



Tony Firenzi, Chair

Brett Ewart, Vice Chair

Sean Bigley, Director

Audie Foster, Director

William Roberts, Director

Ron Greenwood, Director

Bruce Kamilos, Director

Caryl Sheehan, Director

Michael Saunders, Director

REGIONAL WATER AUTHORITY EXECUTIVE COMMITTEE MEETING

**Tuesday, August 22, 2023
at 1:30 p.m.**

**2295 Gateway Oaks, Suite 100
Sacramento, CA 95833
(916) 967-7692**

The public shall have the opportunity to directly address the Executive Committee on any item of interest before or during the Committee's consideration of that item. Public comment on items within the jurisdiction of the Committee 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 Executive Committee 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) 967-7692. 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.

AGENDA

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. 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.

3.1 Approve draft meeting minutes of the July 25, 2023 Executive Committee Meeting.

3.2 Recommend to RWA Board for approval of proposed revisions to RWA policy 200.1 the Rules for Proceedings.

3.3 Recommend RWA Board approval of affiliate membership for Wood Rodgers, Inc.

Recommended Action: Approve Consent Calendar

4. EMPLOYEE SUPPLEMENTAL BENEFITS

Presenter: Josette Reina-Luken, Finance & Administrative Services Manager

Discussion/Action: Recommend approval of Total Administrative Services Corporation (TASC) to be the provider for an optional RWA employee FSA, HSA, and dependent care benefits program beginning January 1, 2024 and authorize the Executive Director to change Personnel Rules Appendix G to incorporate these changes under legal counsel guidance

5. POSITION ON THE STREAM ACT (S. 2162)

Presenter: Jim Peifer, Executive Director

Discussion/Action: Approve a position of support for the STREAM Act (S. 2162)

6. RWA BOARD AGENDA

Presenter: Jim Peifer, Executive Director

Discussion/Action: Approve RWA Board Agenda for September 14, 2023 Board Meeting

7. LEGISLATIVE POSITIONS AND REGULATORY UPDATE

Presenter: Ryan Ojakian, Manager of Legislative and Regulatory Affairs

Information/Presentation: Approve position changes on legislative bills

8. EXECUTIVE DIRECTOR'S REPORT

9. DIRECTORS' COMMENTS

ADJOURNMENT

Upcoming meetings:

Next RWA Board of Director's Meeting:

RWA Board Meeting, September 14, 2023 at 9:00 a.m. at the City of West Sacramento - City Hall, 1110 W Capitol Ave., West Sacramento, CA 95691

Next RWA Executive Committee Meeting:

RWA Executive Committee Meeting, September 26, 2023, 1:30 p.m. at the RWA/SGA Office, 2295 Gateway Oaks, Suite 100, Sacramento, CA 95833. The location is subject to change.

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/>.

Posted on: July 18, 2023

Ashley Flores

Ashley Flores, CMC, Secretary



Topic: Public Comment
Type: New Business
Item For: Information/Discussion
Purpose: [Policy 200.1, Rule 11](#)

SUBMITTED BY:	Ashley Flores, CMC Secretary	PRESENTER:	Jim Peifer Executive Director
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EXECUTIVE SUMMARY

This is an information item to provide an opportunity for the Regional Water Authority Executive Committee to recognize or hear from visitors that may be attending the meeting or to allow members of the public to address the Executive Committee on matters that are not on the agenda.

As noted on the agenda, 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.

STAFF RECOMMENDED ACTION

None. This item is for information only.

BACKGROUND

Public agencies are required by law to provide an opportunity for the public to address the RWA Executive Committee matters that are not on the agenda.

3.0 CONSENT CALENDAR

Topic: Meeting Minutes
Type: Consent Calendar
Item For: Action; Motion to Approve
Purpose: [Policy 200.1, Rule 14](#)

SUBMITTED BY: Ashley Flores, CMC
Secretary

PRESENTER: Jim Peifer
Executive Director

EXECUTIVE SUMMARY

This is an action item for the Regional Water Authority Executive Committee to review and consider approving the draft minutes of the regular Regional Water Authority Executive Committee Meeting of July 25, 2023.

STAFF RECOMMENDED ACTION

A motion to approve the Minutes, as presented or amended.

BACKGROUND

The draft minutes of the above referenced meetings are included with this Agenda. The minutes reflect the RWA Policy 200.1 to document specific details on items discussed at the meetings.

The Executive Director may list on the agenda a "consent calendar", which will consist of routine matters on which there is generally no opposition or need for discussion. Examples of consent calendar items might include approval of minutes, financial reports and routine resolutions. Any matter may be removed from the consent calendar and placed on the regular calendar at the request of any member of the Board. The entire consent calendar may be approved by a single motion made, seconded and approved by the Board.

FINDING/CONCLUSION

Staff believes the draft of the presented minutes correctly reflect the information shared and actions taken by the Executive Committee.

ATTACHMENTS

Attachment 1- Draft meeting minutes of the Regional Water Authority Executive Committee Meeting of July 25, 2023



1. CALL TO ORDER

Vice Chair Ewart called the regular meeting of the Executive Committee to order on July 25, 2023 at 1:30 p.m. at the RWA Board Room located at 2295 Gateway Oaks, Suite 100, Sacramento, CA 95833. Six of the Executive Committee Members were present at roll call; a quorum was established. Individuals in attendance are listed below:

Executive Committee Members

- Ron Greenwood, Carmichael Water District
- Caryl Sheehan, Citrus Heights Water District
- 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

Staff Members

Jim Peifer, Michelle Banonis, Ryan Ojakian, Trevor Joseph, Monica Garcia, Ashley Flores, and Andrew Ramos, legal counsel.

Others in Attendance:

None

2. PUBLIC COMMENT

None

Director Bigley entered the meeting at 1:31 p.m.

3. CONSENT CALENDAR

3.1 Approve draft meeting minutes of the June 30, 2023 Executive Committee Special Meeting.

3.2 Recommend approval by the RWA Board of Directors for the Executive Director to execute Change Order #4 in the amount of \$521,900 with Stantec Consulting Services Inc for additional technical and planning support for continued development of the Sacramento Regional Water Bank.

3.3 Recommend approval by the RWA Board of Directors for the Executive Director to execute Task Order #2 in the amount of \$150,000 with Khadam Consulting Inc for additional technical support for continued development of the Sacramento Regional Water Bank.

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

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

Ron Greenwood, Carmichael Water District; Caryl Sheehan, Citrus Heights Water District; Brett Ewart, City of Sacramento; William Roberts, City of West Sacramento Bruce Kamilos, Elk Grove Water District; and Michael Saunders, Georgetown Divide Public Utility District; voted yes. The motion passed.

Ayes- 6
Noes- 0
Abstained- 0
Absent- 3

4. APPROVAL OF AMERICAN RIVER TERMS FOR ECOSYSTEM SUPPORT AND INFRASTRUCTURE ASSISTANCE NEEDS (ARTESIAN)

Executive Director Peifer and Michelle Banonis, Manager of Strategic Affairs presented this action item for the Executive Committee provided an overview of the current version of the agreement. Staff asked the Executive Committee to approve the form and content of the ARTESIAN agreement and commit to moving this agreement through RWA member agency boards who will be receiving funding through the State Funding Agreement.

A motion was made to approve the form and content of the ARTESIAN agreement and commit to moving this agreement through RWA member agency boards who will be receiving funding through the State Funding Agreement.

Motion/Second/Carried Director Greenwood moved, with a second by Director Roberts

Ron Greenwood, Carmichael Water District; Caryl Sheehan, Citrus Heights Water District; Sean Bigley, City of Roseville; Brett Ewart, City of Sacramento; William Roberts, City of West Sacramento; Bruce Kamilos, Elk Grove Water District; and Michael Saunders, Georgetown Divide Public Utility District; voted yes. The motion passed.

Ayes- 7
Noes- 0
Abstained- 0
Absent- 2

5. LEGISLATIVE POSITIONS

Mr. Ryan 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 676 (Bennett D- Ventura) Would define what is considered domestic use within existing law characterizing the highest uses of water.

The bill had previously addressed several other issues and RWA currently has an oppose unless amended position on the bill.

Recommendation: Neutral

AB 755 (Papan D- San Mateo) Would, as proposed to be amended require an agency when conducting a water usage demand analysis, as defined, to identify the marginal cost incurred by an agency from major water users, defined as the top 10 percent of users. The water usage demand analysis should be conducted as part of a cost of service analysis.

RWA currently has an oppose position on the bill.

Recommendation: Neutral

AB 779 (Wilson D- Susin City) Would require a court in an adjudication proceeding to be consistent with SGMA. Judgment must consider water use of “small farmers” and DACs and also not “substantially impair” SGMA management. GSA would be required to call a public meeting to explain the adjudication and invite DWR to that meeting. RWA currently has an oppose position on the bill.

The bill has significantly changed to consider the role of a GSA, and largely maintains a GSA’s authority.

Recommendation: Neutral

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.

RWA currently has an oppose unless amended position.

Recommendation: Neutral

A motion was made to approve the recommended positions of neutral on the legislative bills.

Motion/Second/Carried Director Roberts moved, with a second by Director Greenwood

Ron Greenwood, Carmichael Water District; Caryl Sheehan, Citrus Heights Water District; Sean Bigley, City of Roseville; Brett Ewart, City of Sacramento; William Roberts, City of West Sacramento; Bruce Kamilos, Elk Grove Water District; and Michael Saunders, Georgetown Divide Public Utility District; voted yes. The motion passed.

