


**JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM  
CITY OF DEL MAR – ANNUAL REPORT FORM  
FY 2014-2015**

<b>I. COPERMITTEE INFORMATION</b>	
Copermittee Name: <b>City of Del Mar – Los Peñasquitos HU</b>	
Copermittee Primary Contact Name: <b>Mikhail Ogawa</b>	
Copermittee Primary Contact Information: Address: <b>1050 Camino Del Mar</b>	
City: <b>Del Mar</b>	County: <b>San Diego</b>
State: <b>CA</b>	Zip: <b>92014</b>
Telephone: <b>(858) 755-9313</b>	Fax: <b>(858) 755-2794</b>
Email: <b>Mikhail@mogawaeng.com</b>	
<b>II. LEGAL AUTHORITY</b>	
Has the Copermittee established adequate legal authority within its jurisdiction to control pollutant discharges into and from its MS4 that complies with Order No. R9-2013-0001?	YES <sup>1</sup> <input type="checkbox"/> NO <input checked="" type="checkbox"/>
A Principal Executive Officer, Ranking Elected Official, or Duly Authorized Representative has certified that the Copermittee obtained and maintains adequate legal authority?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
<b>III. JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM DOCUMENT UPDATE</b>	
Was an update of the jurisdictional runoff management program document required or recommended by the San Diego Water Board?	YES <input type="checkbox"/> NO <sup>1</sup> <input checked="" type="checkbox"/>
If YES to the question above, did the Copermittee update its jurisdictional runoff management program document and make it available on the Regional Clearinghouse?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>IV. ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM</b>	
Has the Copermittee implemented a program to actively detect and eliminate illicit discharges and connections to its MS4 that complies with Order No. R9-2013-0001?	YES <input type="checkbox"/> NO <sup>1</sup> <input checked="" type="checkbox"/>
Number of non-storm water discharges reported by the public	5
Number of non-storm water discharges detected by Copermittee staff or contractors	2
Number of non-storm water discharges investigated by the Copermittee	7
Number of sources of non-storm water discharges identified	7
Number of non-storm water discharges eliminated	7
Number of sources of illicit discharges or connections identified	3
Number of illicit discharges or connections eliminated	3
Number of enforcement actions issued	1
Number of escalated enforcement actions issued	0
<b>V. DEVELOPMENT PLANNING PROGRAM</b>	
Has the Copermittee implemented a development planning program that complies with Order No. R9-2013-0001?	YES <input type="checkbox"/> NO <sup>1</sup> <input checked="" type="checkbox"/>
Was an update to the BMP Design Manual required or recommended by the San Diego Water Board?	YES <input type="checkbox"/> NO <sup>1</sup> <input checked="" type="checkbox"/>
If YES to the question above, did the Copermittee update its BMP Design Manual and make it available on the Regional Clearinghouse?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Number of proposed development projects in review	8
Number of Priority Development Projects in review	0
Number of Priority Development Projects approved	0
Number of approved Priority Development Projects exempt from any BMP requirements	0
Number of approved Priority Development Projects allowed alternative compliance	0
Number of Priority Development Projects granted occupancy	1
Number of completed Priority Development Projects in inventory	1
Number of high priority Priority Development Project structural BMP inspections	0
Number of Priority Development Project structural BMP violations	0
Number of enforcement actions issued	0
Number of escalated enforcement actions issued	0

