



**SAWPA COMMISSION
REGULAR MEETING MINUTES
JUNE 1, 2021**

COMMISSIONERS PRESENT

Jasmin A. Hall, Chair, Inland Empire Utilities Agency
Bruce Whitaker, Vice Chair, Orange County Water District
Brenda Dennstedt, Secretary-Treasurer, Western Municipal Water District
David J. Slawson, Eastern Municipal Water District
June D. Hayes, San Bernardino Valley Municipal Water District

COMMISSIONERS ABSENT

None

ALTERNATE COMMISSIONERS PRESENT; NON-VOTING

T. Milford Harrison, Alternate, San Bernardino Valley Municipal Water District
Mike Gardner, Western Municipal Water District
Kelly E. Rowe, Alternate, Orange County Water District

STAFF PRESENT

Jeff Mosher, Karen Williams, Mark Norton, Dean Unger, David Ruhl, Carlos Quintero, Marie Jauregui, Rick Whetsel, Ian Achimore, Sara Villa, Pete Vitt

OTHERS PRESENT

Andrew D. Turner, Lagerlof, LLP; Beth Olhasso, Westcoast Advisors; Michael Boccadoro, Westcoast Advisors; Joe Mouawad, Eastern Municipal Water District; Nick Kanetis, Eastern Municipal Water District; Ken Tam, Inland Empire Utilities Agency; Shivaji Deshmukh, Inland Empire Utilities Agency; Michael Markus, Orange County Water District; Derek Kawaii, Western Municipal Water District; Craig Miller, Western Municipal Water District; Mallory Gandara, Western Municipal Water District; Brooke Jones, Yorba Linda Water District

The Regular Meeting of the Santa Ana Watershed Project Authority Commission was called to order at 9:30 a.m. by Chair Hall on behalf of the Santa Ana Watershed Project Authority, 11615 Sterling Avenue, Riverside, California.

1. CALL TO ORDER

Pursuant to the provisions of Executive Order N-29-20, this meeting was conducted virtually, and all votes were taken by oral roll call.

2. ROLL CALL

An oral roll call was duly noted and recorded by the Clerk of the Board.

3. PUBLIC COMMENTS

There were no public comments; there were no public comments received via email.

4. ITEMS TO BE ADDED OR DELETED

There were no added or deleted items.

5. CONSENT CALENDAR

A. APPROVAL OF MEETING MINUTES: MAY 18, 2021

Recommendation: Approve as posted.

B. TREASURER'S REPORT – APRIL 2021

Recommendation: Approve as posted.

MOVED, approve the Consent Calendar.

Result:	Adopted by Roll Call Vote (Unanimously)
Motion/Second:	Dennstedt/Whitaker
Ayes:	Dennstedt, Hall, Hayes, Slawson, Whitaker
Nays:	None
Abstentions:	None
Absent:	None

6. SPECIAL COMMENDATIONS

Jeff Mosher commended Mark Norton on his 30 years of service at SAWPA. He noted his excellent support and guidance of SAWPA and OWOW Water Resources and Planning projects, as well as the Roundtables/Task Forces. Mark Norton noted that since he began working at SAWPA, he has worked with a few General Managers, such as Neil Cline, Joe Grindstaff, Celeste Cantu, Rich Haller and, now Jeff Mosher. Mark also commented that he has been very fortunate in working with great staff and consultants in his time at SAWPA. He looks forward to the future of SAWPA and knows they will be in good hands with Jeff's leadership. The Commissioners expressed their gratitude to Mark for his commitment and dedication to SAWPA through all his efforts in presentations and projects over the years.

7. WORKSHOP DISCUSSION AGENDA

A. LEGISLATIVE REPORT

Michael Boccadoro of West Coast Advisors provided a presentation on the Sacramento Update, regarding pertinent legislation and the upcoming June 15 budget deadline. The current conditions in the state have led the Governor to move forward with an emergency declaration due to the drought, which has impacted 41 of 58 counties. Abnormally warm weather in early April 2021 has caused the 60% snowpack in the status to dwindle to a level that currently sits at 2% of the year over year levels. Northern California reservoirs are much lower than historically measured, with Southern California not impacted as badly, but experiencing lower levels as well.

