

1. CALL TO ORDER

Vice Chair Schmitz called the meeting of the Board of Directors to order at 9:00 a.m. at the Regional Water Authority. Individuals in attendance are listed below:

RWA Board Members

Ron Greenwood, Carmichael Water District
Steve Nugent, Carmichael Water District
Raymond Riehle, Citrus Heights Water District
Hilary Straus, Citrus Heights Water District
Marcus Yasutake, City of Folsom
Bruce Houdesheldt, City of Roseville
Jeff S. Harris, City of Sacramento
Michelle Carrey, City of Sacramento
Ben Moody, City of Yuba City
Deb Sedwick, Del Paso Manor Water District
Michael Raffety, El Dorado Irrigation District
Mark Madison, Elk Grove Water District
Tom Gray, Fair Oaks Water District
Jim Lemley, Orange Vale Water Company
Joe Duran, Orange Vale Water Company
Brent Smith, Placer County Water Agency
Andy Fecko, Placer County Water Agency
Tim Shaw, Rio Linda/Elverta Community Water District
Kerry Schmitz, Sacramento County Water Agency
Pam Tobin, San Juan Water District

Dan York, Sacramento Suburban Water District and Paul Helliker, San Juan Water District participated via teleconference at 1901 Pennsylvania Ave. NW, Suite 700, Washington, D.C., 20006. Mr. Helliker joined the teleconference call at 9:35 a.m. during Mr. Fecko's information update on agenda item #7.

Ryan Bezerra, legal counsel, said that there are specific Brown Act rules that are required for members to participate on a teleconference call during a board meeting. After the initial roll call, additional roll calls will only be made during the meeting if requested by a board member or a member of the public. The minutes will reflect when anyone enters or exits the board meeting.

RWA Associate Members

Ken Payne, El Dorado County Water Agency; Brett Storey, Placer County; Arthur Starkovich and Ansel Lundberg, SMUD; Jose Ramirez, SRCSD

RWA Affiliate Members

Alan Driscoll, Forsgren Associates, Inc.; Vanessa Nishikawa, Stantec; Jim Graydon, Woodard & Curran

Staff Members

Rob Swartz, Nancy Marrier, Cecilia Partridge, Monica Garcia and Ryan Bezerra, Legal Counsel

Others in Attendance:

Ted Costa, Chelsea Spier and David Wheaton

2. PUBLIC COMMENT

None.

3. CONSENT CALENDAR

- a. Approve Minutes of the March 14, 2019 RWA regular board meeting. To comply with the Brown Act which states that the agencies must be named specifically and recorded, the minutes were amended on page three under agenda item 5 adding the names of the agencies that voted yes and the agency that voted no for Ms. Carrey to fill the vacancy on the Executive Committee.

Motion/Second/Carried (M/S/C) Ms. Tobin moved, with a second by Mr. Greenwood, to approve the consent calendar item with the stated amendments. The motion carried by the unanimous voice vote of all Directors present.

4. EXECUTIVE COMMITTEE REPORT AND RECOMMENDATIONS

- a. Information: Final minutes of the February 27, 2019 and the March 27, 2019 Executive Committee meetings

5. ADMINISTRATIVE AND MANAGEMENT SERVICES AGREEMENT WITH SACRAMENTO GROUNDWATER AUTHORITY UPDATE

Rob Swartz, Interim Executive Director, said that through the history of the RWA there has been a partnership with the Sacramento Groundwater Authority (SGA) with a services agreement whereby the Regional Water Authority (RWA) was the sole employer of all employees sharing staff with SGA. The resolution of a CalPERS Audit of RWA led to establishment of an SGA contract with CalPERS. That contract necessitates changes to the Administrative and Management Services Agreement between the two Authorities to reflect that some

individuals/positions are employed jointly by RWA and SGA, and that certain employment functions are carried out by RWA under the Agreement. On February 14, 2019, the SGA Board authorized its Chair to execute the agreement upon RWA approval of the amendments. Both mark-up and clean versions of the amended policy were enclosed.

M/S/C Mr. Greenwood moved, with a second by Ms. Tobin, to approve the amended RWA Policy 100.2. The motion carried by the unanimous voice vote of all Directors present.