FY 2014-2015

VI. CONSTRUCTION MANAGEMENT PROGRAM					
Has the Copermittee implemented a construction management program that complies with Order No. R9-2013-0001?				YES <input type="checkbox"/>	NO <sup>1</sup> <input checked="" type="checkbox"/>
Number of construction sites in inventory				8	
Number of active construction sites in inventory				3	
Number of inactive construction sites in inventory				0	
Number of construction sites closed/completed during reporting period				5	
Number of construction site inspections				83	
Number of construction site violations				0	
Number of enforcement actions issued				0	
Number of escalated enforcement actions issued				0	
VII. EXISTING DEVELOPMENT MANAGEMENT PROGRAM					
Has the Copermittee implemented an existing development management program that complies with Order No. R9-2013-0001?				YES <input type="checkbox"/>	NO <sup>1</sup> <input checked="" type="checkbox"/>
	Municipal	Commercial	Industrial	Residential	
Number of facilities or areas in inventory	1	1	0	12	
Number of existing development inspections	11	11	0	132	
Number of follow-up inspections	0	0	0	0	
Number of violations	0	0	0	2	
Number of enforcement actions issued	0	0	0	2	
Number of escalated enforcement actions issued	0	0	0	0	
VIII. PUBLIC EDUCATION AND PARTICIPATION					
Has the Copermittee implemented a public education program component that complies with Order No. R9-2013-0001?				YES <input type="checkbox"/>	NO <sup>1</sup> <input checked="" type="checkbox"/>
Has the Copermittee implemented a public participation program component that complies with Order No. R9-2013-0001?				YES <input type="checkbox"/>	NO <sup>1</sup> <input checked="" type="checkbox"/>
IX. FISCAL ANALYSIS					
Has the Copermittee attached to this form a summary of its fiscal analysis that complies with Order No. R9-2013-0001?				YES <input type="checkbox"/>	NO <sup>2</sup> <input checked="" type="checkbox"/>
X. CERTIFICATION					

I  Principal Executive Officer  Ranking Elected Official  Duly Authorized Representative certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

  
 \_\_\_\_\_  
 Signature  
 Scott Huth  
 \_\_\_\_\_  
 Print Name  
 858-755-9313  
 \_\_\_\_\_  
 Telephone Number

10/26/2015  
 \_\_\_\_\_  
 Date  
 City Manager  
 \_\_\_\_\_  
 Title  
 Citymanager@delmar.ca.us  
 \_\_\_\_\_  
 Email

<sup>1</sup> The City of Del Mar has selected to use the new JRMP Annual Report format (as allowed in Order No. R9-2013-0001), resulting in the "No" response on the annual report form. However, implementation and compliance has been met under Order No. R9-2007-0001. Ordinances and program components were updated in accordance with Order R9-2013-0001 in June 2015.  
<sup>2</sup> A fiscal analysis that complies with Order R9-2007-0001 has been attached. The City will perform and report fiscal analyses in compliance with Order R9-2013-0001 in FY 2015-2016.

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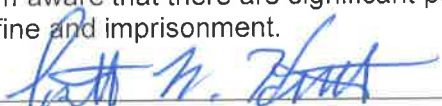
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<b>IV. ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM</b>	
Has the Copermittee implemented a program to actively detect and eliminate illicit discharges and connections to its MS4 that complies with Order No. R9-2013-0001?	YES <input type="checkbox"/> NO <sup>1</sup> <input checked="" type="checkbox"/>
Number of non-storm water discharges reported by the public	22
Number of non-storm water discharges detected by Copermittee staff or contractors	28
Number of non-storm water discharges investigated by the Copermittee	50
Number of sources of non-storm water discharges identified	50
Number of non-storm water discharges eliminated	50
Number of sources of illicit discharges or connections identified	17
Number of illicit discharges or connections eliminated	17
Number of enforcement actions issued	7
Number of escalated enforcement actions issued	0
<b>V. DEVELOPMENT PLANNING PROGRAM</b>	
Has the Copermittee implemented a development planning program that complies with Order No. R9-2013-0001?	YES <input type="checkbox"/> NO <sup>1</sup> <input checked="" type="checkbox"/>
Was an update to the BMP Design Manual required or recommended by the San Diego Water Board?	YES <input type="checkbox"/> NO <sup>1</sup> <input checked="" type="checkbox"/>
If YES to the question above, did the Copermittee update its BMP Design Manual and make it available on the Regional Clearinghouse?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Number of proposed development projects in review	62
Number of Priority Development Projects in review	2
Number of Priority Development Projects approved	0
Number of approved Priority Development Projects exempt from any BMP requirements	0
Number of approved Priority Development Projects allowed alternative compliance	0
Number of Priority Development Projects granted occupancy	1
Number of completed Priority Development Projects in inventory	1
Number of high priority Priority Development Project structural BMP inspections	22
Number of Priority Development Project structural BMP violations	0
Number of enforcement actions issued	0
Number of escalated enforcement actions issued	0

