

1. CALL TO ORDER

Chair Schubert 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
Hilary Straus, Citrus Heights Water District
Marcus Yasutake, City of Folsom
Ray Leftwich, City of Lincoln
Bruce Houdesheldt, City of Roseville
Sean Bigley, City of Roseville
Jeff Harris, City of Sacramento
Michelle Carrey, City of Sacramento
Martha Guerrero, City of West Sacramento
Trish Harrington, Del Paso Manor Water District
Michael Raffety, El Dorado Irrigation District
Tom Nelson, Elk Grove Water District
Mark Madison, Elk Grove Water District
Randy Marx, Fair Oaks Water District
Tom Gray, Fair Oaks Water District
Paul Schubert, Golden State Water Company
Jim Lemley, Orange Vale Water Company
Joe Duran, Orange Vale Water Company
Mark Martin, Rancho Murieta Community Services District
Christopher Gifford, Rio Linda/Elverta Community Water District
Tim Shaw, Rio Linda/Elverta Community Water District
Kerry Schmitz, Sacramento County Water Agency
Dave Jones, Sacramento Suburban Water District
Dan York, Sacramento Suburban Water District
Pam Tobin, San Juan Water District
Paul Helliker, San Juan Water District

RWA Associate Members

Brett Storey, Placer County; Arthur Starkovich, Damien Waples and Ansel Lundberg, SMUD; Jose Ramirez, SRCSD

RWA Affiliate Members

Alan Driscoll, Forsgren Associates, Inc.; John Woodling, GEI Consultants, Vanessa Nishikawa, Stantec; Charles Duncan and Abigail Madrone, West Yost Associates and Ali Taghavi, Woodard & Curran

Staff Members

Jim Peifer, Cecilia Partridge, Monica Garcia and Ryan Bezerra, Legal Counsel

Others in Attendance:

Pauline Roccucci, Rich Plecker, Michael Johnson, Linda Higgins and David Gordon

2. APPOINTMENT OF TEMPORARY SECRETARY

To be in compliance with the RWA Joint Powers Authority agreement, the Executive Director recommended that the Board temporarily appoint Cecilia Partridge, RWA Executive Assistant, as the RWA Secretary for the September 12, 2019 meeting.

Motion/Second/Carried (M/S/C) Ms. Tobin moved, with a second by Ms. Roccucci, to approve appointment of Cecilia Partridge as Secretary for the September 12, 2019 RWA Regular Board meeting. The motion carried by the unanimous voice vote of all directors present.

3. PUBLIC COMMENT

Mr. Peifer announced that long time SGA member and AG representative Jack DeWit has passed away. SGA chair Tobin requested that a sympathy card be sent to the family and that she be notified when a service is scheduled.

4. CONSENT CALENDAR

a. Approve Minutes of the July 11, 2019 RWA regular board meeting.

Motion/Second/Carried (M/S/C) Ms. Tobin moved, with a second by Mr. Nugent, to approve the July 11, 2019 RWA regular board meeting minutes. The motion carried by the unanimous voice vote of all directors present.

5. EXECUTIVE COMMITTEE REPORT AND RECOMMENDATIONS

a. Information: Final minutes of the June 26, 2019 and July 24, 2019 Executive Committee meetings

6. LEGISLATIVE/REGULATORY UPDATE

Ryan Ojakian, Legislative and Regulatory Affairs Manager gave a Legislative update saying that the Legislative session concludes at midnight on September

13th. RWA has taken a position on 19 bills. The legislative issue of primary interest this session was the funding source to address safe drinking water. The issue was addressed through SB 200 which RWA supported because it used Greenhouse Gas Reduction Funds as opposed to a water tax to fund safe drinking water. The RWA continues to be interested in six bills that are still active at this time including four bills that the RWA supports, one bill that the RWA is neutral on, and one bill that the RWA is opposed unless amended.

We still have an oppose unless amended position on SB 1 a bill intended to stop Trump administration rollbacks on various environmental and labor protections. The bill has ramifications for the Voluntary Agreements in particular the provisions on the endangered species act. This bill would not allow Trump administration rollbacks by incorporating into state law federal protections that were in place prior to president Trump being sworn into office. The provisions in the bill could lock in place the 2009 Biological Opinions regulating delta pumping operations and apply the California Endangered Species Act to the Central Valley Project. The latter of which could impact Folsom reservoir operations.

As part of a Water Board meeting August 20 and 21st the Office of Environmental Health Hazard Assessment (OEHHA) released a draft human right to water tool. The tool measures all agencies for affordability access to, and quality of water. The Water Board released a draft administrator policy handbook designed to define requirements for Water Board placed system administrators. At the August Water Board meeting several areas of work were highlighted, but of particular interest is an indication that the Water Board will focus on an analysis of water affordability and workforce development. There has not been an indication of when the December 2018 draft low income water rate assistance report will be finalized, but there is some belief it will occur sometime in the fall.

