

1. CALL TO ORDER

Chair Firenzi called the regular meeting of the Executive Committee to order on March 28, 2023 at 1:32 p.m. at the RWA Board Room located at 5620 Birdcage Street, Citrus Heights, CA 95610. Six of the Executive Committee Members were present at roll call; a quorum was established. Individuals in attendance are listed below:

Executive Committee Members

Audie Foster, California American Water
Sean Bigley, City of Roseville
Brett Ewart, City of Sacramento
William Roberts, City of West Sacramento
Bruce Kamilos, Elk Grove Water District
Michael Saunders, Georgetown Divide Public Utility District
Tony Firenzi, Placer County Water Agency

Staff Members

Jim Peifer, Trevor Joseph, Ryan Ojakian, Josette Reina-Luken, Raiyna Villasenor, Monica Garcia, Ashley Flores and Andrew Ramos, legal counsel.

Others in Attendance:

Patty Howard, Lead Advisor, RGS

Patty Howard entered the meeting at 1:37 p.m.

Michael Saunders entered the meeting at 1:41 p.m.

Executive Director Peifer distributed a memo from Andrew Ramos, legal counsel regarding compliance of the Brown Act.

Chair Firenzi requested to pull Agenda Item 7 off the agenda. Chair Firenzi asked if any of the Executive Committee members objected to the change made to the agenda, there was no objection. Chair Firenzi adopted the agenda as amended.

2. PUBLIC COMMENT

None

3. CONSENT CALENDAR

A motion was made to approve the consent calendar as presented.

Motion/Second/Carried Director Bigley moved, with a second by Director Kamilos

Audie Foster, California American Water; Sean Bigley, City of Roseville; Brett Ewart, City of Sacramento; William Roberts, City of West Sacramento; Bruce Kamilos, Elk Grove Water District; Tony Firenzi, Placer County Water Agency; voted yes. The motion passed.

Roll Call Vote: Ayes- 6
 Noes- 0
 Abstained- 0
 Absent- 3

4. EXECUTIVE DIRECTOR SALARY SURVEY AND COMPENSATION DRAFT REPORT

Chair Firenzi and Patty Howard, Lead Advisor provided a presentation on this information item to the Executive Committee to receive and file the Executive Director Salary Survey and Compensation Draft Report.

Ms. Howard presented her findings on the Executive Director Salary Survey and Compensation Draft Report along with a brief PowerPoint presentation and answered questions of the Committee.

Chair Firenzi updated the Executive Committee explaining that there is an evaluation process managed by the designated subcommittee. The subcommittee will develop a recommendation of compensation, a CPI based merit and bonus consideration. The totality of compensation will consider the current market survey, including the Executive Director Salary Survey and Compensation Draft Report, and RWA Directors evaluation.

Mr. Ramos explained this information will come to the Executive Committee in Closed Session in May. The item will be brought to the RWA Board as a Closed Session under labor negotiations and to open session for final approval.

Director Foster asked Ms. Howard if additional compensation was considered in the study.

Ms. Howard clarified that additional compensation such as bonuses are not considered as compensation and not included in the study.

Chair Firenzi asked that a disclosure be added to the study that additional compensation such as bonuses are not considered as compensation and not included in the study.

Director Ewart asked why Water District General Managers were not included in the comparables. Ms. Howard explained that General Managers have a different scope of work and position.

Ms. Howard took direction from the Executive Committee to finalize the report with the recommended edits.

Ms. Howard exited the meeting at 2:04 p.m.

5. FY 2023-24 PROPOSED RWA BUDGET

Ms. Reina-Luken presented this action item for the Board of Directors to receive a presentation and recommend approval of the proposed FY 2023/24 Budget to the RWA Board of Directors.

The presentation provided an overview of those critical budget issues including potential increase in annual dues for board, associate and affiliate members, and budget expense category increases such as estimated cost of living allowance, office relocation, and PERS side payment to future unfunded liability. A zero percent (0%) increase on general membership and associate membership fees is proposed for Fiscal Year 2023-2024 (FY24). Staff salaries are within ranges assigned by the compensation survey and reflect a possible 4% increase for merit if eligible plus an assumption of 3% for a cost-of-living allowance (COLA) and a similar combined increase in the out years. Funds in excess of the Operating Fund Designation revert to undesignated (non-restricted) cash which can later be applied towards future year expenses. The Powerhouse Science Center ("PSC")/MOSAC designation represents the difference in collection of fees for this project versus the payments made per the PSC contract. The restrictions for the RWA subscription programs including WEP, CIMS, and RWA member-based grant programs including the Biological Opinion Support Services and Sacramento Regional Water Bank programs reflect a decrease in approximately \$259,438 from the prior year reflecting a spend down and/or completion of specific programs like the completion of the Bonneville grant program (\$242,000).