Beth Olhasso, of West Coast Advisors, took over the presentation to review the current status on legislation and budget topics. Four bills that have been closely followed by SAWPA, and its member agencies, with many others in the water industry are:

- AB 377 (R. Rivas) Water Quality
- AB 1434 (Friedman) Indoor Residential Water Use Standard
- SB 223 (Dodd) Discontinuation of Residential Water Service
- SB 230 (Portantino) CECs

These bills have all been continued to next year with the earliest updates possible in the Fall of 2021, except for AB 1434. Other legislation that is still actively moving are:

- SB 222 (Dodd) Water Rate Assistance Program
- AB 818 (Bloom) Non-Flushable Products
- SB 273 (Hertzberg) Wastewater Agencies

West Coast Advisors will be watching all these bills closely to provide any movement or changes as they come.

She noted that the State of California has a surplus of \$76 billion in funds and received \$26 billion from the Federal Government for the upcoming year as part of the federal Covid-19 relief measure. After specified dedicated funds and debt reduction, there will be about \$38 billion remaining as discretionary funds. Drought packages have been proposed by both the Senate and the Governor, to be finalized by the June 15 deadline. Some applications of the funds include funds to cover water arrearages of water retail agency customers, recycled water projects, stormwater projects, urban water-use efficiency, and Disadvantaged Communities specific funds. SAWPA is working with West Coast Advisors and other agencies throughout the state to urge funding for Integrated Regional Water Management (IRWM). Legislation on Resources Bonds such as AB 1500 (E. Garcia) and SB 45 (Portantino) will be moved to next year because of the drought package.

Commissioner Dennstedt expressed concern regarding the June 15 executive orders being lifted and how that relates to water retail agency customers with past due bills. Her concern surrounded the fact that extra efforts would then need to be made to track down agency customers to get payment for their debts. Ms. Olhasso responded with the hope that the \$1 billion proposed for water arrearages would be passed to assist with soothing those issues for water agencies. Commissioner Dennstedt then voiced the concern that customers would still need to apply for that funding, and how the agency would still have the same issue of finding the customer to assist them in applying for their debts to be erased. Ms. Olhasso explained that the funding would be handed down to the agency to erase debts without needing the customer to be part of the process. Processes are still being determined at the state level for the funding and when that gets down to the agencies. West Coast Advisors is focusing on providing suggestions to the state for avenues to expedite funding distribution and will provide updates as they receive them. Mr. Wayne Miller inquire about the Disadvantaged Communities portion of the proposed packages and if it were possible for cities and water districts to participate if they applied within the requirements of the legislation. Ms. Olhasso responded that given the funds and the other factors of the funding, it would be a possibility to receive funding for such projects.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 7.A.

8. **NEW BUSINESS**

A. **STATEMENT OF INVESTMENT POLICY (CM#2021.40)**

Karen Williams provided an oral presentation on the Statement of Investment Policy being proposed for the next year. The Statement of Investment Policy is revisited annually and reviewed by the Commission. Ms. Williams noted that there are no necessary changes needed to the policy from the prior year. She also mentioned that this policy was certified by the California's Municipal Treasurer's Association in 2019. There was no discussion.

MOVED, adopt Resolution No. 2021-5, approving the Statement of Investment Policy and delegate authority to the Chief Financial Officer to invest or reinvest funds consistent with the Statement of Investment Policy.