Mr. Peifer encouraged agency staff to review the OEHHA draft human right to water tool and send any comments to Mr. Ojakian.

7. RESOLUTION SUPPORTING PAM TOBIN FOR ACWA VP

Every two years, the Association of California Water Agencies (ACWA) forms a nominating committee to select and propose a “slate of candidates” for president and vice president. The ACWA members vote for the slate at the ACWA fall conference. In general, the candidate for president is the current vice president. The terms for president and vice president are for two years.

Ms. Pam Tobin would like to be selected by the nominating committee for ACWA Vice President. The purpose of the resolution is to support the nomination of Ms. Tobin. Mr. Peifer said that with the adoption of the resolution Ms. Tobin will be able to present it to the committee that is considering candidates for recommendation for the positions when they meet on Monday.

Ms. Tobin gave a statement saying that she has years of involvement in local and statewide water issues. As both an elected and appointed official she will bring

considerable knowledge and experience to the office of ACWA Vice President including water policy development, organizational governance and collaboration and coalition building. She has a passion for helping agencies and organizations fulfill their mission and support their customers and communities. Currently she serves on the San Juan Water District, the Regional Water Authority Board and has served as past chair, she is current chair of the Sacramento Groundwater Authority and serves on the Joint Powers Authority Board of Directors Liability Committee. She has also served in ACWA leadership as Region 4 Chair and as a member of the Federal Affairs and Local Government Committee.

M/S/C Ms. Carrey moved, with a second by Ms. Schmitz, to adopt Resolution 2019-10 in Support of Pamela Tobin for ACWA Vice President. The motion carried by the unanimous voice vote of all Directors present.

8. TELECOMMUNICATION POLICY

The Executive Committee considered and provided input to a policy that compensates staff for using their personal cell phone for conducting RWA and SGA business. In addition, the policy establishes limits on the cost of a cell phone and accessories that would be issued to an employee.

Certain RWA employees need to be accessible via cellular telephone to conduct RWA or SGA related business. Currently, employees may use an RWA issued cell phone to conduct business. Some employees have found having an RWA issued cell phone and their personal cell phone cumbersome to manage, and they would prefer to use their personal cell phone to conduct RWA or SGA business.

Staff has reviewed the policies from ACWA JPIA, Placer County Water Agency and the City of Sacramento. In general, PCWA and ACWA JPIA provide an allowance of up to \$50 per month to employees who use their personal cell phones to conduct agency business. The City of Sacramento provides up to \$100 per month.

Mr. Peifer said that current RWA Policy 500.13 Business Expense Reimbursement states that the principle applied is that the employee will neither lose nor profit by incurring expenses while on Authority business.

There was discussion on how the Public Records Act pertains to the proposed policy 500.17 and if guidance has been given to staff on the use of personal devices. Mr. Bezerra said according to a California Supreme Court decision if you are doing public agency business on your personal phone that phone is subject to the Public Records Act and subject to inspections by RWA and possibly other organizations.

It was suggested that rather than stating that RWA will reimburse up to \$50 monthly for usage that the language be changed to read RWA will reimburse a \$50 allowance for monthly usage. This change is in the second line of the first paragraph under Allowances.

M/S/C Mr. Houdesheldt moved, with a second by Ms. Tobin, to adopt Policy 500.17 with the suggested language change. The motion carried by the unanimous voice vote of all directors present.

9. VOLUNTARY AGREEMENT AD HOC COMMITTEE UPDATE

Chair Paul Schubert appointed an ad hoc committee to address the RWA's role in the Bay Delta Water Quality Control Plan (WQCP) and the Voluntary Agreements (VA). The new ad hoc committee's charge is to oversee the participation of RWA and its Executive Director in the ongoing negotiations and proceedings concerning the SWRCB proposal to amend the WQCP. The ad hoc committee will make recommendations to the RWA Board and Executive Committee for defining the RWA role and commitments of resources.

The members of the Ad Hoc Committee include Kerry Schmitz, Sacramento County Water Agency (Chair), Marcus Yasutake, City of Folsom, Anne Sanger, City of Sacramento, Sean Bigley, City of Roseville, Dan York, Sacramento Suburban Water District, Paul Helliker, San Juan Water District, Steve Nugent, Carmichael Water District, Andy Fecko, Placer County Water Agency and Jim Abercrombie, El Dorado Water District.

Mr. Peifer said that the region is dealing with how does the American River region fit into the voluntary agreement which is an alternative to the Water Quality Control Plan update. The State Water Resources Control Board is engaged with the Water Quality Control Plan update. There is a staff proposal that calls for the unimpaired inflow of between 45% and 65% within the Sacramento Valley. This is particularly difficult for water users and it could disrupt our agencies access to surface water making it less reliable. The VA is a process where a number of water agencies in the state are coming together to offer an alternative.

