrigation system within the Whittier Narrows Recreation Area. Amendment No. 1, substantially similar to Attachment I, will expand the purchase of recycled water from the San Gabriel Valley Water Company to include the Whittier Narrows County Golf Course.

In an effort to avoid further damage to the existing irrigation system found at the Whittier Narrows County Golf Course, caused by the increased water pressure needed for the distribution of the recycled water, the Department began the Board approved Whittier Narrows Recycling Project-Phase IIA of the construction, in which the Upper San Gabriel Valley Municipal Water District installed pressure release valves (PRV) to regulate a higher rate of water pressure needed to properly irrigate a larger span of area, to include the Whittier Narrows County Golf Course. The additional cost included engineering services, the purchase of eight pressure release valves, and installation.

Implementation of Strategic Plan Goals

The proposed Amendment No. 1 to the Agreement with the Upper San Gabriel Valley Municipal Water District and San Gabriel Valley Water Company will further the County's Strategic Plan Goals of Operational Effectiveness (Goal 1), and Community and Municipal Services (Goal 3), by utilizing collaborative efforts and partnership to conserve potable water usage by developing an alternative solution for the use of recycled water for the irrigation at County golf courses. This development allows the County to safely deliver recycled water and comply with environmental quality regulations. This action will continue the County's efforts of conserving potable water and increase the availability of this valuable resource for all residents of the cities and unincorporated communities.

FISCAL IMPACT/FINANCING

The cost for the additional PRV's will not exceed $166,145. Funding for this project is included in the Whittier Narrows Recreation Area Special Development Fund.

Operating Budget Impact

Based on the recommended actions, the Department does not anticipate any one-time or ongoing operating costs. The conversion of the irrigation line to recycled water will result in savings in utility expenditures, but an estimate cannot be determined at this time due to the constant fluctuations in water rates. The Department is also expecting an increase in revenue as there will be water available to lease back to the San Gabriel Valley Water Company.

The Department will address both the savings in utilities and the additions in revenue in future years' budget requests as they become material. Should any unforeseen operating costs arise, the Department will work with the Chief Executive Office to determine the appropriate level of funding approval needed from the Board.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On June 13, 2006, your Board authorized the Department to enter into an agreement with the Upper San Gabriel Valley Municipal Water District and San Gabriel Valley Water Company to construct, operate and maintain a recycled water pipeline at Whittier Narrows Recreation Area, which allowed the Department to purchase recycled water from the San Gabriel Valley Water Company and lease back the water rights to the San Gabriel Valley Water Company.

Amendment No. 1 will allow the expansion of the recycled water to the Whittier Narrows County Golf Course furthering the County's goal to conserve potable water resources and increase the leasing rights.

The Army Corp of Engineers (ACOE) previously reviewed and approved Agreement No. 10279 and concurs with the Amendment to add the Whittier Narrows County Golf Course.

County Counsel has approved Amendment No. 1 as to form.

ENVIRONMENTAL DOCUMENTATION

Whittier Narrows Recreation Area is a federal facility under the jurisdiction of the United States ACOE and is operated and maintained by the Department. As a federal facility, all projects at Whittier Narrows Recreation Area must comply with the National Environmental Policy Act (NEPA). The United States ACOE has determined that the project is in compliance with NEPA as Categorical Exclusion in accordance with 40 CFR 1508.4 and 33d CFR 230.9 and that the project when considered individually and cumulatively does not have significant effects on the quality of the human environment.

The proposed project is categorically exempt from California Environmental Quality Act (CEQA) according to Section 15301 of the State CEQA Guidelines and Classes 1 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, because the proposed project provided for a minor alteration of existing public mechanical equipment.

CONTRACTING PROCESS

The contracting process does not apply since the proposed Amendment No. 1 is for an existing contract approved by the Board on June 13, 2006.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There are no anticipated impacts to the current services and projects associated with the proposed action.

CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to return four adopted copies of this action to the Department for further processing.

Respectfully submitted,

RUSS GUINEY
Director

RG:KEH:GAB:
CM:rc

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

Attachment I

AMENDMENT NO. 1 TO AGREEMENT NO. 10279

BETWEEN

THE UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT (UPPER DISTRICT), THE SAN GABRIEL VALLEY WATER COMPANY (SGVWC), AND THE COUNTY OF LOS ANGELES, THROUGH ITS DEPARTMENT OF PARKS AND RECREATION (LADPR)

FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF FACILITIES AND FOR THE PURCHASE AND SALE OF RECYCLED WATER

THIS AMENDMENT, made and entered into as of this _____ day of _____, 2009 by and between, UPPER DISTRICT, SGVWC, AND LADPR

WITNESSETH

WHEREAS, Agreement No. 10279, was entered into between the UPPER DISTRICT, SGVWC and LADPR, referred to hereinafter collectively as "the parties", on June 6, 2006, for construction, operation, and maintenance of facilities and for the purchase and sale of recycled water ("Whittier Narrows Agreement"); and

WHEREAS, in accordance with the Agreement's Section 10, "Modification", the parties desire to include the landscape irrigation system at the Whittier Narrows County Golf Course (WNCGC) as part of the AGREEMENT; and;

WHEREAS, the SGVWC agrees to use its best efforts to purchase annually from LADPR additional water consistent with LADPR increase in its use of recycled water and its leasing water rights estimated amount Three Hundred (300) to Four Hundred Forty (440) acre feet of recycled water at the agreed upon price of eighty percent (80%) of the potable water cost to be delivered to the WNCGC; the estimated amount of recycled water for the WNCGC is an estimate and LADPR shall not be imposed any penalty for purchasing less or more than the stated amount; and

WHEREAS, the LADPR agrees to lease back to SGVWC the additional water rights the estimated at Three Hundred Thirty (330) to Four Hundred (400) acres of potable water on an annual basis; and

NOW, THEREFORE, in consideration of these facts, LADPR and UPPER DISTRICT AND SGVWC agree that Agreement No. 10279 between them shall be amended as follows:

FIRST: Delete in its entirety "Recreation Area" and replace with: Whittier Narrows Park and Whittier Narrows County Golf Course (WNCGC).

SECOND: Section 2.2.2 is amended to add the following provision with: All recycled water delivered to the Whittier Narrows County Golf Course shall be at a cost equal to eighty percent (80%) of the then CURRENT SGVWC potable rate plus the monthly service charges set forth in Section 4.3.6 of this Agreement.

THIRD: The additional increase of recycled water to be delivered to WNCGC is estimated from 300 to 400 acre feet to irrigate approximately 200 acres of turf at the WNCGC. LADPR estimates the usage of recycled water and shall not be penalized for using less or more that the stated estimate provided herein. Consistent with the amount of increase of usage, LADPR will increase it right to lease back its water rights to the Upper District.

FOURTH: This Agreement No. 10279__, is amended to include the attached Exhibit X [map/description of the golf premises].

FIFTH: All terms, requirements, specifications, conditions, and prices of the original Agreement shall remain in full force and effect.

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IN WITNESS WHEREOF, UPPER DISTRICT, SGVWC AND LADPR have attested to by the Executive Officer-Clerk of the Board of Supervisors thereof, the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____

Russ Guiney, Director

UPPER SAN VALLEY MUNICIPAL WATER DISTRICT

By_____

Steve Johnson, Interim General Manager

SAN-GABRIEL VALLEY WATER COMPANY

By _____

Michael L. Whitehead, President

APPROVED AS TO FORM:

Andrea Sheridan Ordin

County Counsel

By _____

Christina A. Salseda, Principal Deputy