Ayes- 7
Noes- 0
Abstained- 0
Absent- 2

6. EXECUTIVE DIRECTOR'S REPORT

Executive Director Peifer reported at the last Water Quality Committee the topic of recruitment and retention of water operators was brought up. This Friday, select staff is meeting with the Department of Water Resources to participate in a video on water banking. The Department of Water Resources and Department of Reclamation have formed two groups recently, a technical (Trevor) and policy (Jim) group, to study streamflow depletion factors. SGA 25th Anniversary Event is on September 21, please join us. The leadership development program is scheduled to launch with an formal invitation to go out this Fall.

Executive Director Peifer asked the Committee if they have any interest in adding an additional benefit of a Flexible Savings Account (FSA). The Committee was in full support of staff researching the cost and process of adding that to the RWA benefit package.

Executive Director Peifer also thanked Josette Reina-Luken and Ashley Flores for their efforts packing, moving the old office and in setting up the new office.

7. DIRECTORS' COMMENTS

Director Roberts reported that he is also looking for a champion for recruiting water operators. He thanked Josette and staff for their work on setting up the new office. He also offered temporary help with staffing.

Director Saunders reported that he just had his ACWA interview and part of his interview talking points was about recruitment and retention of water operators and other technical positions. He also reported that GDPUD has retained Frank A. Splendorio of Best, Best & Kreiger as general counsel. The erosion control project has been completed by staff. Director Saunders is looking forward to working with Amy Talbot on an upcoming speaking engagement.

Director Greenwood reported that the storage tank project is almost complete at Carmichael Water District. Conversations are still happening regarding the Sacramento Suburban Water District and Carmichael Water District merge. He also thanked Trevor for the Water Bank presentation he provided.

Director Kamilos reported that Elk Grove Water District has retained Andrew Ramos of Bartkiewicz, Kronick & Shanahan.

Director Ewart reported that he apprised the Water Forum of the executed DWR agreement. He is also currently working on Development Impact Fees for the River Arc project. All but two of the South wells for Sacramento Suburban are off and resting allowing for recharge.

ADJOURNMENT

With no further business to come before the Board, Vice Chair Ewart adjourned the special meeting at 3:00 p.m.

Approved by:

Brett Ewart, Vice Chair

Attested by:

Ashley Flores, Secretary



Topic: Revisions to Policy 200.1 (Rules for Proceedings)
 Type: Consent Calendar
 Item For: Action; Motion to Recommend Approval of RWA Board
 Purpose: Routine

SUBMITTED BY: Jim Peifer
 Executive Director

PRESENTER: Jim Peifer
 Executive Director

EXECUTIVE SUMMARY

This item proposes revisions to Policy 200.1 (Rules for Proceedings) based on direction from the Board of Directors.

STAFF RECOMMENDED ACTION

Consider proposed revisions and recommend approval to the Board of Directors.

BACKGROUND

Policy 200.1 (Rules for Proceedings) provides the rules for how and when board meetings are conducted. During the May 18, 2023 Board Meeting, the Board of Directors requested the RWA provide an option for public access.

Staff has prepared revisions to Rule 11 of Policy 200.1 that provides for public access during board meetings. In addition, revisions to Rule 3 are being proposed to reflect that a motion can be made to identify future meetings (instead of a resolution). The revisions to Rule 3 remove the former Birdcage St. office as the location for Board meetings. Rule 25 has been revised to include the provisions of AB 2449 for occasional remote participation.

FINDING/CONCLUSION

Staff requests the Executive Committee consider revisions and recommend approval to the Board of Directors.

Attachments:

Attachment 1- Proposed revisions to Policy 200.1 (Rules for Proceedings)

REGIONAL WATER AUTHORITY POLICIES AND PROCEDURES MANUAL

Policy Type : Board of Directors
Policy Title : Rules for Proceedings of the Board of Directors
Policy Number : 200.1
Date Adopted : September 12, 2002
Date Amended : November 4, 2004;
September 13, 2012;
May 2, 2019;
September , 2023

RULES FOR PROCEEDINGS OF THE BOARD OF DIRECTORS

INTRODUCTION

These are the rules for proceedings of meetings of the Board of Directors of the Regional Water Authority (“Authority”), which are authorized by Section 17 of the Joint Exercise of Powers Agreement forming the Authority, dated July 1, 2001 (“JPA Agreement”). The purposes of these rules are to facilitate public participation during meetings of the Board, protect the rights of all Directors, and to provide a process for conducting Board meetings in an orderly and efficient manner. The provisions of the JPA Agreement, the Community Services District Law (see Section 7.a.12 of the JPA Agreement, and Government Code sections 61000, et seq.), the Brown Act (Government Code section 54950, et seq.) and any other law governing the powers and/or proceedings of the Authority will control over any inconsistent provision contained in these rules.

RULE 1 - SELECTION OF OFFICERS

The Chair and Vice-Chair of the Board will be elected by the members of the Board for a one-year term commencing immediately upon conclusion of the meeting where the election was held. The election will be held prior to January 31 each year. The procedures that the Board will follow for the election of Chair and the Vice-Chair are set forth in the “Procedures for Selection of the Executive Committee of the Board of Directors and the Chair and the Vice-Chair of the Executive Committee and the Board of Directors” (attached as **Exhibit 1**, as amended by the Board from time to time, “Election Procedures”).

The Board will by majority vote appoint, considering the recommendation of the Executive Director of the Authority, a Secretary and a Treasurer, who will serve at the

pleasure of the Board. (See JPA Agreement Section 18, and Government Code sections 61002 and 61050(b).)

RULE 2 - DUTIES OF CHAIR OF BOARD

The Chair of the Board of Directors will be its presiding officer. (See JPA Agreement Section 18, and Government Code section 61043(b).) The Chair's duties will include, but not be limited to, the following: acting as the liaison between the Executive Director and the Board and the Executive Committee, calling special meetings of the Board and the Executive Committee, presiding over meetings of the Board and the Executive Committee, establishing and appointing committees of the Board and the Executive Committee (except that, the members of the Executive Committee will be appointed in accordance with the procedures set forth in the Election Procedures), and appointing representatives of the Authority to associations of which the Authority is a member. The Board will appoint representatives of the Authority to joint powers authorities of which the Authority is a member. In the Chair's absence, the Vice-Chair of the Board will perform such duties. (See JPA Agreement Section 18.)

RULE 3 - TIME AND PLACE FOR REGULAR MEETINGS

The regular meeting of the Board of Directors will be held ~~in the boardroom of the Authority's office, 5620 Birdcage Street, Suite 110, Citrus Heights, California, or at a location such other locations~~ within the Authority as designated by the Board of Directors ~~by resolution~~ from time to time. The dates and times of those regular meetings also will be as designated by the Board of Directors ~~by resolution~~ from time to time, with regular meetings generally occurring at least on the second Thursday of odd-numbered months. If a regular meeting falls on a holiday (as listed in Government Code section 6700), the meeting will be held on the day designated by the Board or the Executive Committee. (See Government Code section 54954(a).)

RULE 4 - QUORUM REQUIREMENTS

A majority of all of the members of the Board will constitute a quorum for the transaction of business. (See JPA Agreement Section 13.)

RULE 5 - MAJORITY VOTE

A majority of all of the members of the Board will be required to approve any resolution or motion, unless a different voting requirement to approve a particular action is specified under State law or the JPA Agreement. (See JPA Agreement Section 13.)

RULE 6 - WHAT CONSTITUTES AN AFFIRMATIVE VOTE

Unless a Director is not voting because of a conflict of interest, a Director who is present will be deemed to have voted in the affirmative on a matter unless the Director votes against the measure by casting a "no" vote. An "abstain" vote will constitute an "aye" vote. (See *Dry Creek Valley Association, Inc. v. Board of Supervisors* (1977) 67

Cal.App.3d 839.) When calling for the vote on a motion, the Chair of the Board may (1) ask for the “aye” and “no” votes, or (2) ask if there is any opposition, since the remaining Directors present will be deemed to have voted in the affirmative unless they are not voting due to a conflict of interest.

RULE 7 - CONFLICTS OF INTEREST

A member of the Board may not make, participate in making or in any way attempt to use his or her official position to influence a decision of the Board of Directors in which he or she knows or has reason to know that he or she has a financial interest. (Government Code section 87100.) Generally, a Director has a financial interest in a matter if it is reasonably foreseeable that the Board decision would have a material financial effect (as defined by the Fair Political Practices Commission’s [FPPC] regulations) that is distinguishable from the effect on the public generally, involving dollar amount set by FPPC regulations from time to time, on (a) a business entity in which the Director has a direct or indirect investment, in the amount specified in FPPC regulations, (b) real property in which the Director has a direct or indirect investment interest, with a worth in the amount specified in FPPC regulations or, (c) a source of income of the Director, in the amount specified in FPPC regulations, within twelve months before the Board decision, (d) a source of gifts to the Director, in the amount specified in FPPC regulations, within twelve months before the Board decision, or (e) a business entity in which the Director holds a position as a director, trustee, officer, partner, manager or employee. An “indirect interest” means any investment or interest owned by the spouse or dependent child of the Director, by an agent on behalf of the Director, or by a business entity or trust in which the Director, or the Director’s spouse, dependent child or agent owns directly, indirectly or beneficially a ten percent interest or greater. (Government Code section 87103.)

