

REGIONAL WATER AUTHORITY EXECUTIVE COMMITTEE AGENDA

June 22, 2022; 8:30 a.m.

AGENDA

The public shall have the opportunity to directly address the Board on any item of interest before or during the Board's consideration of that item. Public comment on items within the jurisdiction of the Board is welcomed, subject to reasonable time limitations for each speaker. Public documents relating to any open session item listed on this agenda that are distributed to all or a majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection in the customer service area of the Authority's Administrative Office at the address listed above. In compliance with the Americans with Disabilities Act, if you have a disability and need a disability-related modification or accommodation to participate in this meeting, please contact the Executive Director of the Authority at (916) 847-7589. Requests must be made as early as possible, and at least one full business day before the start of the meeting. The Executive Committee may consider any agenda item at any time during the meeting.

RWA Executive Committee meeting
Wed, Jun 22, 2022 8:30 AM - 11:30 AM (PDT)

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/288065157>

You can also dial in using your phone.

United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 288-065-157

1. CALL TO ORDER AND ROLL CALL

2. **PUBLIC COMMENT:** Members of the public who wish to address the committee may do so at this time. Please keep your comments to less than three minutes.

3. CLOSED SESSION

3a. CLOSED SESSION – PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code §§ 54954.5(e), 54957(b)(1)

Title: Executive Director

3b. CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS

Government Code §§ 54954.5(f), 54957.6

Agency designated representatives: Dan York and Tony Firenzi

Unrepresented employee: Executive Director

4. EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT

Action: Consider Recommendation to Board of Directors for adjustments to Executive Director compensation

5. CONSENT CALENDAR:

All items listed under the Consent Calendar are considered and acted upon by one motion. Committee Members may request an item be removed for separate consideration.

- 5a. Authorize a Teleconference Meeting
- 5b. Minutes of the May 25, 2022, Executive Committee meeting
- Action: Approve Consent Calendar**

6. RWA OPERATIONS POLICY UPDATES

Presentation and Information: Josette Reina-Luken, Finance and Administrative Services Manager

Action: Recommend Approval of No Changes to RWA Policies 300.1, 300.2, and 300.3 to the RWA Board of Directors via consent calendar

7. LEGISLATIVE/REGULATORY UPDATE

Information: Ryan Ojakian, Legislative and Regulatory Affairs Manager

Action: Take Positions on Legislation

8. AD HOC COMMITTEE UPDATES

Information: Dan York, Chair and Jim Peifer, Executive Director

9. RWA JULY 7, 2022 BOARD MEETING AGENDA

Action: Approve the RWA July 7, 2022 BOARD MEETING AGENDA

10. EXECUTIVE DIRECTOR'S REPORT

11. DIRECTORS' COMMENTS

ADJOURNMENT

Upcoming meetings:

Regular Board Meeting: Thursday, July 7, 2022, commencing 9:00 a.m. at the RWA Office, the location is subject to change depending on the COVID-19 emergency.

Executive Committee Meeting: Wednesday, July 27, 2022, commencing 8:30 a.m. at the RWA Office, the location is subject to change depending on the COVID-19 emergency.

The RWA Board Meeting electronic packet is available on the RWA website at <https://rwah2o.org/meetings/board-meetings/> to access and print the packet.

RWA Board of Directors
2022 Chair: Dan York
2022 Vice Chair: Tony Firenzi

S. Audie Foster, General Manager, California American Water

Evan Jacobs, Operations Manager, California American Water

Ron Greenwood, Board Member, Carmichael Water District

Cathy Lee, General Manager, Carmichael Water District

Caryl Sheehan, Director, Citrus Heights Water District

Raymond Riehle, Director, Citrus Heights Water District

Hilary Straus, General Manager, Citrus Heights Water District (alternate)

Rebecca Scott, Principal Operations Specialist (alternate)

Kerri Howell, Councilmember, City of Folsom

Marcus Yasutake, Environmental/Water Resources Director, City of Folsom

William Lauritsen, Councilmember, City of Lincoln

Angela Frost, Environmental Services Manager, City of Lincoln

Bruce Houdesheldt, Councilmember, City of Roseville

Sean Bigley, Assistant Environment Utilities Director, City of Roseville

Rich Plecker, Director of Utilities, City of Roseville (alternate)

Trevor Joseph, Hydrogeologist, City of Roseville (alternate)

Pauline Roccucci, Councilmember, City of Roseville (alternate)

Jeff S. Harris, Councilmember, City of Sacramento

Brett Ewart, Senior Engineer, City of Sacramento

Michelle Carrey, Supervising Engineer, City of Sacramento (alternate)

Bill Busath, Director of Utilities, City of Sacramento (alternate)

Anne Sanger, Policy and Legislative Specialist, City of Sacramento (alternate)