6. RWA BOARD MEETING SCHEDULE

Mr. Bezerra explained that when the current 2019 regular RWA Board meeting schedule was approved, it was unknown that the RWA Executive Director position would be vacant. The recruitment process for a replacement is currently underway, with a recommended candidate anticipated to be identified soon. The Brown Act states that you cannot discuss an agency's Executive's salary and compensation in a special meeting; it must occur in a regular meeting. The Brown Act generally requires that a governing board set the time, place and location of its regular meetings in a resolution, policy or other document. The October 8, 2013 Amended and Restated Joint Exercise of Powers Agreement of RWA (JPA Agreement) states, in relevant part, "The time and place of regular meetings of the Board shall be determined by resolution adopted by the Board." Under current RWA Policy 200.1, Board meetings are held on the second Thursday of odd numbered months and begin at 9:00 a.m. Policy 200.1, Rule 3, currently and specifically states that RWA will hold its Board meetings at this date and time. Both the Brown Act and Rule 3 authorize the Board of Directors or the Executive Committee to change the location, day, and time for regular meetings from time to time. In practice, RWA has developed a schedule for the upcoming year to avoid major meeting conflicts that is passed by the RWA Board at its first regular meeting of the calendar year. The current schedule of meetings for 2019 was passed by the RWA Board on January 10, 2019.

In order to facilitate the recruitment process and have the ability to discuss compensation for a new Executive Director the Executive Committee recommended that there needs to be a regular RWA Board meeting earlier than the regularly scheduled meeting in July, 2019. The first step is to amend the current RWA Policy 200.1 to allow for more frequent regular board meetings, and the second step is to approve a resolution setting the time and place of regular meetings of the Board of Directors for the remainder of 2019.

Staff proposed to: 1) amend RWA Policy 200.1 to specify that regular meetings will be approved through an adopting resolution of the Board to be consistent with the JPA Agreement and to allow for holding regular meetings of the Board more often than every other month; and 2) update the 2019 schedule for regular meetings of the RWA Board to include June 13, 2019, beginning at 10:30 a.m. These changes would allow the Board to hold, in compliance with the Brown Act, a regular meeting

between the May and July meetings at which the Board can consider a contract for an incoming Executive Director and potentially conclude the Executive Director selection process as early as June 13. The current RWA Board meeting schedule will remain the same with the amended addition of a June 13, 2019 proposed meeting date.

M/S/C Mr. Gray moved, with a second by Mr. Nugent, to approve amended RWA Policy 200.1. The motion carried by the unanimous voice vote of all Directors present.

Mr. Houdesheldt entered the meeting.

M/S/C Ms. Tobin moved, with a second by Ms. Sedwick, to approve Resolution 2019-08 setting the time and place of regular meetings of the Board of Directors for the remainder of 2019. The motion carried by the unanimous voice vote of all Directors present.

7. UPDATE ON PROPOSED VOLUNTARY AGREEMENT TO THE BAY-DELTA WATER QUALITY CONTROL PLAN

Andy Fecko, Director of Strategic Affairs, with Placer County Water Agency gave an update on the regulatory program that has morphed into larger negotiations on water. In 2000, when the last update of the Bay-Delta Water Quality Control Plan (Plan) was voted on by the State Water Resources Control Board (SWRCB) they were in charge of administering ways to protect beneficial uses in the Bay-Delta. The State of California, through the SWRCB, is engaged in a process to update the Bay-Delta Water Quality Control Plan to protect beneficial uses of water in the Sacramento San Joaquin Delta. The process to review and revise water quality parameters has taken several years, culminating with a SWRCB decision on the San Joaquin river tributaries in December. A decision on the Sacramento River tributaries is planned for December 2019.

The SWRCB started a process with staff for a proposal to define an idea of how the system would be run. Staff developed the unimpaired flow proposal for both San Joaquin River and Sacramento River. The point of engineering a reservoir system in Northern California is to take water that falls in the winter and store it for when needed in the summer. The proposal has the effect of getting back to a native condition where water falls and flows out. It has the impact of not allowing you to store water or at least store less water. The State Board staff proposal was designed to put a marker to drive people to find alternative solutions. There is a system in the Delta that was partially designed for flood control. For fish to be successful they need a natural estuarine system with slow velocity, high productivity and a variation of habitat. All of these things are gone from the Delta. The water user proposal, instead of just a flow proposal, is a combination of aggressive habitat construction actions both in the Delta and in the tributaries combined with targeted flows using a variety of resources that are available to the tributaries. The

American River proposal is centered on the idea of additional groundwater substitution particularly in dry years.

American River water agencies are currently working with state and federal governments to form a cohesive package to include the individual tributary deals with consideration for the future of the habitat in the Delta. The challenge is to show that the plan is more beneficial than the State Board proposal. The planned package will include hydrodynamic modeling, water temperature modeling, flow modeling and groundwater modeling to provide documentation in an effort to convince the SWRCB to use the package of voluntary agreements as a replacement for the SWRCB proposal.