If a member of the Board believes he or she may be disqualified from participation in the discussion, deliberations or vote on a particular matter due to a conflict of interest, the following procedure will be used: (a) if the Director becomes aware of the potential conflict of interest before the Board meeting at which the matter will be discussed or acted on, the Director will notify the Executive Director of the potential conflict of interest, so that a determination can be made whether it is a disqualifying conflict of interest; (b) if it is not possible for the Director to discuss the potential conflict with the Executive Director before the meeting, or if the Director does not become aware of the potential conflict until during the meeting, the Director will immediately disclose the potential conflict during the Board meeting, so that there can be a determination whether it is a disqualifying conflict of interest; and (c) upon a determination that a disqualifying conflict of interest exists, the Director (1) will not participate in the discussion, deliberation or vote on the matter for which a conflict of interest exists; and (2) unless the matter has been placed on the consent calendar, leave the Board room until after the discussion, vote or any other disposition of the matter has been concluded, except that the Director may speak on the matter during the time that the general public speaks on the matter. In such a case, the Board minutes will state: "Due to a potential conflict of interest, Director _____ left the boardroom and did not participate in the discussion, deliberation or vote on this matter."

RULE 8 - MOTIONS

The three steps for bringing a motion before the Board are: (a) a Director makes a motion, (b) another Director seconds the motion, and (c) the Chair states the motion. Once the motion has been stated by the Chair, it is open to formal discussion. While only one motion can be considered at a time, and a pending motion must be disposed of before any other question is considered, (a) a pending motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by a new motion (and second) “to amend” the pending motion, which is then approved by the Board, or (b) a pending motion may be tabled before it is voted on by motion (and second) made “to table,” which is then approved by the Board, or (c) a pending motion may be rejected without further discussion or action by a motion (and second) “of objection to consideration,” which is then approved by the Board, or (d) further discussion of a pending motion can be terminated by a motion (and second) “to call the question,” which is then approved by the Board. Any Director, including the Chair, may make or second a motion.

RULE 9 - PROTECTION OF RIGHTS OF DIRECTORS

One of the primary purposes for these rules of procedure is to protect the rights of all Directors. The Chair will allow each Director a reasonable opportunity to discuss a motion, after it has been made and seconded, and before it has been voted on. The Chair can set reasonable time limits for discussion of a motion. A Director can object to a procedural ruling by the Chair by stating: “Mr./Madam Chair, I rise to a point of order.” The Chair must then ask the Director to state the point of order. The Chair will then rule on the point of order. The Chair’s ruling on a point of order may be appealed by a motion made and seconded to appeal the decision, which is then voted on by the Board.

In order to ensure that the Board’s discussions and deliberations during a public meeting can be heard by other Board members and the public, Directors should refrain from engaging in other than oral communications on Authority matters during a Board or committee meeting (e.g., refrain from using written, electronic or telephonic communications that are not made available to other Board members and to the public).

RULE 10 - RECORD OF VOTE

Except where action is taken by the unanimous vote of all Board members present and voting, the ayes and noes taken upon the passage of all resolutions or motions will be entered upon the minutes. (See Government Code section 61045(d).)

RULE 11 - AGENDA AND AGENDA MATERIALS

The Executive Director will be responsible for preparing the agenda for regular

Board meetings and meetings of the Executive Committee and other standing committees (see Government Code section 54952 and Rules 21 and 22), and having it posted at the Authority office in a location freely accessible to the public no later than seventy-two hours before a regular meeting. The Executive Director will also be responsible for preparing the agenda for *ad hoc* advisory committee meetings. The agenda will specify the time and location of the meeting and contain a brief, general description of each item of business to be transacted or discussed at the meeting, including closed session items. (See Government Code section 54954.2.) Any member of the Board may request that the Executive Director place an item for discussion or action on the agenda. In order to allow sufficient time to prepare the agenda and back-up materials, the deadline for adding items to the agenda for a regular meeting will be at noon, five working days before the meeting.

An agenda for a regular or special Board meeting will contain the following statements: (a) "The public shall have the opportunity to directly address the Board on any item of interest either 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." (See Government Code section 54954.3(a).); (b) "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." (See Government Code section 54957.5(b)(2).); and (c) "In compliance with the Americans with Disabilities Act, if you have a disability and you need a disability-related modification or accommodation to participate in this meeting, then please contact the Executive Director of the Authority. Requests must be made as early as possible, and at least one-full business day before the start of the meeting." (See Government Code section 54954.2 (a).)

The Public shall be provided the option to attend and participate in Board meetings via one of the following: (1) a two-way audiovisual platform, such as Zoom, GoToMeeting, or MS Teams; or (2) a two-way telephone conference and a live webcast of the meeting.

Additional statements may be added to the agenda from time to time as recommended or deemed advisable by the Board Chair, Executive Director or General Counsel.

RULE 12 - REQUESTS FOR COPIES OF AGENDAS AND AGENDA MATERIALS

Any person may request the Authority to mail or electronically transmit to him or her a copy of the agenda or agenda packet for any meeting of the Board. When the Authority receives such a request, the Executive Director will transmit copies of the requested materials (except for documents that are exempt from disclosure under the Public Records Act) to the requesting party at the time that the agenda is posted or when the agenda packets are distributed to a majority of the Board members, whichever occurs first. Any request for copies of agendas or agenda packets for all Board

meetings in a given year will be valid for the calendar year in which the request is submitted, and the request must be renewed after January 1 of each year in which it is to remain in effect. (Government Code section 54954.1.)

Documents that are distributed to all or a majority of the members of the Board by any person in connection with a matter subject to discussion or consideration at a regular or special meeting of the Board will be disclosable public records under the California Public Records Act (commencing with Government Code section 6250), and will be made available upon request by a member of the public without delay, except as to documents that are exempt from disclosure under the Public Records Act. Documents that are distributed during a regular or special Board meeting that are subject to disclosure under the Public Records Act will be made available for public inspection at the meeting, if prepared by the Authority or a member of the Board, or after the meeting, if prepared by some other person. The Authority may charge a fee for responding to requests for copies of agendas, agenda packets or other documents, which fee will be limited to the Authority's copying and postage costs. (See Government Code section 54957.5(a) and (b).)

Public documents and materials that are related to an open session agenda item that are provided to the Board less than seventy-two hours before a regular meeting will be made available for public inspection and copying at the Authority's office during normal business hours. These documents also may be made available on the Authority's web site. (See Government Code section 54957.5.)

Upon request, the agenda and other documents referred to in this rule will be made available in an appropriate alternative format to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. section 12132) and the federal rules and regulations adopted in implementation thereof. (See Government Code sections 54954.1, 54954.2(a) and 54957.5(b).) The Authority will not charge a special surcharge to provide documents requested in an alternative format by a person with a disability in accordance with the Americans with Disabilities Act and its implementing regulations. (See Government Code section 54957.5(c).)

The Authority may record its meetings for the sole purpose of assisting staff with the preparation of minutes. If RWA records a meeting, it will retain the recording for at least thirty days following the meeting or Board or committee approval of the minutes, whichever occurs later, after which the recording may be erased or destroyed. The public may inspect the recording on a playback device made available by the Authority, without charge. (See Government Code section 54953.5(b).)

RULE 13 - AUTHORITY TO ACT ON MATTERS NOT ON THE AGENDA

The Board will not take action on or discuss any item not appearing on the posted agenda, except under the following conditions, in which cases the item will be publicly identified before discussion begins: (a) upon a determination by a majority of the Board that an emergency situation exists as provided in Rule 26; (b) upon a determination by a two-third vote of the Board members present at the meeting, or, if

less than two-thirds of the members of the Board are present, a unanimous vote of those members present, that the need to take immediate action became apparent after the agenda was posted; or (c) the item was posted for a prior meeting of the Board occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken. (See Government Code sections 54954.2 and 54956.5.)

RULE 14 - CONSENT CALENDAR

The Executive Director may list on the agenda a "consent calendar", which will consist of routine matters on which there is generally no opposition or need for discussion. Examples of consent calendar items might include approval of minutes, financial reports and routine resolutions. Any matter may be removed from the consent calendar and placed on the regular calendar at the request of any member of the Board. The entire consent calendar may be approved by a single motion made, seconded and approved by the Board.

RULE 15 - ORAL INFORMATIONAL REPORTS

Any member of the Board may make an oral report at a regular meeting for the purpose of informing the Board of any matter of interest to the Authority. The Board may also call on the Executive Director, Authority staff or Authority legal counsel for oral informational reports on matters not on the agenda. Unless the Board makes the determinations required under Rule 13, there will be no more than limited discussion, and no action, on matters covered in such oral reports. (See Government Code section 54954.2(a).)

RULE 16 - PUBLIC FORUM AND COMMENT

Every agenda for a regular meeting will provide an opportunity for members of the public to directly address the Board on items of interest that are within the subject matter jurisdiction of the Board and that do not appear on the agenda. This agenda item will be described substantially as follows: "Opportunity for public comment on non-agenda items." During the Public Forum, the Board may, at its discretion, not respond, briefly respond to statements made or to questions posed by the public, or ask Authority staff for clarification, refer the matter to Authority staff or ask Authority staff to report back at a future meeting. (See Government Code sections 54954.2 and 54954.3.) The Board will not take action on any matter raised during the Public Forum, unless the Board first makes the determinations set forth in Rule 13. In order to facilitate public participation during the Public Forum session of the meeting, the Board may limit the total amount of time allocated for public comment on a particular issue (10 minutes or less will normally be standard), and may limit the time allocated for public comment of an individual speaker (3 minutes or less will normally be standard). The Chair may declare as out of order irrelevant, repetitious or disruptive comments. (See Government Code section 54954.3.)

The public may address the Board concerning an agenda item either before or during the Board's consideration of that agenda item. (See Government Code section 54954.3(a).)

These rules are not intended to prohibit public criticism of policies, procedures, programs or services of the Authority, or of the acts or omissions of the Board. (See Government Code section 54954.3(c).)

In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible, and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Board may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, will be allowed to attend any session held pursuant to this section. Nothing in this section will prohibit the Board from readmitting an individual or individuals not responsible for disturbing the orderly conduct of the meeting. (See Government Code section 54957.9.)