Ms. Schmitz discussed the work of the committee and the goal of the Ad Hoc Committee to determine resources and potentially what is RWAs involvement in the VA process. The committee has had conversations including the immediate needs of the VA process, is there a role for RWA and what is that role long term. Many members and agencies who do not take surface water have the potential to be impacted by this. When the committee met it was decided that it would be helpful to have consultant assistance that would be paid for by the participating agencies. Placer County Water Agency is working with ICF to bring them in under contract to serve as a coordinator and map out the future of the VA for the region and how the implementation would progress. ICF could consider if there is an RWA program that works on the VA long term. Documents have been assembled that the committee is currently considering for a subscription program. If this is the approach of the ad hoc committee it will be presented to the Executive Committee and then to the full board for consideration.

There was discussion on the amount of constant coordination that is involved. Mr. Bezerra has assisted the ad hoc committee with the proposed draft agreement. Before taking the position as RWA Executive director Mr. Peifer arranged and

attended the meetings and served as the sharer of information coordinating the region. The consultant will be performing these tasks. The ad hoc committee envisions that RWA will have a long-term role in the VA with long term implementation. The VA ties in with the groundwater bank because a large part is groundwater substitution transfers. Working with Reclamation would be a part of both advancing the VA and the success level of implementation.

10. FEDERAL AFFAIRS AD HOC COMMITTEE UPDATE

Chair Schubert appointed an ad hoc committee to address the RWA's role in Federal Affairs. The new ad hoc committee's charge is to make recommendations to the RWA Board on the role of the RWA on federal matters and provide direction to the Executive Director on federal matters. The committee will terminate upon completion of the updated strategic plan.

The members of the Ad Hoc Committee include Sean Bigley, Chair, Anne Sanger, Vice Chair, Hilary Straus, Marcus Yasutake, Dan York, Andy Fecko and Evan Jacobs. Counsel for the committee is Jennifer Buckman.

Mr. Peifer said that in the next year the RWA Strategic Plan will be updated. It needs to be determined if RWA has a federal role. The RWA is interested in federal issues to the extent that it provides funding for the groundwater bank and other future projects that we have planned out.

Mr. Bigley gave a report from the committee saying that every RWA member has different circumstances, politics and resource levels. The committee will be developing a member survey with specific questions to each member agency. The survey will give a good sense of what the varying perspectives are and incorporate them into the discussion. The survey will also provide results to see if there are any consensus areas that the discussion can be based on. One of the committee's obligation at the end of the process is to provide recommendations to the executive committee and the board with respect to the board recommendations. The committee is determining what elements need to be covered. The committee wants to provide recommendations as relates to the current RWA Strategic Plan update and what should be reflected in that update. The committee is providing a venue to share information of what is occurring in the federal realm. An update was provided on what was going on in Washington DC and also on regional activities. The committee is looking for well-informed recommendations. He invited anyone to attend the next committee meeting that is scheduled for September 20th at 9:00 a.m. at the RWA offices. The survey results will determine the future direction of the committee.

11. EXECUTIVE DIRECTOR'S REPORT

Finance and Administrative Services Manager Recruitment – Staff is in the process of interviewing a candidate for this position. Ideally there will be an overlap with a candidate on board prior to Ms. Marrier's retirement December 2, 2019.

Grants Update – Staff submitted a Proposition 1 Integrated Regional Water Management Grant preliminary application to the Department of Water Resources (DWR) seeking \$8.75M from DWR. The next step in the process will be to participate in a DWR workshop on the proposal on September 20th. DWR will confirm which projects can proceed with a full application in early October and the final proposal due in November 2019.

RWA Outreach – Jim Peifer and Rob Swartz briefed the Water Forum Environmental Caucus on progress towards developing the Sacramento Regional Water Bank (Water Bank) on August 26th.

Rob Swartz presented to the California Water Commission (CWC) on the Water Bank and was invited to sit on a panel for the CWC's listening session on the Water Resilience Portfolio Initiative on August 27th.

Jim Peifer presented on the Water Bank and regional initiatives to Senator Harris's staff on September 3rd.

Jim Peifer presented on RWA activities to the Northern California Water Association on September 4th.

Jim Peifer has continued meeting with RWA members to introduce himself as the new Executive Director and to ask questions about the RWA Strategic Plan. Hearing the vision of the members for the RWA will be valuable as we enter into the planning process for the Strategic Plan and will help define if we need to hire a consultant to facilitate the process.

Water Resilience Portfolio Initiative – On April 29, 2019, Governor Newsom signed an executive order directing his administration to develop a comprehensive strategy to build a climate-resilient water system. The order directs the secretaries of the California Natural Resources Agency, California Environmental Protection Agency and the California Department of Food and Agriculture to identify and assess a suite of complementary actions to ensure safe and resilient water supplies, flood protection and healthy waterways for the state's communities, economy and environment.