FY 2014-2015

<b>VI. CONSTRUCTION MANAGEMENT PROGRAM</b>					
Has the Copermittee implemented a construction management program that complies with Order No. R9-2013-0001?				YES <input type="checkbox"/>	NO <sup>1</sup> <input checked="" type="checkbox"/>
Number of construction sites in inventory				48	
Number of active construction sites in inventory				26	
Number of inactive construction sites in inventory				0	
Number of construction sites closed/completed during reporting period				22	
Number of construction site inspections				500	
Number of construction site violations				5	
Number of enforcement actions issued				5	
Number of escalated enforcement actions issued				0	
<b>VII. EXISTING DEVELOPMENT MANAGEMENT PROGRAM</b>					
Has the Copermittee implemented an existing development management program that complies with Order No. R9-2013-0001?				YES <input type="checkbox"/>	NO <sup>1</sup> <input checked="" type="checkbox"/>
	Municipal	Commercial	Industrial	Residential	
Number of facilities or areas in inventory	24	82	0	37	
Number of existing development inspections	264	902	0	407	
Number of follow-up inspections	0	0	0	0	
Number of violations	0	60	0	3	
Number of enforcement actions issued	0	60	0	3	
Number of escalated enforcement actions issued	0	0	0	0	
<b>VIII. PUBLIC EDUCATION AND PARTICIPATION</b>					
Has the Copermittee implemented a public education program component that complies with Order No. R9-2013-0001?				YES <input type="checkbox"/>	NO <sup>1</sup> <input checked="" type="checkbox"/>
Has the Copermittee implemented a public participation program component that complies with Order No. R9-2013-0001?				YES <input type="checkbox"/>	NO <sup>1</sup> <input checked="" type="checkbox"/>
<b>IX. FISCAL ANALYSIS</b>					
Has the Copermittee attached to this form a summary of its fiscal analysis that complies with Order No. R9-2013-0001?				YES <input type="checkbox"/>	NO <sup>2</sup> <input checked="" type="checkbox"/>

**X. CERTIFICATION**

I  Principal Executive Officer  Ranking Elected Official  Duly Authorized Representative certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

  
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<sup>2</sup> A fiscal analysis that complies with Order R9-2007-0001 has been attached. The City will perform and report fiscal analyses in compliance with Order R9-2013-0001 in FY 2015-2016.

## 1. FISCAL ANALYSIS

### 1.1 JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM IMPLEMENTATION

This section of the Jurisdictional Runoff Management Program (JRMP) Annual Report provides a fiscal analysis of the City's stormwater management programs. On May 8, 2013 the RWQCB adopted a revised Municipal Permit, Order No. R9-2013-0001, however, during this transitional period the City of Del Mar continued to develop its fiscal analysis according to Section G of the previous Municipal Permit, Order No. R9-2007-0001.

On January 29, 2009, the San Diego Municipal Copermittees adopted the "Standardized Fiscal Method and Format" which provides a model for the City of Del Mar and other Copermittees to perform the review and annual reporting as required in Order R9-2007-0001, Section G. This methodology and reporting format became effective in January 31, 2010. The "Standardized Fiscal Analysis Method and Format" (Fiscal Analysis Method) was collaboratively developed and adopted by the Copermittees in January 2009 in accordance with sections G, J.1.a(3)(k) and J.1.c(1)(d) of the Municipal Permit. The Fiscal Analysis Method document was submitted to the San Diego RWQCB on January 31, 2009, as Attachment 1 of the "Regional Urban Runoff Management Plan (RURMP) Annual Report for 2008-2009."

The City of Del Mar is utilizing the format and guidelines described in the Fiscal Analysis Method for this reporting period, FY 2014-2015.

#### 1.1.1 *Clean Water Program Budget*

The City of Del Mar's Clean Water Program is a multi-departmental program, funded as an enterprise fund in the City's Annual Budget. Enterprise funds account for operations that are financed and operated in a manner similar to private businesses, with the costs of providing the services recovered largely through user fees. Fund 55 ("The Clean Water Fund"), is one of three (3) enterprise funds in the City's budget, and was added to the City's budget in Fiscal Year 2004 to account for the mandated costs of the City's responsibilities in order to comply with the Municipal Permit.

The City of Del Mar Operating and Capital Improvement Budgets for Fiscal Years 2013-2014 and 2014-2015 were presented to the Del Mar City Council on June 3, 2013. The budget was formally adopted during the same meeting.