It is the general policy of the Board to refer to the Executive Director for resolution of complaints received from members of the public. If the complaint cannot be resolved, the Executive Director will place it on a meeting agenda for consideration by the Board.

RULE 17 - PUBLIC HEARINGS

The procedure for conducting public hearings during a meeting of the Board will be as follows: (a) no earlier than the time set for the public hearing, the Chair of the Board will declare the public hearing open; (b) the Chair will ask the Executive Director whether notice of the public hearing has been given in the manner required by law; (c) the Chair will ask the Executive Director whether written comments on the subject matter of the public hearing have been received; (d) the Chair will ask whether any member of the public wishes to present written or oral comments on the subject of the public hearing; (e) in its discretion, the Board may set time limits on the amount of time an individual speaker is allowed to comment orally during the public hearing; and (f) following the close of presentation of comments, the Chair will declare the public hearing closed. The Board may continue a public hearing from time to time in accordance with the procedures provided in Rule 18. (See Government Code section 54955.1.) If otherwise permitted by law, the Board may take action related to the subject matter of the public hearing after the hearing is closed.

RULE 18 - ADJOURNMENT

A meeting of the Board will be adjourned by (a) loss of a quorum, (b) by motion made, seconded and approved to adjourn the meeting, or (c) by declaration of the Chair that the meeting is adjourned when the agenda has been completed and there is no further business to come before the Board. A regular or special meeting of the Board

may also be adjourned for the purpose of continuing it to a specific day and time (a) by motion made, seconded and approved, (b) by approval of less than a quorum if a quorum is not present, or (c) by the Secretary of the Board if all members are absent from any regular or adjourned regular meeting. A copy of the order or notice of adjournment to continue a meeting to another date will be conspicuously posted on or near the door of the Authority boardroom or other location where the meeting was held within twenty-four hours after the time of adjournment. (See Government Code section 54955.)

RULE 19 - SPECIAL MEETINGS

A special meeting may be called at any time by the Chair, by the Executive Committee or by a majority of the members of the Board, by delivering personally or by any other means, including mail, facsimile and electronic mail, written notice to each member and to each newspaper, radio or television station requesting notice in writing. Such notice must be received at least twenty-four hours before the time of such meeting as specified in the notice (except as to emergency meetings, in which case, the notice requirements specified in Rule 26 will be followed). Electronic mail will constitute notice of a special meeting only if the recipient confirms receipt, and it will be deemed to be received at the time of such confirmation. The call and notice must specify the time and place of the special meeting and the business to be transacted, and will include the statements specified in Rule 11. No other business will be considered at such meeting. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Authority Secretary a written waiver of notice. Waiver may be given in person or by mail, facsimile, or electronic mail. Such written notice may also be dispensed with as to any member who was actually present at the meeting at the time it convenes. The call and notice must also be posted at least twenty-four hours before the meeting in a location freely accessible to the public. (See Government Code sections 54954.3(a) and 54956.)

RULE 20 - BOARD WORKSHOP MEETINGS

From time to time, the Board may set a regular or special meeting to be conducted as a “workshop meeting,” during which the Board will have the opportunity to receive presentations on and discuss matters identified on the agenda, but the Board would not normally take action on those items. Nothing in this rule is intended to prevent the Board from taking action on a matter during a workshop session if it is identified as an “action item” on the agenda for that meeting.

RULE 21 - BOARD COMMITTEES

Board committees will be composed of less than a majority of Directors, and may be either standing committees or *ad hoc* advisory committees. The Board has the following standing committee (i.e., committees with continuing subject matter jurisdiction; see Government Code section 54952): the Executive Committee. In accordance with Rule 11, standing committee meetings will be open to the public (except for authorized closed sessions), and the agenda for those meetings will be

posted in the same manner as the agenda for regular Board meetings. In addition, the Chair may from time to time establish, and appoint the members of, *ad hoc* advisory committees to serve a limited or single purpose, which committees are to be dissolved once their specific task is completed. The meetings of an *ad hoc* advisory committee are not required to be open to the public, and notice of such meetings is not required to be posted. (See Government Code sections 54951 and 54952.)

Directors who are not members of a standing committee may attend a standing committee meeting only as observers, and they may not participate in the committee meeting, ask questions or sit with the committee members at the Board table. (See Government Code section 54952.2(c)(6).) Directors who are not members of an *ad hoc* committee may not attend an *ad hoc* committee meeting, unless such a meeting has been publicly noticed, in which case the same rules governing attendance at standing committee meetings described above shall apply.

RULE 22 - EXECUTIVE COMMITTEE

The Executive Committee of the Board will have the duties and authority specified in Section 10.a of the JPA Agreement, and as set forth in the "Authority Delegated to the Executive Committee" (Authority Policy 200.2, attached as **Exhibit 2**, as amended by the Board from time to time). The Executive Committee will operate according to these Rules to the extent applicable.

RULE 23 - EXECUTIVE DIRECTOR

The Executive Director of the Authority will have the duties and authority specified in Section 19 of the JPA Agreement, and as set forth in the "Authority Delegated to the Executive Director" (Authority Policy 300.1, attached as **Exhibit 3**, as amended by the Board from time to time).

RULE 24 - CLOSED SESSIONS

A closed session may be held on any subject authorized under the Brown Act. The agenda for a regular or special meeting will contain a brief, general description of the purpose of a closed session, in substantially the following form:

a. Conference with legal counsel--existing litigation; Government Code sections 54954.5(c) and 54956.9(a); _____ v. _____ [insert name of case, e.g., *Jones v. Authority*].

b. Conference with legal counsel--existing litigation; Government Code sections 54954.5(c) and 54956.9(a); case name unspecified because _____ [insert either "disclosure would jeopardize service of process" or "disclosure would jeopardize existing settlement negotiations"].

c. Conference with legal counsel--anticipated litigation; Government Code sections 54954.5(c) and 54956.9(b); significant exposure to litigation involving

_____ [describe].

d. Conference with legal counsel--anticipated litigation; Government Code sections 54954.5(c) and 54956.9(c); consideration of initiation of litigation involving _____ [describe].

e. Public employee appointment involving _____ [insert position(s) to be filled]; Government Code sections 54954.5(e) and 54957.

f. Public employee performance evaluation involving _____ [insert position(s) being reviewed]; Government Code sections 54954.5(e) and 54957.

g. Public employee discipline/dismissal/release; Government Code sections 54954.5(e) and 54957. [No additional information required.]

h. Conference with labor negotiator involving _____ [insert name of Authority negotiator] and _____ [insert name of employee organization involved in negotiation]; Government Code sections 54954.5(f) and 54957.6.

i. Conference with labor negotiator involving _____ [insert name of Authority negotiator] and unrepresented employee(s) in position(s) of _____ [insert position(s) of unrepresented employee(s) involved in negotiation]; Government Code sections 54954.5(f) and 54957.6.

j. Conference with real property negotiator involving _____ [insert street address or other description of property], and _____ [insert name(s) of Authority negotiator(s); Authority negotiators will negotiate with _____ [insert name of other party(ies)]. Instructions to the negotiator(s) may include price, terms of payment, or both. (See Government Code sections 54954.5(b) and 54956.8.)

k. Closed session consultation with _____ [insert the name of a law enforcement agency, and the title of the officer, or the name of an applicable agency representative and title] concerning a threat to public services or facilities, or for the assessment of the security vulnerability of public facilities. (See Government Code section 54957.)

The Board will not keep minutes of its closed sessions. (See Government Code section 54957.2.) In the closed session, the Board will consider only those matters covered in its statement of reasons for holding the closed session. (See Government Code section 54957.7.)

Before holding a closed session to consider complaints or charges against a particular employee (as distinguished from mere evaluation of performance unrelated to any specific complaint or charge), the Authority will provide twenty-four hours' advance written notice to the employee of his or her right to have the matter heard in open session. (See Government Code section 54957.)

A closed session may be held to meet with the Authority's negotiator regarding the salary and benefits of Authority officers and employees, but not including elected officials, but the Authority's available funds, funding priorities or budget will not be discussed during the closed session. (See Government Code section 54957.6.)

Following every closed session, the Board will reconvene to open session and publicly report any action and vote during the closed session in accordance with the following guidelines:

a. For action concerning final approval of a real property purchase/sale agreement or lease, report in open session at the same meeting the action taken (including the substance of the agreement) and vote, except that, if final approval rests with another party, the report may be deferred until the other party's approval. (See Government Code section 54957.1(a)(1).)

b. Approval given to legal counsel to defend or initiate a lawsuit, or seek appellate review will be reported in open session at the public meeting during which the closed session was held. (See Government Code section 54957.1(a)(2).)

c. Approval given to legal counsel to settle pending litigation or action taken to dispose of a claim will be reported in open session as soon as the settlement or claim disposition becomes final. (See Government Code section 54957.1(a)(3) and (4).)

d. For action to appoint, employ or dismiss, accept the resignation of, or otherwise affect the employment status of an employee, the Board will report in open session at the same meeting the action taken (including identity of employee or position and any change in compensation) and vote, except that, for any dismissal or non-renewal of a contract, the report back may be deferred until the first meeting after the exhaustion of administrative remedies. (See Government Code section 54957.1(a)(5).)

e. For action concerning a labor MOU, after the MOU has been approved by both parties, the Board will report in open session the action taken and vote. (See Government Code section 54957.1(a)(6).)

The Authority will make available after a closed session to anyone who has requested them in advance, agreements or other documents approved in closed session, unless the document needs to be revised, in which case it will be provided as soon as possible. After the closed session, changes to the agreement will be orally summarized if anyone present so requests. (See Government Code section 54957.1(b).)