Martha Guerrero, Council Member, City of West Sacramento

William Roberts, Director of Public Works and Operations, City of West Sacramento

Grace Espindola, Councilmember, City of Yuba City

Diana Langley, Public Works Director/City Manager, City of Yuba City

Ryan Saunders, Board Member, Del Paso Manor Water District

Alan Gardner, General Manager, Del Paso Manor Water District

Pat Dwyer, Director/Board President, El Dorado Irrigation District

Jim Abercrombie, General Manager, El Dorado Irrigation District

Brian Mueller, Engineering Director, El Dorado Irrigation District (alternate)

Sophia Scherman, Board Chair, Elk Grove Water District

Bruce Kamilos, General Manager, Elk Grove Water District

* Names highlighted in red are Executive Committee members

<p>Randy Marx, Board Member, Fair Oaks Water District Tom Gray, General Manager, Fair Oaks Water District</p>
<p>Paul Schubert, General Manager, Golden State Water Company Ernie Gisler, Capital Program Manager, Golden State Water Company</p>
<p>Ricki Heck, Board Member, Nevada Irrigation District Karen Hull, Board Member, Nevada Irrigation District (alternate) Greg Jones, Assistant General Manager, Nevada Irrigation District (alternate) Jennifer Hanson, General Manager, Nevada Irrigation District (alternate)</p>
<p>Robert Hunter, Board Member, Orange Vale Water Company Joe Duran, General Manager, Orange Vale Water Company</p>
<p>Robert Dugan, Board Member, Placer County Water Agency Tony Firenzi, Director of Strategic Affairs, Placer County Water Agency, Vice Chair Andy Fecko, General Manager, Placer County Water Agency (alternate) Mike Lee, Board Member, Placer County Water Agency (alternate)</p>
<p>Tim Maybee, Director, Rancho Murieta Community Services District Tom Hennig, Interim General Manager, Rancho Murieta Community Services District</p>
<p>Patrick Kennedy, Supervisor, Sacramento County Water Agency Kerry Schmitz, Division Chief, Water Supply, Sacramento County Water Agency</p>
<p>Dave Jones, Board Member, Sacramento Suburban Water District Dan York, General Manager, Sacramento Suburban Water District, Chair Kevin Thomas, Board Member, Sacramento Suburban Water District (alternate)</p>
<p>Dan Rich, Director, San Juan Water District Greg Zlotnick, Water Resources and Strategic Affairs, San Juan Water District Ted Costa, Board President, San Juan Water District (alternate)</p>

* Names highlighted in red are Executive Committee members

RWA ASSOCIATES

Organization	Representatives
El Dorado Water Agency	Lori Parlin , Chair Ken Payne , General Manager (alternate)
Placer County	Ken Grehm , Director Public Works and Facilities Jared Deck , Manager Environmental Engineering
Sacramento Municipal Utility District (SMUD)	Arlen Orchard , General Manager/CEO Christopher Cole , Strategic Account Advisor Ansel Lundberg , Energy Commodity Contracts Specialist
Sacramento Regional County Sanitation District (SRCSD)	Mike Huot , Director of Policy and Planning Terrie Mitchell , Manager Legislative and Regulatory Affairs Jose Ramirez , Policy and Planning David Ocenosak , Principal Engineer
Sacramento Area Flood Control Agency (SAFCA)	Richard Johnson , Executive Director
Yuba Water Agency	Adam Robin , Government Relations Manager Willie Whittlesey , General Manager

* Names highlighted in red are Executive Committee members

RWA AFFILIATE MEMBERS

Organization	Representatives
Black & Veatch	<i>David Carlson</i> , Vice president
Brown & Caldwell	<i>Paul Selsky</i> , Water Supply Planning, Vice president <i>LaSandra Edwards</i> , Civil Engineer <i>May Huang</i> , Engineer <i>David Zuber</i> , Vice President
GEI Consultants	<i>John Woodling</i> , Vice President, Branch Manager <i>Chris Petersen</i> , Principal Hydrogeologist <i>Richard Shatz</i> , Principal Hydrogeologist
HDR, Inc.	<i>Jafar Faghieh</i> , Water Resources Engineer <i>Ed Winkler</i> , Client Development Lead
Sacramento Association of Realtors	<i>David Tanner</i> , Chief Executive Officer <i>Christopher Ly</i> , Chief Operations Officer
Stantec	<i>Kari Shively</i> , Vice President <i>Vanessa Nishikawa</i> , Principal Water Resources Engineer <i>Yung-Hsin Sun</i> , Principal Engineer <i>Rebecca Guo</i> , Senior Associate Water Resources Engineer <i>Ibrahim Khadam</i> , Principal Engineer
West Yost Associates	<i>Charles Duncan</i> , President <i>Abigail Madrone</i> , Business Development Director <i>Kelye McKinney</i> , Engineering Manager I <i>Jim Mulligan</i> , Principal Engineer
Woodard & Curran	<i>Ali Taghavi</i> , Principal <i>Jim Graydon</i> , Senior Client Service Manager

* Names highlighted in red are Executive Committee members

AGENDA ITEM 2: PUBLIC COMMENT

Members of the public who wish to address the committee may do so at this time. Please keep your comments to less than three minutes.