Result:	Adopted by Roll Call Vote (Unanimously)
Motion/Second:	Hayes/Slawson
Ayes:	Dennstedt, Hall, Hayes, Slawson, Whitaker
Nays:	None
Abstentions:	None
Absent:	None

B. INLAND EMPIRE BRINE LINE RATE RESOLUTION (CM#2021.41)

Carlos Quintero provided a presentation on Inland Empire Brine Line Rates Resolution contained in the agenda packet on pages 51-61. At their last meeting on May 4, 2021, the Project Agreement 24 Committee approved the recommendation that the SAWPA Commission adopt Resolution No. 2021-4 establishing the new Inland Empire Brine Line Rates effective July 1, 2021 (FY 21-22). The Brine Line rates are dependent on two components – Flow and Treatment. There are no proposed increases being made to the current Brine Line Rates and the proposed discharger rates and the treatment and disposal rates exceed their contractual – the brine line approved budget expenditures. Chair Hall inquired about the flow rate being less and whether the rates would later increase at a higher percentage to make up for not increasing the rates now. Mr. Quintero responded noting that there were some decreases seen during the pandemic, from certain dischargers, such as laundry facilities, and other dischargers had increased levels which maintained the business for the Brine Line during the pandemic. He also noted that there will not be a larger increase later to offset the current proposed rates. There will be increases next fiscal year (2022-23), due to Orange County Sanitation District's (OC San) percentage increase to SAWPA. Alternate Commissioner Harrison commented on how SAWPA staff is doing a great job in operating the brine line to maintain this level of cost and oversight. Commissioner Dennstedt made a motion to adopt Resolution No. 2021-4; and directed staff to coordinate with member agencies on issuing letters to dischargers notifying them of approval. Mr. Quintero confirmed coordination with the Member Agency staff in getting a letter distributed to clients.

MOVED, adopt Resolution No. 2021-4 establishing the new Inland Empire Brine Line rates to be effective July 1, 2021 (FY2021-22), and directed staff to coordinate with member agencies on issuing letters to dischargers notifying them approval of Resolution No. 2021-4.

Result:	Adopted by Roll Call Vote (Unanimously)
Motion/Second:	Dennstedt/Whitaker
Ayes:	Dennstedt, Hall, Hayes, Slawson, Whitaker
Nays:	None
Abstentions:	None
Absent:	None

C. REGULATORY SUPPORT FOR BASIN MONITORING PROGRAM TASK FORCE, MIDDLE SANTA ANA RIVER PATHOGEN TMDL TASK FORCE AND EMERGING CONSTITUENTS PROGRAM TASK FORCE (CM#2021.42)

Mark Norton provided a presentation on SAWPA Task Forces Regulatory Support contained in the agenda packet on pages 67-78. Tess Dunham, of Kahn, Soares and Conway, LLP, provides regulatory support for three of SAWPA's Roundtable Task Forces: Basin Monitoring Program Task Force, Middle Santa Ana River TMDL Task Force and Emerging Constituents Program Task Force. Mark Norton first provided background on each task force including goals, deliverables, current projects status and stakeholders involved. He reviewed the historical aspect and reasoning of each Task Force's creation. He explored the tasks that Ms. Dunham has provided each group and how crucial her knowledge and assistance has been to each Task Force. Each Task Force has approved funding for Tess Dunham in the coming year's budgets to endorse her continued work with them. There was no discussion.

MOVED, authorize the General Manager to execute the following:

1. Task Order KSC374-02 with Kahn Soares & Conway in the amount not to exceed \$116,000.00 (\$50,000.00 for FY2021-22 and \$66,000.00 for FY2022-23), to provide strategic and regulatory support for the Basin Monitoring Program Task Force.

2. Task Order KSC384-02 with Kahn Soares & Conway in the amount not to exceed \$149,750.00 (\$74,375.00 for FY2021-22 and \$75,375.00 for FY2022-23), to provide strategic and regulatory support for the Middle Santa Ana River Pathogen TMDL Task Force.
3. Task Order KSC392-02 with Kahn Soares & Conway in the amount not to exceed \$46,500.00 (\$23,000.00 for FY2021-22 and \$23,500.00 for FY22-23), to provide strategic and regulatory support for the Emerging Constituents Program Task Force.