A Director is not authorized, without approval of the Board of Directors, to disclose information that is deemed confidential information under applicable provisions of law to a person not authorized to receive it, that (1) has been received for, or during, a closed session meeting of the Board, (2) is protected from disclosure under the attorney/client or other evidentiary privilege, or (3) is not required or authorized to be

disclosed under the California Public Records Act. A Director is not prohibited from taking the following actions in regard to a closed session of the Board: (a) making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the alleged illegality of an action taken by the Board, (b) expressing an opinion concerning the propriety or legality of actions taken by the Board in closed session, including disclosure of the nature and extent of the allegedly illegal action, or (c) disclosing information acquired by being present in a closed session that is not confidential information. Prior to disclosing confidential information pursuant to (a) or (b), above, however, a Board member will first bring the matter to the attention of either the Chair of the Board or the full Board, to provide the Board an opportunity to cure an alleged violation. A Director who willfully and knowingly discloses for pecuniary gain confidential information received by him or her in the course of his or her official duties may be guilty of a misdemeanor under Government Code section 1098. (See Government Code section 54963; 76 Ops.Cal.Atty.Gen. 289 (1993) and 80 Ops.Cal.Atty.Gen. 231 (1997).)

It is within the Board's discretion to allow a Director who serves as a member of the legislative body of a member agency to disclose information obtained in a closed session that has direct financial or liability implications for that member agency to the following individuals: (1) legal counsel of that member local agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that member local agency; or (2) other members of the legislative body of the member agency present in a closed session of that member agency. (See Government Code section 54956.96)

RULE 25 - MEETINGS BY TELECONFERENCE

Board members will attend Board meetings in person unless they qualify to participate in the meeting remotely under the "just cause" and "emergency circumstances" provisions of AB 2449 and their alternate is unavailable, or if the Board elects to hold a meeting by teleconference.

The Board or the Executive Committee may hold meetings by teleconference. (See Government Code section 54953(b).) For purposes of this rule, "meetings by teleconference" include meetings at which one or more Board member attends and participates in the meeting by telephone, video conferencing or any other electronic means using live audio or video, or both. For any meeting by teleconference conducted by the Board, the following requirements will apply:

a. During a meeting by teleconference, at least a quorum of the members of the Board will participate from locations within the territory of the Authority.

b. Each teleconference location (i.e., the location from which one or more Board members attends and participates in a meeting by teleconference) will be accessible to the public.

c. When meetings by teleconference are held by telephone, speaker phones will be used at the main meeting location and at any teleconference location where there are members of the public in attendance.

d. All votes taken at a meeting by teleconference will be by roll call.

e. The Board will conduct the meeting by teleconference in a manner that protects the statutory and constitutional rights of parties and the public to attend and participate in the meeting.

f. Each teleconference location will be identified in the regular meeting agenda or special meeting notice, and the agenda or notice will state that members of the public will have the opportunity to address the Board from any teleconference location.

g. Notice of any meeting by teleconference will be included in the meeting agenda or special meeting notice in substantially the following form:

"All or portions of this meeting will be conducted by teleconference in accordance with Government Code section 54953(b). The teleconference location(s) for the meeting are as follows: _____ . Each teleconference location is accessible to the public, and members of the public may address the Board of Directors from any teleconference location."

h. In addition to the usual notice and agenda requirements, the regular meeting agenda or special meeting notice will be posted at all teleconference locations at least seventy-two hours before regular meetings or twenty-four hours before special meetings.

RULE 26 – EMERGENCY MEETINGS

Under Government Code section 54956.5, the Authority may hold a meeting to address an emergency if a majority of the Board determines that a situation exists that involves matters upon which prompt action is necessary. An emergency situation is defined as: (1) a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both; or (2) a dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health, safety, or both.

As a condition of holding an emergency meeting, the Board Chair or his/her designee shall provide notice of the meeting by telephone to each local newspaper of general circulation, radio station and television station that has requested notice of special meetings. For a meeting for a "non-dire emergency" (Definition 1, above), the telephone notice must be provided at least one hour prior to the emergency meeting. In

the case of a meeting for a “dire emergency” (Definition 2, above), the telephone notice must be provided to the media at or near the same time as notice is given to the members of the Board. In the event that telephone services are not functioning, the notice requirements of this section shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

The Board may meet in closed session upon approval by a two-thirds vote of the Board (or the unanimous vote of the Board if less than two-thirds are present) to discuss matters related to the emergency situation. (See Government Code sections 54956.5(c) and 54957.)

With the exception of the 24-hour notice and posting requirements and any other exceptions provided in herein, all special meeting requirements described in Rule 19 shall be applicable to an emergency meeting called pursuant to this Rule.

The draft minutes of an emergency meeting called under this Rule must be posted in a public place for a minimum of 10 days as soon after the meeting as possible, and include a list of persons who the Board Chair or his/her designee notified or attempted to notify of the meeting, if applicable, any actions taken at the meeting, and a recording of any votes taken by roll call. (See Government Code section 54956.5(e).)

RULE 27 - COMPENSATION OF DIRECTORS

The Authority does not compensate or reimburse the expenses of members of the Board of Directors. Generally, the agency that a member of the Board represents provides for compensation and reimbursement of expenses associated with representing that agency on the Board of the Authority, in accordance with the rules of that agency.

RULE 28 - AMENDMENT OF RULES

By motion made, seconded and approved, the Board in its discretion may at any meeting (a) temporarily suspend these rules in whole or in part, (b) amend these rules in whole or in part, or (c) both.



Topic: New Members
Type: Consent Calendar
Item For: Action; Motion to Recommend Approval of RWA Board
Purpose: Routine; Fiscal/Budget; [RWA Policy 100.6](#)

SUBMITTED BY:	Ashley Flores, CMC Secretary	PRESENTER:	Ashley Flores, CMC Secretary
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EXECUTIVE SUMMARY

This is an action item for the Executive Committee to recommend approval by the Regional Water Authority Board of Directors of the admission of new member resulting in new annualized contributions of \$800.00.

STAFF RECOMMENDED ACTION

Recommend approval by the Regional Water Authority Board of Directors of the admission of Wood Rodgers, Inc. as an Affiliate member.

BACKGROUND

Entities eligible to become Regional Water Authority (RWA) Associate Members include public or private entities with an interest and management role in regional water matters that are not eligible for other classes of membership in RWA. The purpose of the Affiliate relationship is to promote communication between water managers and the community and to support RWA’s efforts to educate and inform the public.

Entities that may become Affiliates include, but are not limited to Cities and Counties that are not water providers; special districts that are not water providers, such as park, cemetery or fire districts; trade associations; chambers of commerce; businesses and institutions that are major water users; and entities that provide services to water providers.

Agencies or water utilities that deliver potable retail or wholesale water in this region are not eligible to become RWA Affiliates, as these agencies are eligible to become RWA Members or Contracting Entities. Agencies or entities with other water management authorities are not eligible to become RWA Affiliates, as these agencies are eligible to become RWA Associate Members.

Each entity that applies to become an RWA Affiliate must be approved by a two thirds majority vote of the RWA Board of Directors. Board approval will be dependent on a demonstration that the Affiliate member will provide support to the mission and goals of RWA. RWA Affiliates do not hold a seat on the RWA.



Agenda Item 3.3

Board, and therefore are not eligible to vote on RWA Board business or policy matters, including legislative/policy issues under Section 7(a) of the RWA joint powers agreement. RWA Affiliates pay an annual fee \$800 per year, which will be subject to adjustment from time to time by the RWA Board. RWA Affiliates are not eligible to participate directly in RWA subscription programs.

FINDING/CONCLUSION

Wood Rodgers Inc. has expressed interest in becoming an Affiliate member. As an Affiliate Member, they intend to support RWA through our specialized expertise, increased engagement with fellow members, and our advocacy in support of the RWA vision. Staff recommends the admittance of Wood Rodgers, Inc. as an Affiliate member.

ATTACHMENTS

Attachment 1- Supporting Letter from Wood Rodgers Inc. dated August 11, 2023



Josette Reina-Luken
Regional Water Authority
2295 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833

Subject: RWA Affiliate Membership

Dear Ms. Reina-Luken and members of the Executive Committee and Board of Directors,

Wood Rodgers has enjoyed our continued engagement with the Regional Water Authority and Sacramento Groundwater Authority and commends your efforts in improving our region's water supply. Over the last 20 years, Wood Rodgers has provided full-service groundwater resources analysis and water supply design to agencies and municipalities throughout Northern California and values the relationships we've built with many of RWA's members and associates. We are passionate about the issues affecting our region's water supply, which is why we want to expand our involvement with RWA through an Affiliate Membership. We have provided our responses to the application questionnaire below:

- **Name of Organization:** Wood Rodgers, Inc.
- **Geographic Scope:** California and Nevada
- **Nature of Organization:** California Corporation
- **Mission:** Our mission is to provide our clients with exceptional service and provide lasting value to society as a whole in the work we do.
- **Water Management Interests in the Sacramento Region:** Wood Rodgers has been an integral partner in the growth and development of the greater Sacramento Region over the past 27+ years, including developing and protecting our region's water resources. We are passionate about the region in which we live, work and play. Wood Rodgers will continue to utilize our local hydrogeologic and water supply expertise in support of a sustainable environment, healthy communities, and water supply reliability and resilience.
- **Mutual Benefits of Affiliate Membership:** As an Affiliate Member, Wood Rodgers intends to support RWA through our specialized expertise, increased engagement with fellow members, and our advocacy in support of your vision.

We appreciate your consideration and look forward to the opportunity to become an Affiliate Member.