AGENDA ITEM 3: CLOSED SESSION

3a. CLOSED SESSION – PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code §§ 54954.5(e), 54957(b)(1)

Title: Executive Director

3b. CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS

Government Code §§ 54954.5(f), 54957.6

Agency designated representatives: Dan York and Tony Firenzi

Unrepresented employee: Executive Director

AGENDA ITEM 4: EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT

BACKGROUND:

The Employment Agreement between the RWA and the Executive Director has provisions for adjustments to the Executive Director's compensation. The purpose of this item is to potentially recommend adjustments to the Board of Directors.

Action: Consider Recommendation to Board of Directors for adjustments to Executive Director compensation

AGENDA ITEM 5: CONSENT CALENDAR

All items listed under the Consent Calendar are considered and acted upon by one motion. Board members may request an item be removed for separate consideration. The items to be considered and approved include:

- a.** Authorize a Teleconference Meeting by Passing a Motion by a majority vote under Gov. Code, § 54953, subd. (e)(1)(B) that as a result of the COVID-19 emergency:
(i) meeting in person would present imminent risks to the health or safety of attendees; and (ii) the meeting is authorized to be held by teleconference pursuant to Gov. Code, § 54953, subd. (e)(1)(C)
- b.** Approve the minutes of the May 25, 2022 Executive Committee Meeting

Action: Approve Consent Calendar

Attachment:

5b. Minutes of the May 25, 2022 Executive Committee Meeting

AGENDA ITEM 5a.: Authorize a Teleconference Meeting

BACKGROUND:

In light of the Governor's declaration that a state of emergency exists due to the incidence and spread of the novel corona virus, and the pandemic caused by the resulting disease COVID-19, the Committee should consider whether meeting in person would present imminent risks to the health or safety of meeting attendees.

The Centers for Disease Control indicates that COVID-19 is a highly transmissible virus that is spread when an infected person breathes out droplets and very small particles that contain the virus, and such droplets and particles are breathed in by other people. Conducting meetings by teleconference would directly reduce the risk of transmission among meeting attendees, including members of the public and agency staff, which has the ancillary effect of reducing risk of serious illness and death as well as reducing community spread of the virus.

If the authorization to meet by teleconference is not approved by a majority vote, then the meeting will adjourn after this item and the remaining agenda items will be rescheduled to a future in-person meeting.

AGENDA ITEM 5b.: Minutes of the April 27, 2022 Executive Committee Meeting

Attachment:

Draft May 25, 2022 Minutes



**Regional Water Authority
Executive Committee Meeting
Draft Minutes
May 25, 2022**

1. CALL TO ORDER

Chair York called the meeting of the Executive Committee to order at 8:30 a.m. as a teleconference meeting. Individuals in attendance are listed below:

Executive Committee Members

Audie Foster, California American Water
Ron Greenwood, Carmichael Water District
Sean Bigley, City of Roseville
Brett Ewart, City of Sacramento
Grace Espindola, City of Yuba City
Kerry Schmitz, Sacramento County Water Agency
Dan York, Sacramento Suburban Water District

Staff Members

Jim Peifer, Ryan Ojakian, Rob Swartz, Amy Talbot, Michelle Banonis,
Monica Garcia, Cecilia Partridge, Deirdre Livingston, and Andrew Ramos,
Legal Counsel

Others in Attendance

Paul Helliker, Greg Zlotnick, Ed Winkler, Robert Dugan, Cathy Lee, Craig Locke, Brian Sanders, Rebecca Scott, Tom Hennig, Richard Shatz

2. PUBLIC COMMENT

None

3. CONSENT CALENDAR

3a. Authorize a Teleconference Meeting

3b. Minutes of the April 27, 2022, Executive Committee meeting

Motion/Second/Carried (M/S/C) Mr. Bigley moved, with a second by Mr. Ewart to approve the consent calendar items: Authorize a Teleconference Meeting and Minutes of the April 27, 2022, Executive Committee meeting. Audie Foster, California American Water, Ron Greenwood, Carmichael Water District, Sean Bigley, City of Roseville, Brett Ewart, City of Sacramento, Kerry Schmitz, Sacramento County Water Agency, Dan York, Sacramento Suburban Water District voted yes. Motion Passed.

Grace Espindola entered the meeting.