A proposal consistent with the planning that we have been doing for a storage and recovery program focuses on increasing the amount of water in the basin. In the event that we don't have the ability to control water releases, surface water deliveries would be much more difficult and would impact the groundwater basin. We need to be on top of the importance of continuing surface water availability. The ability to store and utilize surface water are increasingly important.

Mr. Bezerra explained that unimpaired flow is what would occur with the current facilities if you didn't divert any water and opened all the dams and just let the water flow through the system. Natural flows occurred in the central valley when there weren't any flood control levees, towns or people. The outflows in the Delta would be nothing like what is now with unimpaired flows under natural conditions. Unimpaired flow is the current type of logic system, how would the water flow out if there was no impediment.

Vice Chair Schmitz thanked Mr. Fecko, Mr. Peifer, legal counsel and all participants for their efforts and time in representing our region and protecting our interests on the Voluntary Agreement to the Bay-Delta Water Quality Control Plan.

8. RWA STRATEGIC PLAN UPDATE

Mr. Swartz said that in 2013 the board adopted its most recent comprehensive Strategic Plan that included four major goal areas including planning, implementation, information/education and advocacy. With the pending completion of the RWA Regional Water Reliability Plan (RWRP), Chair Schubert requested that we revisit the July 13, 2017 Amendments to the RWA Strategic Plan. In particular, Chair Schubert wanted the RWRP moved from a planning activity to an implementation. As the Strategic Plan amendments were adopted nearly two years ago, this is an appropriate time to more comprehensively consider an updated set of proposed amendments. In addition, the water reliability plan has some recommendations to continue moving forward with establishing a water bank for the region.

At the April 24 Executive Committee meeting, staff provided a set of proposed amendments. At the meeting, the Executive Committee provided additional

feedback and recommended bringing the proposed amendments to the RWA Board on May 2, 2019 for additional discussion and input. Staff will then bring the proposed amendments back to the Executive Committee as needed for additional discussion in May and June. Staff will bring the proposed amendments to the full RWA Board for consideration of adoption on July 11, 2019. The intent of the limited update to the Strategic Plan is to reflect completion of the RWRP planning effort and commencement of the RWRP implementation effort, while allowing time for the transition to a new RWA Executive Director before embarking on a more comprehensive Strategic Plan update for the organization.

9. SACRAMENTO REGIONAL WATER BANK, PHASE 1 – MODEL DEVELOPMENT

On March 27, 2019, the Executive Committee approved the agreement for the Sacramento Regional Water Bank, Phase 1 (Phase1) project. The major task of Phase 1 is to prepare the model tool for the environmental and operational analyses of the water bank. The not-to-exceed budget estimate is \$367,000, requiring full Board approval for the work. The scope of the \$367,000 is to develop the model for the South American Subbasin and then run the water bank analyses for both subbasins.

On April 24, 2019, the Executive Committee approved the recommendation of the Interim Executive Director to use “RWA Policy 300.2, Section III - Alternate Selection Process” for securing contractor support. Woodard & Curran was selected through the alternate process because of their success in performing previous modeling work for the region, including a 2007 comprehensive model update for the north area and a 2011 comprehensive update for the south area. They have acquired extensive background and have a working knowledge of the work to be performed by virtue of supporting the existing regional model over the entire history of RWA. They are a highly recognized authority in the field of modeling especially with respect to the proposed Integrated Water Flow Model code, including being a support contractor to the Department of Water Resources for the model code itself. Woodward & Curran was selected by SGA via a competitive Request for Qualifications process last year for the same sort of work in the North American Subbasin. SGA has overseen and been pleased with their work. There is cost efficiency by developing both the North American Subbasin and South American Subbasin at the same time. The \$367,000 is an appropriate not-to-exceed amount for this work.

Work must commence in the near future to complete the model by mid-2020, so work should proceed immediately upon commencement of the Sacramento Regional Water Bank, Phase 1 project. RWA members are located in both the North and South American subbasins and some RWA members’ service areas extend into both basins, therefore it is crucial for the water bank’s development that the model for the two basins work seamlessly, so it makes sense to have the same modeling consultant for both.

Mr. Shaw said that the Rio Linda/Elverta Community Water District Board is in favor of the Water Bank Phase 1 and has taken action to participate and fund the project. Mr. Shaw inquired of Mr. Swartz as to his opinion of whether there is a cost savings in staying with the current consultant versus a competitive selection process where a different consultant would need to be brought up to speed. Mr. Swartz explained that a deciding factor with Woodard & Curran was their extensive experience with the existing regional model and there would be efficiency in developing the model for the North and South American subbasins at the same time.

M/S/C Ms. Tobin moved, with a second by Mr. Greenwood, to authorize the Interim Executive Director to execute Task Orders with Woodard & Curran to begin work on model development to support analysis of the proposed Sacramento Regional Water Bank. The motion carried by the unanimous voice vote of all Directors present.