Regards,

Kevin Gustorf, PE
Vice President
(916) 341-7425
kgustorf@woodrogers.com

Sean Spaeth, PG, CHG
Associate, Senior Hydrogeologist
(916) 326-5368
sspaeth@woodrogers.com



Topic: Employee Supplemental Benefits
 Type: New Business
 Item For: Action/Discussion
 Purpose: [RWA Policy 400.2](#)

SUBMITTED BY:	Josette Reina-Luken Finance & Administrative Services Manager	PRESENTER:	Josette Reina-Luken Finance & Administrative Services Manager
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EXECUTIVE SUMMARY

This is an action item for the Executive Committee to review staff’s findings regarding the establishment of a medical Flexible Spending Account (FSA), Health Savings Account (HSA), and Dependent Care FSA provider for RWA employees and recommend approval of the selected provider to the RWA Board of Directors.

STAFF RECOMMENDED ACTION

Recommend approval of Total Administrative Services Corporation (TASC) to be the provider for an RWA employee FSA, HSA, and dependent care benefits program beginning January 1, 2024 and authorize the Executive Director to change Personnel Rules Appendix G to incorporate these changes under legal counsel guidance.

BACKGROUND

At the July 25, 2023 Executive Committee Meeting, the Executive Director introduced the concept of providing an optional Flexible Spending account for staff in order for them to take advantage of pre-tax payroll deductions to cover eligible medical and daycare expenses. The Executive Director identified the need to continue to provide a competitive benefits package to retain employees. The Executive Committee was supportive in pursuing these possible options. As a result of the staff’s inquiries to various recommended providers, the chart below outlines the administrative cost from four solicited agencies that would be incurred and shared by RWA, RWA subscription programs (CIMS and WEP), and Sacramento Groundwater Authority (SGA) to implement this benefit service as applicable.

PROVIDER	ANNUAL FEE	MONTHLY MINIMUM (UP TO 10 STAFF)	TOTAL ANNUAL COST
Optum Healthcare Solutions (OPTUM)	\$200 Per Year	\$150 Monthly	\$2000
Total Administrative Services Corporation (TASC)	\$400 Per Year	\$75 Monthly	\$1300
NAVIA Benefits Solution (NAVIA)	\$0 Per Year	\$200 Monthly	\$2400

Agenda Item 4



Benefit Coordinator's Compensation (BCC)	Non-Responsive after 3 attempts	Non-Responsive after 3 attempts	Non-Responsive after 3 attempts
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FINDING/CONCLUSION

Based on the price comparison, TASC is the least expensive provider and offers up to four health benefit account options for this price including Flexible Spending Account (FSA) to be used in a given calendar year timeframe; Health Savings Account (HSA) that is a year-to-year roll-over savings account for those who are enrolled in a high deductible care plan and not participating in an FSA; and Dependent Care FSA which provides annual daycare expense reimbursement (up to \$5000 maximum) for dependents up to the age of 13. Flexible and health savings accounts can cover qualified medical expenses for staff, their spouse/domestic partner, and dependents (up to the age of 26) in accordance with IRS determined maximum limits. RWA will have available a potential fourth benefit package option that they can choose at a later time at no additional cost. Future, additional benefit packages available can be either employee or employer funded options. However, only employee funded packages are being considered at this time.

TASC is a well-known organization within the employee benefits management space. TASC has over 45 years of experience in benefits administration with more than 72,000 clients including the federal government, Special District Risk Management Authority, and Placer County Transportation Planning Agency. Some of the RWA staff members have previous and positive experience using TASC services. TASC provides easy access to view and manage employee accounts and reimbursement approval processes through their web portal, mobile app, and/or debit card devices with most reimbursement requests being approved within 24 hours or less.

If the Executive Committee recommends the establishment of an FSA, HSA, and Dependent Care Program with TASC as the selected provider, then this item will be placed on the September RWA Board of Directors agenda for approval to begin this offering in the next calendar year in conjunction with the upcoming open-enrollment period. Additionally, the Board will approve authorizing the Executive Director to make the necessary changes to the Personnel Rules Appendix G, Employee Health Benefits, under legal counsel guidance to reflect this additional offering.

This item supports RWA Policy 400.2 Compensation Policy which states, "the compensation practices of the Authority will be competitive within the industry and geographical area to attract the most qualified candidates and to minimize turnover of its employees."

ATTACHMENTS

Attachment 1- TASC Proposal

PROPOSAL PREPARED FOR

Regional Water Authority

Total Administrative
Services Corporation

Date Submitted:
07/27/2023

SUBMITTED TO:

Josette Reina-Luken



PREPARED BY:

Craig Robinson | Direct Sales Director
Total Administrative Services Corporation
E-mail: craig.robinson@tasconline.com
Phone: (608) 268-8841

WHY TASC

It started with a desire to help a friend.

Total Administrative Services Corporation (TASC) was founded on a simple belief: regular people should be able to receive the same tax advantages as large corporations.

In the process, we brought simplicity to one of the most complicated systems in the world: the US tax code. The solution worked so well, we continued to invent products that transformed the lives of farmers and other entrepreneurs, their families, and their communities. And we're still in the life-changing business for employers of all sizes, in all markets, today.

After more than 45 years in the benefit administration industry, our conviction is stronger than ever. We've discovered a new way to remove complexity, a new way to help Americans pay less tax and invest more in their health and prosperity.

We are committed to understanding our clients' needs and ambitions and will configure a solution, whether they have one employee or one million. Because when Americans have more money to spend, when they invest in their health, when they have the tools to support their families, when they give back to their communities, when they save and grow, **we all benefit.**

We're proud to help more than 72,000 organizations offer benefit accounts to millions of their employees all across the US. That's a lot of money saved, a lot of people helped, and a lot of good to share.



72,000
Clients
across the
United States



\$2.7
Billion
in funds handled
annually



\$30
Billion
saved in taxes by
TASC clients and
participants



\$1 Million
donated to charity
by TASC and its
employees in last
year

Introducing NEW MyTASC

Our customers asked for it, and we delivered it!

New MyTASC is a single sign-on platform that combines our Continuation Services (COBRA) with our Universal Benefit Accounts (UBA) accounts. This *smart solution* offers an “endless aisle” option to meet your evolving business needs. Not only does it provide ease to the employer, but it is also employee centric. It allows the employee to respond to and manage diverse needs of the workforce at any life stage and throughout all phases of the employment life cycle.

With TASC New MyTASC, Employers Can Now...

1. Build a Benefit Plan to Meet Your Unique Needs:	Have the flexibility to customize benefit offerings that meets unique and evolving workforce needs.
2. Remove Complexity:	Make it easy to reap maximum tax savings and navigate benefit rules and regulations.
3. Save Time and Money	Manage all benefits with one card, one website, one app – an all-access pass to maximize efficiency and value.

1

Single Sign-On with Access to Everything. Your UBA benefit plan and continuation accounts within one experience means no more toggling between systems!



Better, More Responsive Service. Integration of all systems makes service requests easier and allows those requests to funnel into one customer service flow. Making administration straight-forward and response times more palatable.



Participants Pay *Their* Way. Participants can use TASC Card or any other major credit/debit card for premium payments, set up auto-pay or choose to print and send coupons with check via mail - and they can do it "on the go" through the app!



Integrated Web-based & Mobile Participant Experience. All accounts are accessible in ways that work for the participant.



Industry-Leading Security. 24-hour back-up and 30-day back-up storage from ransomware; Role-based and Biometric security across all offerings.

WHY UNIVERSAL BENEFIT ACCOUNT®

Take pride in choosing a groundbreaking benefits solution that returns value to your company.

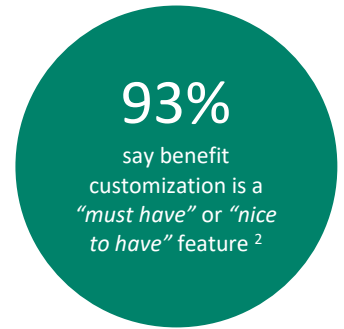
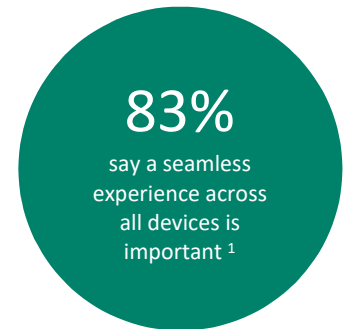
For most employers, benefit accounts are separate, based on no single vendor having a total comprehensive solution. In fact, most employers still use 'siloes' platforms today with separate vendors, separate systems and processes, separate cards to pay with, separate websites and logins, and separate passwords to remember. That's no fun!

TASC decided to take a different approach. A **single way** to focus on the universal outcome that all benefit accounts share: easy access to your accounts with the technology that life demands!

Thus, the Universal Benefit Account (UBA) system was born.

This forward-thinking approach will set you apart and give you access to features that matter:

- ✓ **Attract and retain top talent.** Show employees you care with a benefits experience built around their needs. Easily build a benefit plan that sets you apart in the marketplace. Choose from FSA, HSA, HRA and over 50 other benefits, all on one instantly configurable platform.
- ✓ **Simplify administration.** When a regulation changes or your needs evolve, there are no new contracts to sign or employee data to recapture. Simply turn on a new benefit that is seamlessly integrated into our platform.
- ✓ **Confidence in a trusted partner.** Our solution and commitment is backed by over 45 years of industry experience. We invest in you because we know how important your investment is to your business and employees.



But don't take our word for it, check out what some TASC clients have to say about their UBA experience!

"TASC Healthcare and Dependent Care FSA is very helpful to our employees so they use less of their disposable income and save money on their medical and childcare expenses. I love the mobile app. It is super easy to use and the information you need is always quick and easily accessible."