4. DRAFT RWA POLICY 500.19 – WATER EFFICIENCY PROGRAM RESERVE POLICY

Mr. Peifer discussed the RWA Water Efficiency Program (WEP). It is the oldest subscription program in the RWA. Most of the RWA member agencies participate in it and the program has provided many benefits over the last 20 years.

Ms. Talbot, WEP Manager, discussed Policy 500.19. The policy establishes a WEP level of reserve funds to mitigate current and future risks due to revenue shortfalls, unanticipated expenses, and expense fluctuations resulting from grant implementation and management.

M/S/C Mr. Ewart moved, with a second by Mr. Foster to recommend approval of Draft RWA Policy 500.19 - Water Efficiency Reserve Policy to the RWA Board of Directors. Audie Foster, California American Water, Ron Greenwood, Carmichael Water District, Sean Bigley, City of Roseville, Brett Ewart, City of Sacramento, Kerry Schmitz, Sacramento County Water Agency, Grace Espindola, City of Yuba City, Dan York, Sacramento Suburban Water District voted yes. Motion Passed.

5. LEGISLATIVE/REGULATORY UPDATE

Mr. Ojakian suggested taking support positions on AB 1642, AB 1865, AB 1944, AB 2449. An oppose unless amended position was suggested on SB 1219.

Mr. Ojakian reported the budget process continues to develop. The Senate proposal provides significant new funding to address drought and water resilience. The Governor's May revise provides a modest increase in funding for drought and water resilience. The Assembly continues to advocate for member requests, including the RWA sponsored \$16.7 million in direct appropriations for projects that would advance the Water Bank.

M/S/C Mr. Greenwood moved, with a second by Ms. Espindola to take positions on Legislation as recommended by staff. Audie Foster, California American Water, Ron Greenwood, Carmichael Water District, Sean Bigley, City of Roseville, Brett Ewart, City of Sacramento, Grace Espindola, City of Yuba City, Kerry Schmitz, Sacramento County Water Agency, Dan York, Sacramento Suburban Water District voted yes. Motion Passed.

6. AD HOC COMMITTEE UPDATES

Mr. Dugan discussed some of the revisions to the RWA Policy 400.4 Ad Hoc Committee. Mr. Peifer gave a brief update on the 3x3 Committee, the revisions to

RWA Policy 200.3 Ad Hoc Committee, the Employee Compensation Survey Oversight Ad Hoc Committee, the Space Planning Ad Hoc Committee, the Purchasing Ad Hoc Committee, and the Awards Committee.

7. EXECUTIVE DIRECTOR'S REPORT

Mr. Peifer said RWA sent out a media statement yesterday. The State Water Board's adoption of emergency regulations were discussed.

8. DIRECTORS' COMMENTS

Mr. Foster said California American Water will be having virtual public meetings for their customers and their northern operation areas to move to phase two of their drought plans. This is part of the California Public Utilities Commission process that requires them to have a public hearing.

Mr. Greenwood said the Carmichael Water District received a large grant for \$4 million. The money was put towards building one of their wells. They are working on another grant because they have a need for a second well. He thanked RWA staff for helping to get the grants.

Mr. Bigley thanked Mr. Peifer for attending the grand opening for the Inspiration Garden. It is located at the Utility Exploration Center off Pleasant Grove and Wood Creek Boulevard. He suggested everyone visit and explore the garden. The garden has multiple zones based on plant types. Roseville is going to be participating in an RWA-led tour for Reclamation staff regarding some of the groundwater facilities that are part of the Water Bank.

Mr. Ewart said a groundwater substitution transfer process is underway. Both the Carmichael Water District and the City of Sacramento have petitions into the State Water Board. Those are open for public comment, which ends in the next week.

Ms. Espindola mentioned the city passed a resolution for stage three for conservation up to 20%. The City of Yuba City was awarded a DWR drought grant for an aquifer storage and recovery (ASR) well. They are going on an ACWA region tour of Shasta Dam on June 3rd.

Ms. Schmitz thanked the RWA for the press release yesterday. She said it is difficult to find the right balance of messaging for this region and the RWA did a great job.

Mr. York thanked Sean, Jim, and Michelle for the opportunity to assist in educating Reclamation staff on facilities needed for the Water Bank. Mr. York thanked Mr. Ewart for his assistance on the groundwater substitution transfer. He said it will be a great benefit to all agencies involved.

ADJOURNMENT

Chair York adjourned the meeting at 10:22 a.m.

By:

Chairperson

Attest:

Board Secretary

AGENDA ITEM 6: RWA OPERATIONS POLICY UPDATES

BACKGROUND:

In continued effort to complete a review of all RWA Policies, staff has reviewed the remaining RWA Operations Policies in the 300 series to see if there are any needed changes. The RWA Board of Directors reviewed RWA Policy 300.4 and 300.5 at the March 10, 2022 Board meeting which required an interval review every four years. The remaining policies, 300.1, 300.2, and 300.3, either do not contain a mandatory review date or has not yet reached its mandatory review date. Professional Services Policy 300.2 requires review every 5 years and was last amended by the RWA Board of Directors in January 2019. Staff has reviewed these three policies and recommend no changes be made at this time.