For the Fiscal Year 2014-2015 reporting period, the final amended budget for Fund 55 totaled \$474,570. **Table 1-1** below provides a breakdown of program budget by major budget category for Fiscal Year 2014-2015.

**Table 1-1: Budget Summary – Clean Water Fund 55**

<b>Fund Account</b>		<b>Adopted Budget Fiscal Year 2014-2015</b>	<b>Description/Comments</b>
55-5530	Clean Water Planning	45,150	Active enforcement of Clean water regulations including project plan review, permitting, construction monitoring and plan review of BMPs.
55-5536	Clean Water Code Enforcement	23,750	Active in-field enforcement of clean water regulations, including response to resident complaints.
55-5539	Clean Water Program Management	242,750	All clean water program management and reporting activities, fees to agencies, and interaction with regional and watershed Copermittee groups.
55-5840	Public Works (General)	162,920	Provides for administration and general support for all clean water programs for property and facilities, including supervision of maintenance staff.
<b>Total Clean Water Program Budget – Fund 55</b>		<b>\$474,570</b>	–

**1.1.2 Fiscal Analysis Methods**

The City of Del Mar used the format and guidelines included in the Fiscal Analysis Method for reporting purposes; however, given the City’s financial accounting methods, a few modifications were necessary. These adjustments are described below.

**1.1.3 Fiscal Analysis Results**

The City’s Fiscal Year 2014-2015 jurisdictional (JRMP), watershed and regional projected expenditures for the implementation of the Municipal Permit requirements are summarized in **Table 1-2** below.

**Table 1-2: Fiscal Year 2014-2015 Expenditure Summary by Program Component**

<b>Component Description</b>	<b>Fiscal Year 2014-2015 Projected Expenditures</b>
<b>Jurisdictional Component</b>	
Administration	42,245
Development Planning	92,205
Construction	18,295
Municipal (Including Non-Emergency Fire Flows)	138,800
Industrial and Commercial	50,500
Residential, Education, and Public Participation	14,250
IDDE	4,750
Jurisdictional Total	<b>\$361,045</b>
<b>Watershed Component</b>	
San Dieguito Watershed	44,250
Los Peñasquitos Watershed	44,250
Watershed Total	<b>\$88,500</b>
<b>Regional Component</b>	
Total Copermittee Cost Share for Del Mar	25,025
<b>Total Costs</b>	<b>\$474,570</b>

**1.1.4 JRMP Expenditures**

The City of Del Mar used the expenditure categories detailed in the Fiscal Analysis Method for jurisdictional reporting. However, due to the implementation overlap of some of the City’s municipal permit components; it is difficult to separate out individual component costs. As a result, the expenditures for residential, education, and public participation are reported as one expenditure category. Additionally, since the City does not explicitly track expenditures by permit component for its budgeting purposes, in many cases estimated percentages were utilized to allocate expenditures into the appropriate municipal permit component categories.

A total of \$474,570 was projected to be expended in Fiscal Year 2014-2015 for the implementation of JRMP activities. An overview of the expenditures reflected in JRMP activity components is described below.

#### *Administration*

Activities identified in this component represent labor and non-labor expenditures for materials, supplies, equipment, or tools that are not otherwise incorporated into other expenditure categories, general administrative functions (e.g., program planning, budgeting, staff supervision), and program assessment and reporting.

#### *Development Planning*

Activities identified in this component represent labor and non-labor expenditures related to issuance or oversight of permits or of plans (e.g., permit counter support, plan checks, permit or application processing), project planning and engineering (e.g. project design specifications, capital improvement projects).

#### *Construction*

Activities identified in this component represent labor and non-labor expenditures related to construction site inspections and enforcement.

#### *Municipal*

Activities identified in this component represent labor and non-labor expenditures related to maintenance inspections of streets, roads, catch basins and inlets, open channels, and the MS4, municipal facility inspections, street and parking lot sweeping, catch basins and inlets, open channels, and MS4 cleaning, and municipal BMP implementation. Since the City of Del Mar conducts all fire-fighting training outside of the City, and no non-emergency fire-fighting flows occurred during the reporting period, the City does not currently track expenditures relating to non-emergency fire-fighting flows. Any costs associated with preparing for these flows are included in the municipal component.