"It's easy to use, there are several easy options to get reimbursed, and the online system is rather user-friendly. Customer service is great, and having used it over several years I highly recommend it as an FSA plan."

¹ Society for Human Resource Management Employee Benefits Survey; March 2018

² MetLife Employee Benefit Trends; 2021

WHAT SETS US APART FROM THE OTHERS...

Our commitment to excellence and innovation extends far beyond the clients we serve.

We help organizations of all sizes focus more on employees and culture and less on administrative tasks. We listen to employers and their employees and respond with innovative solutions that integrate technology, tailored customer service, and quick, transparent processing. No matter how the industry changes or your needs evolve, we'll be here to listen and grow alongside you.



Robust Service Offerings: From Universal Benefit Account, to Continuation, to Compliance— we have you covered!



Best-In-Class Onboarding: Every new TASC client receives an Implementation Call to ensure a quicker, easier, and more accurate implementation of their benefit and compliance programs with TASC.



Endless Aisle: The endless aisle showcases the power of Universal Benefit Account. With 50+ existing accounts, TASC will always be positioned to stand up an infinite number of accounts based on client, market, or legislative needs.



Audit Guarantee: Our Audit Guarantee gives our clients and distributors peace of mind knowing TASC stands behind our offering and will support our client in the event of an audit.



Fastest Access to Funds: MyCash is the fastest reimbursement model in the benefit administration industry and reimburses participants within hours of their claims submission and approval.



Access to Plan Advisors: Current UBA clients will have access to an advisor, who can help you plan, select and tackle important employee benefit account decisions as your business evolves.

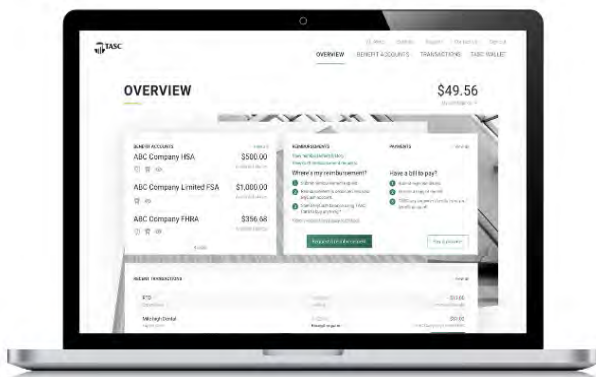


Participants Save with Beneshop: Beneshop makes shopping for healthcare products easier and more affordable. Your participants can shop FSA/HSA eligible items on Beneshop from their mobile app all while saving more money!

ONE EXPERIENCE

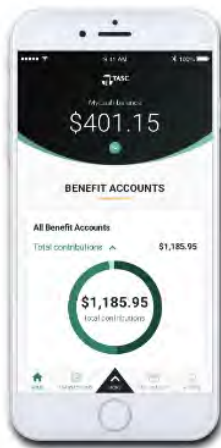
Universal Benefit Account delivers a single, consistent, intuitive experience across all devices and services, for HR and employees alike.

Imagine the time and money savings by integrating all the benefit accounts on one platform. Self-service tools across an intuitive employee digital experience also help replace calls to HR and drives engagement.



ONE Web Portal

- ✓ One-stop, online access to **all** enrolled accounts.
- ✓ Help is a click or call away. Get the support you need, anytime and anywhere!
- ✓ Easily perform routine **functions on-demand** like add, enroll and terminate employees in a benefit plan.
- ✓ Access to **robust reporting!** Clients can access reports on enrollment, funding, participant balance summary, and month-end statement suite!
- ✓ **EDI feeds** from a variety of systems. Simplify enrollment, eligibility management, and payroll deductions.



ONE Mobile App

- ✓ No need for a shoe-box full of receipts. Keep them in one convenient place with **Receipt Repository**.
- ✓ Stay informed on where and how your benefit dollars are being used with Alerts.
- ✓ Take a picture of your bill and submit. We'll pay it with the **Picture to Pay the Provider** feature on the app.
- ✓ Easy 24/7 secure access to benefit information with One Password or Fingerprint Touch ID.
- ✓ Lost or misplaced your TASC Card? Use your app to quickly and easily lock or unlock access with **TASC Card Lock**.



ONE Card

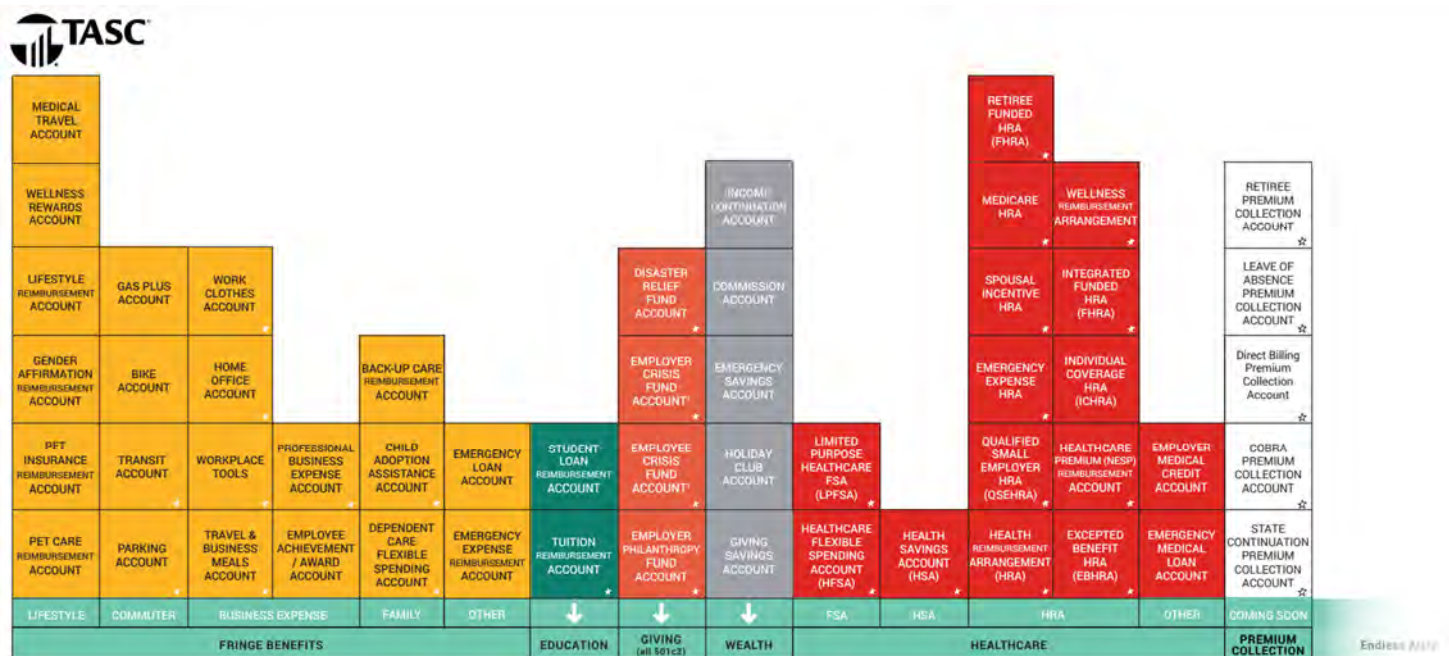
- ✓ Pay for expenses out-of-pocket and we reimburse you within 24 hours.
- ✓ The **TASC Wallet** is for all your benefits. Swipe your card and its smart enough to know which accounts to draw funds from automatically, for qualified and other expenses.
- ✓ Use your TASC card to get access to **MyCash** with ATM Locator.

THINK BEYOND TRADITIONAL BENEFITS

With Universal Benefit Account®, choose from a growing list or Endless Aisle of health, wealth and well-being benefit accounts to configure a custom benefit plan that meets the unique needs of prospective hires and current employees, by recognizing their individuality and meeting them where they are in life.

Focus on what matters most, creating a unique benefit plan your employees will love!

- 1. Begin by setting yourself apart from the competition with fringe benefits,** accounts that reimburse employees for expenses associated with raising a family, commuting and doing their job: dependent care, transit, pet care, and home office supplies. Fringe accounts help you stand out to job seekers who are considering your company.
- 2. Next, consider wellness, education and giving accounts** that reward healthy living, higher education and a philanthropical heart. These accounts create a positive culture, showing you care about your employees and have their best interests in mind.
- 3. Top off your benefit package traditional healthcare accounts** that help your employees dramatically save on everyday medical, dental and vision expenses. These are the basic benefits that employees have come to expect from top employers like Healthcare FSA, HRAs, HSAs and more!