Action: Recommend Approval of No Changes to RWA Policies 300.1, 300.2, and 300.3 to the RWA Board of Directors via consent calendar

Attachments:

RWA Policy 300.1 – Executive Director Authority
RWA Policy 300.2 – Professional Services Policy
RWA Policy 300.3 – Surplus Property Disposal

REGIONAL WATER AUTHORITY POLICIES AND PROCEDURES MANUAL

Policy Type : Operations
Policy Title : Authority Delegated to the Executive Director
Policy Number : 300.1
Date Adopted : September 12, 2002
Date Amended : March 8, 2012

AUTHORITY DELEGATED TO THE EXECUTIVE DIRECTOR

General Authority

The Executive Director will be the chief administrative officer of the RWA, will serve at the pleasure of the Board of Directors, and will be responsible to the Board for the proper and efficient administration of the RWA pursuant to the provisions of the RWA Joint Powers Agreement, or any resolution or policy directive of the Board.

Specific Authority

The Executive Director will be authorized to:

- Plan, organize and direct all RWA activities, under policy direction from the Executive Committee and the Board of Directors;
- Appoint and remove all RWA employees (subject to compensation and benefits that are authorized within the RWA-approved budget), all of whom will serve at the pleasure of the Executive Director, except as is otherwise provided by law, by the RWA Joint Powers Agreement or directive of the Executive Committee or the Board of Directors;
- Enter into contracts on behalf of RWA pursuant to the provisions of Policy 300.2, Professional Services Selecting and Contracting; or directive of the Executive Committee or the Board of Directors;
- Prepare the RWA budget for consideration for approval by the Executive Committee and the Board of Directors;
- Pay RWA bills that are within the RWA-approved budget and are consistent with the terms of RWA-approved contracts;

- Administer and make payments under contracts that have been approved by RWA, consistent with the terms of the contracts;
- Administer and make payments under Project or Program Agreements under Article 22 of the RWA Joint Powers Agreement that have been approved by the Executive Committee; and
- Prepare agendas for meetings of the Executive Committee and the Board of Directors.

Duties

The Executive Director will do the following:

- Maintain liaison and relationships among JPA members and federal, state and local agencies;
- Report to the RWA Board of Directors and Executive Committee at scheduled meetings, and make recommendations to the Board on matters related to policy and the implementation of adopted policies;
- Prepare agendas for Board and committee meetings, and oversee preparation of minutes of Board and committee meeting;
- Develop personnel policies as they relate to administrative, managerial and technical staffs of the RWA;
- Develop and maintain financial policies for consideration and approval by the Executive Committee and the Board of Directors to ensure that financial policies and operations comply with applicable state, federal and local government requirements;
- Oversee implementation of adopted policies and actions of the Executive Committee and Board of Directors; and
- Serve as Executive Director of the Sacramento Groundwater Authority (SGA), and manage the operations of SGA pursuant to the terms and conditions of the cost-sharing agreement between RWA and SGA.

REGIONAL WATER AUTHORITY POLICIES AND PROCEDURES MANUAL

Policy Type : Operations
Policy Title : Professional Services Selection and Contracting Policy
Policy Number : 300.2
Date Adopted : September 24, 2003
Date Amended : March 8, 2012
 March 13, 2014
 March 26, 2014
 May 15, 2014
 January 23, 2019

PROFESSIONAL SERVICES SELECTION AND CONTRACTING POLICY

The procurement of consulting and professional services for the Regional Water Authority will be on the basis of documented competence and qualifications for the types of services to be performed, and at a fair, competitive and reasonable price.

For the purposes of this policy, the term “consulting and professional services” means any specialized services performed by firms or persons who are qualified, by education, experience, licenses or certification in a particular field. Types of services may include, but are not limited to: engineering, information technology, financial, public relations, legal, and human resources.

I. General Procedures

Generally, consulting and professional services that would cost \$50,000 or less will be obtained pursuant to a selection process determined by the Executive Director. Consulting and professional services that would cost more than \$50,000 will generally be obtained through a competitive process by issuance of a Request for Proposals or a Request for Qualifications, as determined by the Executive Director, and a contract for such services will be subject to: (1) approval of the Executive Committee, and (2) for a contract for services that would cost more than \$150,000, approval of the Board of Directors.

The Executive Director will recommend to the Executive Committee and, where applicable, the Board of Directors, selection based on documented competence and qualifications for the types of services to be performed, and at a fair, competitive and reasonable price, and not based solely on the lowest-cost proposal submitted.