#### *Industrial and Commercial*

Activities identified in this component represent labor and non-labor expenditures related to evaluation and enforcement of program requirements at industrial and commercial sites or sources (e.g. routine inspections and complaint investigations).

#### *Residential, Education, and Public Participation*

Activities identified in these components represent labor and non-labor expenditures related to investigation and enforcement of residential areas or activities, staffing outreach events, development and production of outreach materials, and any expenditures associated with waste collection and recycling (e.g. household hazardous waste, used oil).

#### *Illicit Discharge Detection and Elimination*

Activities identified in this component represent labor and non-labor expenditures related to the identification and elimination of illicit discharges or connections, enforcing the City of Del Mar's storm water ordinance, and any expenditures related to monitoring programs (e.g. dry weather monitoring, coastal storm drain monitoring, special investigations, field or sampling equipment, materials and supplies).

### **1.1.5 Watershed Expenditures**

The City of Del Mar used the expenditure categories (administration, watershed activities, cost share contribution, and other) detailed in the Fiscal Analysis Method for watershed reporting. The watershed expenditures included in this report only capture City of Del Mar expenditures and do not account for any expenditure disbursed by other Copermittees included in the watershed(s).



A total of \$88,500 was projected to be expended in Fiscal Year 2015 for the implementation of watershed activities which primarily included the development of Water Quality Improvement Plans for the San Dieguito and Los Peñasquitos Watersheds.

#### **1.1.6 Regional Expenditures**

The City of Del Mar utilized the expenditure categories (administration, cost share contribution, regional activities, and other) detailed in the Fiscal Analysis Method for regional reporting. The regional expenditures included in this report only capture City of Del Mar expenditures and do not account for any expenditure disbursed by other Copermittees in the region. A total of \$25,025 was projected to be expended in Fiscal Year 2015 for the implementation of regional activities and coordination.

#### **1.1.7 Funding Sources**

To ensure adequate funding for the Clean Water Program, the City uses a combination of user fees and general fund monies.

The City of Del Mar City Council created and adopted a user fee, called the Clean Water Fund Service Charge to offset the costs of the program. Initially, the rate was adopted to collect \$100,000 of the estimated \$300,000 for the program, with an escalator to achieve full cost recovery by 2009. Mid-way through the five-year schedule, on July 24, 2006, the California Supreme Court published a decision in the case of Bighorn-Desert View Water Agency v. Verjil (2006) 39 Cal. 4th 205, which held that consumption-based rates such as water and sewer rates are subject to the notice and hearing requirements of California Constitution, Article XIIIID, Section 6 (commonly known as "Proposition 218"). Therefore, on January 22, 2007, and February 5, 2007, the Del Mar City Council held public hearings to receive written protests to comply with Proposition 218. No majority protest was received, and the Council ratified the previously approved five-year rate schedule, including the City's Clean Water Service Charge. However, the adopted rate increases did not account for the actual increases in the costs associated program requirements.

As an additional measure to obtain voter approval of the five-year rate schedule for the City's Clean Water Service Charge, the Council directed staff on April 2, 2007, to start the process to perform a mail ballot election procedure. During the process of researching the mail ballot election procedures and the current rates, it became apparent that the process would immediately need to be repeated to set the Fiscal Year 2010 rates and charges, since the current five-year rate schedule was due to expire in June of 2009. Due to the additional costs incurred in complying with the new requirements of the 2007 Permit, increases to the Clean Water Service Charge were proposed, including an annual rate escalator. All monies appropriated as part of the Clean Water Service Charge are directly identified for the Clean Water Program, and pursuant to law, may not be used by the City for any other purpose.

During the Fiscal Year 2009 reporting period, in compliance with Proposition 218, both the majority protest hearing and mail ballot process were conducted for the proposed increases. Both the ratification of the existing rate structure (required by Proposition 218), and the new rates, including the rate escalator, passed by more than 62%. As a result of the passage of the Clean Water Service Charge, the City will continue to have a secure funding source for the Clean Water Program, outside of general fund monies.

Based on current water allocations for the City of Del Mar, the projected revenues from the Clean Water Service Fee will be \$376,640 (page 83 of city budget) for Fiscal Year 2014-2015.