10. EXECUTIVE DIRECTOR'S REPORT

Regional Water Reliability Plan – RWA staff is currently working with Stantec to finalize the Regional Water Reliability Plan (RWRP), with an expected completion in May 2019. The final document will be circulated to RWA member agencies to provide time for members to consider the document prior to taking RWA Board action on the RWRP on July 11, 2019.

Bureau of Reclamation Water Management Options Pilots Program – RWA responded to a funding opportunity under the Reclamation Basin Study Program. A copy of the letter was included in the packet. Staff believes that modeling for the future Phase 2 of the Sacramento Regional Water Bank could be a good candidate activity for the program. The modeling will be accomplished sometime in late 2020. The funding is not in the form of a grant, but in the form of direct assistance to complete the proposed activity. Phase 2 costs are estimated at \$400,000. No Board action was required by Reclamation to submit the letter. After initial review, the most promising letters of interest will be invited back to submit a full 20-page proposal that will be rated by a Reclamation-wide review team.

Grants Update – DWR has recently released its final Guidelines and Proposal Solicitation Package for the Proposition 1 Integrated Regional Water Management (IRWM) Implementation Grant Program. There is no set deadline for the application, so DWR is working with each funding area to determine the application schedule. The American River Basin IRWM is partially in the Sacramento River funding area and the San Joaquin River funding area, so RWA is coordinating with the other Regional Water Management Groups (RWMG) in each area. Based on initial discussions with the other RWMGs, RWA anticipates pursuing approximately \$8.7 million in funding from this opportunity. There have been meetings to discuss how to equitably distribute the funding. Staff expects to provide more information on the recommended projects to advance in an application at the July 11, 2019 RWA Board meeting.

RWA Outreach – Staff attended the April 15 Board meeting of the Rio Linda/Elverta Community Water District. Staff gave an overview of the Water Forum Agreement, and its relationship to the Regional Water Authority and the Sacramento Groundwater Authority. Staff appreciates the open and positive communication with the district and its Board.

An April RWA newsletter has been posted on-line at rwah2o.org.

An article on conjunctive use written by Rob Swartz and John Woodling, with substantial assistance from Christine Kohn, was published in the Spring 2019 Source magazine by the California-Nevada Section of the American Water Works Association. The article was included in the packet.

11. DIRECTORS' COMMENTS

Mr. Payne said that El Dorado County Water Agency is a planning agency. In a recent trip to Washington, D.C. their staff met with Reclamation to discuss the American River Basin Study and upstream storage projects. There was a lot of interest from legislators.

Mr. Houdesheldt said that Mr. Fecko will be giving a GSA presentation at the ACWA Spring Conference. Northern California Water Agency put together an information graphic on GSAs.

Mr. Fecko said that he is excited about the opportunity to represent the region and present at the ACWA Spring Conference on the Groundwater Bank and Sites Reservoir.

Ms. Carrey said that the City of Sacramento has two groundwater wells that are nearing completion and will be on line beginning next year. It is anticipated that each well will produce two million gallons of water per day.

Mr. Shaw reported that Paul Green and Brent Dills will be resigning from Rio Linda/Elverta Community Water District. Mr. Green is the agency's SGA representative and Mr. Dills is the agency's RWA representative.

Mr. Starkovich mentioned that SMUD is completing their wildfire mitigation plans and will have them posted online by the end of the week. Comments on the mitigation plan will be accepted for 30 days. The next step is to take compile the comments and send out the plan for a third-party evaluation. The finished document will be updated yearly. They are finalizing their rate process with amendments to their rate charges.

Mr. Straus said Citrus Heights Water District is working with their business partners on the water meter replacement consortium. They are finalizing reimbursement agreements on their first project that includes the advanced planning study to work

on life cycle replacements on agency meters and the potential opportunity for long term integration.

Ms. Tobin thanked everyone who worked on the Voluntary Settlement Agreement.

**12. CLOSED SESSION UNDER GOVERNMENT CODE SECTIONS
54954.5(e) AND 54957(b)(1). PUBLIC EMPLOYEE APPOINTMENT
Title: Executive Director**

There was nothing to report from the Closed Session.

Adjournment

The public portion of the meeting was adjourned at 10:12 a.m. with Closed Session convening at 10:22 a.m. Closed Session was adjourned at 11:32 a.m. With no further business to come before the RWA Board of Directors, Vice Chair Schmitz adjourned the meeting at 11:33 a.m.

By:

Chairperson

Attest:

Nancy Marrier, Board Secretary / Treasurer