Jim Peifer and Ryan Ojakian met with Nancy Vogel, Director of the Governor's Water Portfolio Program along with Kerry Schmitz, Sacramento County Water Agency, Tom Gohring, Water Forum, Gary Bardini, SAFCA and Ron Stork, Friends of the River. The purpose of the meeting was to discuss the Water Resilience Portfolio Initiative. Ms. Vogel requested comments on specific actions that the State could take. The letter from the RWA, SGA and Water Forum sent to Ms. Vogel with recommendations on the initiative was included in the packet. RWA would like the state to take a more supportive role, breaking down silos within state government and help to leverage federal government in some of the projects and initiatives that we need for water supply reliability. The City of Sacramento will prepare a draft report to the Governor sometime in October with a final report in December. This issue will lay out what the Governor's spending priorities will be for future projects

and set up a legislative proposal for 2020. We want to see proposals that are helpful for the region and not proposals that will be costly for the region.

12. DIRECTORS' COMMENTS

Mr. Helliker thanked the RWA for their comments on the resilience portfolio. He attended a State Water Board organized workshop where there was discussion about the electronic annual reports. The number of questions contained in the report continues to increase which is time consuming.

Mr. Madison said that he, Sarah Jones and Ryan Ojakian will be meeting with Assemblymember Cooper's staff to talk about amending Government Code Section 36900. If the amendments are advanced it will hopefully give agencies more authority to hit thieves with higher fines. At this time agencies are restricted at \$100 for a first offence under that Government Code Section. The goal is to give agencies the authority to set their own limits up to a certain cap. He said that the theft problem doesn't happen frequently, however the real problem is the threat to public health by contaminating the public water supply.

Ms. Harrington said that she was looking forward to meeting with Mr. Peifer.

Mr. Greenwood reported that the search continues for a General Manager to replace Mr. Nugent upon his retirement. Carmichael Water District is currently involved in a project to replace one of their large water tanks.

Mr. Straus gave an update on the meter replacement consortium work. The advanced planning study is in progress with the first phase that includes defining existing inventory of participating agencies.

Mr. York gave an update on Sacramento Suburban Water District's service water supply. They currently have an agreement with PCWA to take water when it is available. Their other surface water supply is with the City of Sacramento. When the agreement with the City was first signed the cost was \$116 per acre foot, this year the cost has increased to over \$500 per acre foot. Due to the increased cost water has not been taken from the City of Sacramento this year. The Sacramento City council has approved a reduction in water supply for one year giving Sacramento Suburban Water District an opportunity to rest their groundwater wells in their south service area. Sacramento Suburban Water District will begin taking that water October 1st through September 30th with the plan to take approximately 10,000 acre-feet.

Mr. Ramirez said that the State Water Board Division of Water Rights approved the South Cuddy Agriculture program. This program allows Sacramento Regional County Sanitation District (Regional San) to use up to 50,000 acre-feet of recycled water per year and put it to beneficial use in the south agriculture portion of the county. This is a huge milestone for Regional San.

Mr. Gray said that with the passing of Mr. DeWit it occurred to him that former RWA members could give insight for the RWA Strategic Plan update by giving information on what their vision was for RWA when they were members.

Ms. Roccucci announced that the new Assistant Director of Environmental Utilities for the City of Roseville is Sean Bigley.

Mr. Shaw introduced Christopher Gifford as the newly appointed Rio Linda/Elverta Community Water District RWA Representative.

Mr. Harris said on behalf of the City of Sacramento the report from Regional San is a really big deal and will lead to groundwater recharge and other benefits. He congratulated Mr. Dobson and the entire team who worked on the project.

Ms. Carey said that the City of Sacramento Council approved the City to begin phase 1 of their expansion project for water supply. They will begin some environmental work and expect this to be a 15-year project.

Ms. Tobin thanked everyone for their support with her bid as ACWA Vice President. If she is successful in this endeavor she will be accessible to everyone for any issues, problems or possible solutions. ACWA Federal Affairs will be meeting this afternoon with a number of bills to be discussed.

Mr. Waples is a new representative on one of SMUD's Strategic Account Advisory teams. All water districts and cities have a dedicated account representative who has been assigned to them to answer any questions they may have. Water districts and cities may contact Mr. Waples for information on their dedicated account representative.

Mr. Yasutake said that Tuesday night Folsom City Council approved a resolution authorizing staff to issue a Prop 218 notice for solid waste water and waste water rates. The notice will be out around the second week of October with a public hearing on December 10th.

Adjournment

With no further business to come before the RWA Board of Directors, Vice Chair Schmitz adjourned the meeting at 10:04 a.m.

By:

Chairperson

Attest:

Cecilia Partridge, Executive Assistant