With each recommendation for a contract exceeding \$50,000, the Executive Director will provide to the Executive Committee and, where applicable, the Board of Directors, a written description of the selection process. The description will include: (1) a copy of the solicitation; (2) a list of firms invited; (3) a description of the method used to identify

the invited firms and the selection criteria used; (4) a summary and ranking of each proposal received, including the proposed fees and costs, and scope of work to be performed; and (5) a list of the members of the selection committee.

II. Procedures for Specific Situations

A. Recurring Work

1. If RWA contracts with a consultant for work of a recurring nature to be performed over two or more years (e.g., auditing, accounting or technical writing services), the Executive Director will determine the total estimated cost of the work over the life of the contract and, based on that cost estimate, will follow the applicable contracting procedure in Part I of this Policy when making the contract.
2. Other than requesting annual appropriations in the budget for funding work under a recurring contract, the Executive Director will not be required to request additional approvals from the Executive Committee or the Board in the second and following years.
3. Recurring contracts will generally not have a term longer than five years, however, contracts may have an indefinite term with validation every 5 years by the Executive Committee. If, upon review, the Executive Director believes that it would be beneficial to RWA to extend a recurring contract for an additional term, the Executive Director will prepare a report to the Executive Committee or Board, as appropriate, justifying the extension and requesting such approval from the appropriate body.

B. Extended or Successive Contracts

1. If a consultant is working under an approved contract for specified work, the amount of the contract for the same or related work can be increased above the approved amount without further Board or Executive Committee approval if the increase is within the authorized amount for consulting services provided in the current year's budget, provided that a subsequent increase in the contract amount does not exceed \$50,000.
2. For contracts originally in the amount of \$50,000 or less, the Executive Director may waive this policy up to the amount of \$100,000, provided that the waiver involves the extension of an existing contract or execution of a successive contract with the same consultant and subject to the availability of funds.
3. A waiver will be effective only upon a written determination by the Executive Director that: (a) the consultant satisfactorily performed the previous stage of a project, has acquired extensive background and working knowledge of the work to be performed, and is a highly-recognized or only authority in the field or area of work to be performed; (b) it would be more cost- and time-efficient for RWA to enter into the extended or successive contract than to issue a solicitation for a

new contract; and (c) the need for a higher contract amount and increased work was not foreseeable at the time that the original contract was executed. The Executive Director will report the contract extension to the Executive Committee at its next meeting.

4. The Executive Director will report on expenditures of the budgeted amount to the Board or Executive Committee, as appropriate.
5. Any proposal to increase the amount of a consultant's contract above the amount authorized in an annual budget will be subject to Board or Executive Committee approval in accordance with the procedures in Part I.

C. Subscription Programs

1. Once a consultant contract for a subscription program has been authorized by the executive committee or Board in accordance with the Part I general procedures, the committee established by the project agreement will have the authority to approve an increase in the amount of a consultant contract for project-related work.
2. The increased contract amount will not become effective until the Executive Director determines and certifies that the increase will not affect or become a debt, liability or obligation of non-participating RWA members. The Executive Director will report the project committee's decision to the Board or Executive Committee, as appropriate.

D. Third Party Goods or Services Under an Existing Contract

1. A consultant under contract may recommend that RWA obtain goods or services from third parties through the consultant, rather than by separate contract (for example, a media buy for a public awareness campaign being conducted by a consultant). Subject to the below conditions, obtaining such third party goods and services will be deemed a separate agreement subject to the monetary contracting limits.
2. Before obtaining third party goods or services through an existing consultant contract, the Executive Director will determine in writing that the good or services are necessary for RWA's purposes; the goods are of sufficient quality or the services will be provided by persons or entities with the requisite qualifications and experience; are offered at a fair, competitive and reasonable price; and that there is a business justification for obtaining the goods or services through the consultant rather than directly from the provider.
3. The Executive Director will report such a "pass-through" procurement of third party goods or services at the next meeting of the Board or Executive Committee, as appropriate, when such goods or services cost in excess of \$50,000.

E. Multi-party procurement of Goods or Services

RWA may periodically wish to procure goods or services under an agreement with other public agencies or other organizations. RWA participation in such procurements is subject to the requirements of this policy.

1. The dollar amounts of RWA's share of a procurement shall be used to evaluate compliance with the approval authorities in Section I and requirements in Section I and II.B. above.
2. Other conditions of the policy may be waived only if the procurement complies with the policies and procedures of another agency adopted according to applicable law.

III. Alternate Selection Process

Regardless of the amount or of any other limitations provided in this policy, the Executive Committee may at any time approve an alternate selection process in cases where a consulting firm has satisfactorily performed the previous stage of a project, has acquired extensive background and working knowledge of the work to be performed, is a highly-recognized authority in the field or area of work to be performed or is the only-known available highly-recognized authority, and the alternative process is in the best interests of RWA.