The presentation also included a discussion of potential budget transfers to staff subscription programs and the corresponding cash designations which restrict funds for specific purposes in accordance with RWA financial policies. There are two RWA subscription programs that fund staff positions and programmatic costs in its entirety including WEP and CIMS programs. For FY24, a total of 30% of WEP's staffing and office expenses will be paid for by RWA core dues as reimbursement for time that the WEP Manager spends on non-WEP related activities. For CIMS, a 10% transfer for the Manager of Strategic Affairs for time spent on non-CIMS related

activities. With this transfer, WEP projects expenses in excess of revenues by approximately \$47,360 which will be paid from WEP reserves. The CIMS program covers 100% of the Manager of Strategic Affairs salary and all programmatic and administrative costs after the 10% RWA Core Transfer.

Ms. Reina-Luken also explained how the planned deficit unrestricted cash will be depleted next year. The RWA's Operating Designation Policy is in place that provides support if we do need to pivot for unknown costs.

Director Kamilos requested that the budget be amended to reflect the COLA as a annual 6% for FY 2023/24.

A motion was made to recommend approval of the proposed FY 2023/24 Budget to the Board of Directors.

Motion/Second/Carried Director Ewart moved, with a second by Director Foster.

Audie Foster, California American Water; Sean Bigley, City of Roseville; Brett Ewart, City of Sacramento; William Roberts, City of West Sacramento; Bruce Kamilos, Elk Grove Water District; Michael Saunders, Georgetown Divide Public Utility District; Tony Firenzi, Placer County Water Agency voted yes. The motion passed.

Roll Call Vote: Ayes- 7
Noes- 0
Abstained- 0
Absent- 2

6. LEGISLATIVE POSITIONS

Mr. Ojakian presented an action item for the Executive Committee to review and discuss various State legislation and approve positions on legislative bills. Mr. Ojakian provided an oral report on legislation and recommended Executive Committee action on bills related to water rights administration, bond measures, groundwater management, and water use efficiency.

AB 30 (Ward D- San Diego) Broadens the atmospheric river program administered through the Department of Water Resources to link reservoir and flood control operations with best practices in prediction modeling to optimize water management, increase storage, and reduce flood risk.

Recommendation: Support

AB 460 (Bauer-Kahan D- Orinda) Would establish expansive authority for the State Water Resources Control Board to issue interim relief orders.

Recommendation: Oppose Unless Amended

AB 560 (Bennett D- Ventura) Would require the court to refer a proposed judgment in specified adjudication proceedings to the State Water Resources Control Board for an advisory determination as to whether the proposed judgment will substantially impair the ability of a groundwater sustainability agency, the board, or the department to achieve sustainable groundwater management.

Recommendation: Oppose

AB 676 (Bennett D- Ventura) Would provide specific examples of the use of water for domestic purposes, including, but not limited to, sustenance of human beings and household conveniences. The bill would provide that all water rights remain subject to specified laws.

Recommendation: Oppose

AB 754 (Papan D- San Mateo) Would require an urban water management plan, if a reservoir is identified as an existing or planned source of water, to include specified information related to water storage and conservation, including, among other things, a target water supply storage curve, and an automatic conservation plan that would be implemented when the reservoir storage level falls below the target water supply storage curve.

Recommendation: Oppose

The Executive Committee agreed to assist in drafting a letter of opposition from RWA.

AB 779 (Wilson D- Fairfield) Would require new actions to be taken by a GSA in the event of an adjudication in their basin. Those include a requirement for a GSA to submit and report on a monitoring plan, pumping restrictions, require a GSA to hold a public meeting on what an adjudication means, and authorize a GSA to invite the Water Board and or DWR to the public meeting.

Recommendation: Oppose

AB 1337 (Wicks D- Oakland) Would authorize the State Water Resources Control Board to adopt regulations for various water conservation purposes, including, but not limited to, to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, and to implement these regulations through orders curtailing the diversion or use of water under any claim of right.

Recommendation: Oppose

AB 1567 (Garcia D- Coachella) Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023, which, if approved by the voters, would authorize the issuance of \$15.1 billion of bonds pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention,

drought preparation, flood protection, extreme heat mitigation, and workforce development programs. Would provide for the submission of these provisions to the voters at the November 5, 2024, statewide general election.