Result: **Adopted by Roll Call Vote (Unanimously)**
Motion/Second: Whitaker/Hayes
Ayes: Dennstedt, Hall, Hayes, Slawson, Whitaker
Nays: None
Abstentions: None
Absent: None

D. DISADVANTAGED COMMUNITY INVOLVEMENT (DCI) PROGRAM STATUS
(CM#2021.43)

Rick Whetsel provided a presentation on the Disadvantaged Communities Involvement (DCI) Program Status contained in the agenda packet on pages 93-123. He noted that the DCI program is ending soon, and this presentation will provide insights to the projects completed with the following partners:

- Local Government Commission
- California Rural Water Association
- Water Education Foundation
- California State University, San Bernardino (CSUSB)
- University of California, Irvine

The partners along with SAWPA comprised a technical advisory committee that oversaw and developed the DCI program. Two CivicSpark fellows, under the AmeriCorps program, were provided to the SAWPA for the DCI program each year and provided essential support. The DCI Program elements included a Strengths and Needs Assessment, Education and Engagement, Project Development and Administration. Some of the deliverables achieved by this program were:

- Completing Ethnographic Strengths and Needs Assessment.
- Developed new partnerships and identified linkages between Homelessness and water.
- Conducted outreach and held workshops with Tribal groups, including non-federally recognized Native American Tribes.
- Produced publication to report on engagement of disadvantaged communities and water management.
- Conducted six virtual training events directed at agency staff of small Community Water Systems and Mutual Water Companies.
- Developed, hosted, and maintained the Santa Ana Watershed Ambassador Program for Local Policymakers to educate on water management topics and best practices. Transitioned those trainings to a virtual environment to maintain ongoing offerings to local elected leaders.

- Conducted Statewide Disadvantaged Communities and Tribal Involvement Lessons Learned Virtual Summit.
- Placed 60 interns through CSUSB and CivicSparks in public agencies and environmental/social justice non-governmental organizations to assist with community engagement or public affairs work related to disadvantaged communities, economically distressed areas, or underrepresented communities.
- Provided translation services for documents and meetings with Trust the Tap to spread awareness about the values and safety of tap water in various languages.
- Technical assistance funding provided to many agencies/communities to update and upgrade the equipment that gives them access to drinking water.

The DCI program is set to be completed June 30, 2021. With the completion of the grant program, there are many conversations being held about the lessons learned. Conclusions include addressing language barriers, communication and tap water quality. Key recommendations were also reviewed. All materials on the DCI program can be found on the SAWPA website. Commissioner Dennstedt inquired about the number of guests that attended the mini-series event for local elected leaders and what approach was going to be taken to continue the offerings and marketing them to others for the watershed's benefit. Mr. Whetsel responded that there were approximately 35-45 that completed the entire series (3 workshops), with about 10 individuals that utilized the fully virtual workshops after the main events were complete. He also noted that there will be continued discussions on how to spread awareness of this offering and increasing engagement within the watershed.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 8.D.

9. INFORMATIONAL REPORTS

Recommendation: Receive for Information

A. CHAIR'S COMMENTS/REPORT

There were no Comments.

B. COMMISSIONERS' COMMENTS

Commissioner Hayes shared news of the recent passing of a former General Manager of West Valley Water District, Clarence Mansell Jr. He was very involved in the upper watershed and devoted many years of service to the water world. She shared that he was a visionary and would be missed.

C. COMMISSIONERS' REQUEST FOR FUTURE AGENDA ITEMS

Commissioner Dennstedt asked about the next Commission meeting and the effects of the upcoming changes to restrictions and requirements as related to COVID-19. Andrew Turner, of Lagerlof, LLP, explained that although the Governor has plans to lift the mask mandates on June 15, 2021, this will not be affecting the executive orders that provide Brown Act provisions and meetings can continue virtually at this time. Many statewide associations have sent a collaborative letter to the Governor's office requesting a 30-day notice of when the Executive Orders related to the Brown Act will be reverted to allow a smooth transition for boards and agencies.

10. CLOSED SESSION

There was no closed session.

11. ADJOURNMENT

There being no further business for review, Chair Hall adjourned the meeting at 11:05 a.m.

Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday, June 15, 2021.



Jasmin A. Hall, Chair

Attest: 

Sara Villa, Acting Clerk of the Board