IV. Conflict of Interest

In the event the Executive Director has a conflict of interest in selection and contracting, the Executive Committee will require the Manager of Technical Services or Finance and Administrative Services Manager to participate in place of the Executive Director, and report directly to the Executive Committee on the matter. In the event no qualified employee can participate, the Executive Committee will manage the matter directly.

IV. Policy Review

This Policy shall be reviewed at least once every five years.

REGIONAL WATER AUTHORITY POLICIES AND PROCEDURES MANUAL

Policy Type : Operations
Policy Title : Disposal of Surplus Property
Policy Number : 300.3
Date Adopted : July 10, 2003
Date Amended : September 13, 2012

POLICY FOR DISPOSAL OF SURPLUS PROPERTY

The Board of Directors of the Authority delegates to the Executive Committee the authority to dispose of surplus property of the Authority.

Surplus property of the Authority will be disposed of in the most economical and practical manner in the best interest of the Authority, as determined by the Executive Committee. Board members, the Executive Director, and employees (or the spouse or dependent of any of the above) of the Authority are not eligible to obtain surplus property at the time of disposition by the Authority.

Personal property with an estimated value of \$4,000 or less may be disposed of as surplus with the approval of the Executive Director on terms that are in the best interest of the Authority, as determined by the Executive Director. Surplus property whose value is negligible due to age, obsolescence, deterioration or wear may be disposed of for no consideration, provided that, surplus property will not be disposed of for no consideration to other than a qualified government agency or non-discriminatory, tax exempt non-profit organization qualified under Internal Revenue Code section 501(c)(3), without the approval of the Executive Committee. If the Executive Director is unable to donate an item of surplus property to a qualified government agency or tax exempt organization (or other entity authorized by the Executive Committee), the Executive Director may recycle or dispose of such item at a legally-authorized disposal site.

Personal property with an estimated value of greater than \$4,000 may be disposed of as surplus property with the approval of the Executive Committee on terms that are in the best interest of the Authority, as determined by the Executive Committee, or as determined by the Executive Director upon delegation of that authority by the Executive Committee.

If the Authority acquires any real property that is later determined to be surplus, any qualifying real property will be disposed of in accordance with the requirements and procedures provided in Government Code section 54220 and following.

The Executive Director will maintain written documentation of the disposal of all surplus property, including a description of the surplus property disposed of and the terms of disposition. All revenue received from the disposal of surplus property will be deposited in the Authority's Operating Reserve Account, unless directed otherwise by the Executive Committee.

AGENDA ITEM 7: LEGISLATIVE/REGULATORY UPDATE

BACKGROUND:

Policy committees' meetings in the second house are occurring. Staff will provide an update on and request the committee to reaffirm or change positions on the following bills:

SB 222 (Dodd D-Napa) Would establish a state-run water rate assistance program upon funding. RWA's current position is support. The bill is on the Assembly floor and was not taken up at the end of last session. There are amendments that would significantly alter the bill. The bill will not be taken up until August and it is not known at this time if these amendments would trigger the bill being pulled back to committee.

SB 1157 (Hertzberg D- Van Nuys) Would lower the indoor water use efficiency standards, require additional state studies on impacts of the standard on affordability and create a new variance process. RWA currently has an Oppose Unless Amended.

AB 2201 (Bennet D- Ventura) Would add new requirements to the well permitting process. RWA currently has an Oppose Unless Amended position. The bill has been amended to track with the approach taken in Sacramento County on individual well analysis on surrounding domestic wells and on subsidence.

AB 2895 (Arambula D- Fresno) Would revise the existing temporary water transfer process. RWA currently has an Oppose Unless Amended position. With the exception of changing the required engagement with the Department of Fish and Wildlife the bill now returns the process to current process and creates a second process that is not likely to be regularly utilized.

The Legislature passed a budget that includes \$21 billion for climate resilience. This included drought, wildfire, and other climate issues. However, the details on over \$16 billion have yet to be filled in and the expectation is that will occur at some time in August. This will also impact member budget requests.

Information and Presentation: Ryan Ojakian, Legislative and Regulatory Affairs Manager

Action: Take Positions on Legislation

AGENDA ITEM 8: AD HOC COMMITTEE UPDATES

BACKGROUND:

A brief update on the work of Ad Hoc and Standing Committees will occur at each Executive Committee meeting.