Recommendation: Support If Amended

AB 1572 (Friedman D- Burbank) Would prohibit the use of potable water, as defined, for the irrigation of nonfunctional turf located on commercial, industrial, municipal, institutional, and multifamily residential properties, as specified.

Recommendation: Oppose Unless Amended

SB 48 (Becker D- Menlo Park) Current law requires each utility to maintain records of the energy usage data of all buildings to which they provide service for at least the most recent 12 complete calendar months, and to deliver or otherwise provide that aggregated energy usage data for each covered building, as defined, to the owner, as specified. This bill would expand those requirements, beginning January 1, 2025, to include each utility that provides water service and its water usage data.

Recommendation: Oppose Unless Amended

SB 361 (Dodd D- Napa) Would require the Department of Water Resources and the State Water Resources Control Board, upon appropriation of funds by the Legislature, to reactivate, upgrade, and install new stream gages, as provided.

Recommendation: Support

SB 389 (Allen D- Santa Monica) Would authorize the State Water Resources Control Board to investigate the diversion and use of water from a stream system to determine whether the diversion and use are based upon appropriation, riparian right, or other basis of right.

Recommendation: Oppose Unless Amended

Directors Ewart, Firenzi, and Saunders (City of Sacramento, Placer County Water Agency, and Georgetown Divide Public Utility District), requested that Mr. Ojakian to reach out to their Water Right Attorneys.

SB 867 (Allen D- Santa Monica) Would enact the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance projects for drought and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, and park creation and

outdoor access programs. Would provide for the submission of these provisions to the voters at an unspecified statewide election.

Recommendation: Support If Amended

A motion to approve the recommended positions on the legislative bills as presented, including AB 30.

Motion/Second/Carried Director Kamilos moved, with a second by Director Saunders.

Audie Foster, California American Water; Sean Bigley, City of Roseville; Brett Ewart, City of Sacramento; William Roberts, City of West Sacramento; Bruce Kamilos, Elk Grove Water District; Michael Saunders, Georgetown Divide Public Utility District; Tony Firenzi, Placer County Water Agency voted yes. The motion passed.

Roll Call Vote: Ayes- 7
Noes- 0
Abstained- 0
Absent- 2

7. FUTURE EXECUTIVE COMMITTEE MEETING TIMES – *ITEM PULLED*

This item was pulled by Chair Firenzi to be brought back at a later date.

8. EXECUTIVE DIRECTOR'S REPORT

Executive Director Peifer reported that he was recently interviewed by reporter James Taylor, the link can be found in his report. RWA submitting a letter on the Conservation Regulations on March 30, 2023, RWA will be supporting the ACWA comments but also adding a few of our own.

He also reported RWA has come a long way in the last 10 years, state officials would not talk to us about specific water related bills. Now, the administration is reaching out to us frequently on things RWA is interested in. He expressed how proud of the progress RWA has made.

RWA met with Nancy Vogel regarding Recharge in the Sacramento region.

9. DIRECTORS' COMMENTS

Director Bigley met with DWR/SGMA staff today, they are working on a series of videos about Recharge projects around the state. On April 15, Roseville will be

highlighted in their campaign. Section 215 Contract, reclamation recharge, is ending today. Department of Water Resources will revisit future opportunities later in the year.

Director Ewart shared his perspective on substitution transfers that if you want recognition for conjunctive use - this is the year to take such action.

Director Roberts gave kudos to Josette Reina-Luken and Ryan Ojakian for great reports and presentations.

Director Kamilos asked what the topic or reason for the Special Closed Session meeting on April 12, 2023.

Mr. Peifer explained that it is related to briefing the members on the American River Voluntary Agreement and identify the series of projects that could be funded through the agreement.

Director Saunders reported that he met with State Water Resources Board members and was asked to provide data on wildfire flows and wildfire information. Kevin Kiley contacted Georgetown Divide Public Utility District to tell them they were one of 13 to receive appropriations for a three-million-gallon tank for their District's efforts for wildfire protection and response.

Chair Firenzi reported that although NCWA, ACWA, and RWA supportive of their stance on water use efficiency. PCWA is drafting a letter arguing the term "irrigable land" due to large lots.

ADJOURNMENT

With no further business to come before the Board, Chair Firenzi adjourned the meeting at 3:54 p.m.

By:



Chairperson

Attest:



Ashley Flores, Secretary