Ad Hoc Committees:

- 3x3 Committee – Members: D. York, T. Firenzi, K. Schmitz
- Revisions to [RWA Policy 400.4 Ad Hoc Committee](#) (Executive Director Performance Evaluation Procedure) – Members: R. Dugan (Chair), B. Ewart, C. Sheehan, M. Yasutake, D. York, S. Bigley
- Revisions to [RWA Policy 200.3 Ad Hoc Committee](#) (Election Procedures) – Members: K. Schmitz (Chair), D. York, C. Sheehan, T. Firenzi, C. Lee, A. Foster
- Employee Compensation Survey Oversight Ad Hoc Committee – Members: D. York (Chair), R. Dugan, G. Espindola, R. Greenwood, C. Sheehan
- Space Planning Ad Hoc Committee – Members: D. York (Chair), R. Greenwood, T. Firenzi, S. Bigley
- Purchasing Ad Hoc Committee – Members: R. Scott (Chair), D. York, B. Smith, M. Carrey, T. Barela, T. Eising
- Awards Committee – Members: K. Schmitz (Chair), Paul Schubert, and Paul Selsky

Standing Committees:

- Federal Affairs
- Water Quality

Information: Dan York, Chair and Jim Peifer, Executive Director

AGENDA ITEM 9: RWA JULY 7, 2022 BOARD MEETING AGENDA

Action: Approve the RWA July 7, 2022 Board Meeting Agenda

Attachment:

Draft Agenda for RWA July 7, 2022 Board of Directors Meeting

REGIONAL WATER AUTHORITY
REGULAR MEETING OF THE BOARD OF DIRECTORS
Thursday, July 7, 2022; 9:00 a.m.

AGENDA

The public shall have the opportunity to directly address the Board on any item of interest before or during the Board's consideration of that item. Public comment on items within the jurisdiction of the Board is welcomed, subject to reasonable time limitations for each speaker. Public documents relating to any open session item listed on this agenda that are distributed to all or a majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection in the customer service area of the Authority's Administrative Office at the address listed above. In compliance with the Americans with Disabilities Act, if you have a disability and need a disability related modification or accommodation to participate in this meeting, please contact the Executive Director of the Authority at (916) 847-7589. Requests must be made as early as possible, and at least one full business day before the start of the meeting. The Board of Directors may consider any agenda item at any time during the meeting

RWA Board Meeting
Thu, Jul 7, 2022 9:00 AM - 12:00 PM (PDT)

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/974129709>

You can also dial in using your phone.

United States: [+1 \(872\) 240-3311](tel:+18722403311)

Access Code: 974-129-709

1. CALL TO ORDER AND ROLL CALL

2. PUBLIC COMMENT: Members of the public who wish to address the Board may do so at this time. Please keep your comments to less than three minutes.

3. PRESENTATIONS:

- a. Environmental Protection Agency Award to RWA Water Efficiency Program
- b. RWA Board of Directors Orientation

4. CLOSED SESSION

4a. CLOSED SESSION – PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code §§ 54954.5(e), 54957(b)(1)
Title: Executive Director

4b. CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS

Government Code §§ 54954.5(f), 54957.6
Agency designated representatives: Dan York and Tony Firenzi
Unrepresented employee: Executive Director

5. EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT

Action: Consider Approval of Recommendations from Executive Committee for adjustments to Executive Director compensation

- 6. CONSENT CALENDAR:** All items listed under the Consent Calendar are considered and acted upon by one motion. Board Members may request an item be removed for separate consideration.
- a. Authorize a Teleconference Meeting
 - b. Approve the minutes of May 12, 2022 Board Meeting
 - c. Approve the draft RWA Policy 500.19 – Water Efficiency Reserve Policy
 - d. Approve No Changes to RWA Policies 300.1, 300.2, and 300.3

Action: Approve Consent Calendar

7. LEGISLATIVE/REGULATORY UPDATE

Information: Ryan Ojakian, Legislative and Regulatory Affairs Manager

8. SACRAMENTO CENTRAL GROUNDWATER AUTHORITY (SCGA) - 3X3 COMMITTEE UPDATE

Information: Dan York (Chair), Tony Firenzi (Vice Chair), and Kerry Schmitz

9. EXECUTIVE DIRECTOR'S REPORT

10. DIRECTORS' COMMENTS

ADJOURNMENT

Next RWA Board of Director's Meeting:

September 8, 2022, 9:00 a.m. at the RWA/SGA office, 5620 Birdcage Street, Ste. 110, Citrus Heights, the location is subject to change depending on the COVID-19 emergency.

Next RWA Executive Committee Meeting:

July 27, 2022, 8:30 a.m. at the RWA/SGA office, 5620 Birdcage Street, Ste. 110, Citrus Heights, the location is subject to change depending on the COVID-19 emergency.

Notification will be emailed when the RWA electronic packet is complete and posted on the RWA website at: <https://www.rwah2o.org/meetings/board-meetings/>.

AGENDA ITEM 10: EXECUTIVE DIRECTOR'S REPORT

An oral report will be provided.

AGENDA ITEM 11: DIRECTORS' COMMENTS