UNIVERSAL BENEFIT ACCOUNT OPTIONS

Select all the UBA accounts to be quoted in this sales proposal:

HEALTHCARE	Flexible Spending Accounts (FSA)	<input checked="" type="checkbox"/>	Healthcare FSA		
		<input type="checkbox"/>	Limited Purpose Healthcare FSA (LPPFSA)		
	Health Savings Account (HSA)	<input checked="" type="checkbox"/>	Health Savings Account (HSA)		
	Health Reimbursement Arrangements (HRA)	<input type="checkbox"/>	Health Reimbursement Arrangement (HRA)	<input type="checkbox"/>	Medicare HRA
		<input type="checkbox"/>	Integrated Funded HRA (Integrated FHRA)	<input type="checkbox"/>	Spousal Incentive HRA
		<input type="checkbox"/>	Retiree Funded HRA (Retiree FHRA)	<input type="checkbox"/>	Emergency Expense HRA
		<input type="checkbox"/>	Individual Coverage HRA (ICHRA)		
		<input type="checkbox"/>	Excepted Benefit HRA (EBHRA)		
		<input type="checkbox"/>	Qualified Small Employer HRA (QSEHRA)		
		<input type="checkbox"/>	Wellness Reimbursement Arrangement		
		<input type="checkbox"/>	Healthcare Premium (NESP) Reimbursement Account		
		<input type="checkbox"/>	Healthcare Premium Reimbursement Arrangement (<i>Employer-Only Funded</i>)		
FRINGE		Family Accounts	<input checked="" type="checkbox"/>	Dependent Care FSA	
	<input type="checkbox"/>		Back-up Care Reimbursement Account		
	<input type="checkbox"/>		Child Adoption Assistance Account		
	<input type="checkbox"/>		Fertility Assistance Account		
	Lifestyle Accounts	<input type="checkbox"/>	Lifestyle Reimbursement Account		
<input type="checkbox"/>		Gender Affirmation Reimbursement Account			
<input type="checkbox"/>		Pet Insurance Reimbursement Account			
<input type="checkbox"/>		Pet Care Reimbursement Account			
<input type="checkbox"/>		Wellness Rewards Account			
Commuter	<input type="checkbox"/>	Medical Travel Account			
	<input type="checkbox"/>	Parking Account			
	<input type="checkbox"/>	Transit Account			
	<input type="checkbox"/>	Bike Account			
Other	<input type="checkbox"/>	Gas Plus Account			
	<input type="checkbox"/>	Emergency Expense Reimbursement Account			
	<input type="checkbox"/>	Employee Achievement/Award Account			
Accountable Plans (Business Expense Accounts)	<input type="checkbox"/>	Vaccination Reward Account			
	<input type="checkbox"/>	Professional Business Expense Account			
	<input type="checkbox"/>	Home Office Account			
	<input type="checkbox"/>	Travel and Business Meals Account			
	<input type="checkbox"/>	Work Clothes Account			
ED	Education Accounts	<input type="checkbox"/>	Workplace Tools Account		
		<input type="checkbox"/>	Office Supplies Expense Reimbursement Account		
GIVE	Giving Accounts	<input type="checkbox"/>	Tuition Reimbursement Account		
		<input type="checkbox"/>	Student Loan Reimbursement Account		
Wealth	Wealth Accounts	<input type="checkbox"/>	Employer Crisis Fund Account	<input type="checkbox"/>	Employer Philanthropy Fund Account
		<input type="checkbox"/>	Employee Crisis Fund Account	<input type="checkbox"/>	Disaster Relief Fund Account
		<input type="checkbox"/>	Giving Savings Account	<input type="checkbox"/>	Emergency Savings Account
		<input type="checkbox"/>	Commission Account	<input type="checkbox"/>	Holiday Club Account

TOTAL # OF ACCOUNTS SELECTED:

3

PARTNER WITH TASC

Now that you picked the right accounts for your unique benefit plan, it's time to price it out. Thankfully, TASC UBA provides a straightforward approach to pricing, which makes it easy to buy and manage benefits as your needs evolve. All TASC clients follow this simplified process:

Annual Membership Fee

Gain access to TASC's expert administrative and customer service support as well as our self-service online administration portal, the TASC Card, Mobile App, MyCash, Picture to Pay, and more.

Level Options and Monthly Fee

Select the number of accounts you want to include within your desired benefit plan. Your plan becomes more cost-effective with each new account that you add, and our unlimited option provides access to everything we offer.

- » **Level 1: One** benefit account
- » **Level 2: Two, three or four** benefit accounts
- » **Level 3: Unlimited** benefit accounts



Proposed Fees for: Regional Water Authority

Number of Employees:	<u>10</u>
Plan Start Date:	01/01/2024

Annual Membership Fee	\$400.00
Includes:	
<input checked="" type="checkbox"/> Access to TASC’s expert administrative and customer service support <input checked="" type="checkbox"/> Cloud-based secure online portal <input checked="" type="checkbox"/> TASC Card <input checked="" type="checkbox"/> Mobile app	<input checked="" type="checkbox"/> MyCash Account <input checked="" type="checkbox"/> Picture to Pay / Pay the Provider <input checked="" type="checkbox"/> TASC Wallet <input checked="" type="checkbox"/> Audit Guarantee <input checked="" type="checkbox"/> And more...
Monthly Administration Fee <i>(per Participant, per Month)</i> <i>Based on total number of employees included with annual census and selected level</i>	\$5.00
Monthly Minimum Fee <i>(apply if greater than PPPM fee)</i>	\$75.00
Level Selected <i>(based on # of accounts):</i>	
<input type="checkbox"/> Level 1 (one account) <input checked="" type="checkbox"/> Level 2 (two-four accounts) <input type="checkbox"/> Level 3 (unlimited accounts)	
Add-On Packages <i>(optional)</i>	\$
FIRST YEAR ESTIMATED FEE	

GUARANTEES: The pricing presented in this proposal is guaranteed for 90 days.

Any and all information in this TASC proposal is confidential and can be used for the sole purpose of placing a client with TASC. Any disclosure of this information to any other third party is a breach of the TASC Agency Agreement(s) and will cause losses to TASC. TASC will immediately terminate any agreement with any person who discloses the information to an unauthorized third person and seek immediate reimbursement for any loss attributable to the disclosure.

TC-6131-031323

Topic: Position on the Stream Act (S. 2162)
Type: New Business
Item For: Discussion and Action
Purpose: Policy 100.5 and Strategic Plan Priority- Advocacy Objective A

SUBMITTED BY:	Jim Peifer Executive Director	PRESENTER:	Jim Peifer Executive Director
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EXECUTIVE SUMMARY

This item is for the Executive Committee to take a position on the recently reintroduced bill titled the **Support to Rehydrate the Environment, Agriculture and Municipalities Act**, or [STREAM Act \(S. 2162\)](#) by Senator Feinstein.

STAFF RECOMMENDED ACTION

A motion to approve a position of support for the [STREAM Act \(S. 2162\)](#).

BACKGROUND

Senator Feinstein previously submitted a version of the STREAM Act in the previous congressional term which the Executive Committee supported. The bill has been reintroduced with revisions and was reintroduced in the 118th Congress by Senator Feinstein along with Senator Kelly and Senator Sinema. A summary is attached.

Senator Feinstein’s [press release](#) states (in part):

“In combination with the bipartisan infrastructure law, this funding would provide California with more than 1 million additional acre-feet of water per year on average, enough water for more than 6 million people, including:

Approximately 400,000 additional acre-feet from offstream storage and groundwater storage projects (including construction of Sites Reservoir, expansion of Los Vaqueros Reservoir and the raising of B.F. Sisk Dam, plus other potential projects like the **Sacramento Regional Groundwater Bank** and Del Puerto Canyon Reservoir).”

FINDING/CONCLUSION

The action is consistent with Policy Principles adopted as part of RWA policy 100.5 and Strategic Plan Priority- Advocacy Objective A.

ATTACHMENTS

Attachment 1- Summary of the Stream Act

Summary of STREAM Act Senators Feinstein, Kelly and Sinema -- June 2023

- **Expedites non-federal storage projects with less than \$250 million in federal funding, water recycling, and desalination projects by allowing Interior to approve the projects.**
 - This provision is needed following the *Water Infrastructure Improvements for the Nation Act*'s expiration in December 2021. Absent this provision, Congress must individually authorize all water recycling, desalination and storage projects, with the exception of projects that receive construction funding under the bipartisan infrastructure legislation.
 - Allowing projects to proceed with Interior's approval avoids frequent and lengthy delays in the Congressional approval process.
- Authorizes \$750 million in funding for surface and groundwater storage and conveyance projects (including natural water retention and release projects).
- Authorizes \$300 million for water recycling projects, \$150 million for desalination projects, \$100 million for projects to provide drinking water for disadvantaged communities, and \$250 million for environmental restoration projects.
- **Requires Congressional approval of future federal storage projects** and non-federal storage projects with over \$250 million in federal funding. Congressional approval is appropriate for federal and the most expensive projects.
- **Shortens timeline for Congressional approval of Federal storage projects** through a "Reclamation WRDA" process where Reclamation notifies Congress of completed feasibility studies each year to set up an orderly process to authorize projects.
- **Grandfathers storage projects that receive construction funding from the \$1.15 billion provided for storage in the bipartisan infrastructure law** so they can receive storage funds authorized under this bill and they do not need further authorization to complete construction.
- **Federal non-reimbursable grants are available for non-Federal storage projects funded by the bill only if they have public benefits** that are provided either directly as part of the project or through federal spending on environmental benefits in the same watershed approved as part of a watershed plan adopted together with the project.
 - If a project does have public benefits, it can receive non-reimbursable grants for water supply benefits on a dollar-for-dollar basis for each dollar of public benefits the project provides, up to the 25% maximum federal cost-share (e.g. a project can receive \$5 million in non-reimbursable funding for water supply if it has \$5 million or more of public benefits). This incentivizes multi-benefit projects with water supply and environmental benefits.
 - Non-federal storage projects with water supply benefits only are eligible for reimbursable funding.
- **During droughts, Interior can implement emergency drought relief projects through building permanent facilities, if those facilities are supported by the State where the projects are located and require a federal investment of less than \$30 million.**
 - Current law allows funding only for temporary facilities, excepting groundwater wells.
 - Given the increased frequency of droughts, it is more efficient to install permanent facilities rather than frequently installing and removing temporary facilities.



Topic: RWA Board of Directors Agenda
Type: New Business
Item For: Action; Motion to Approve
Purpose: [Policy 200.2](#)

SUBMITTED BY: Jim Peifer
Executive Director

PRESENTER: Jim Peifer
Executive Director

EXECUTIVE SUMMARY

This is an action item for the Executive Committee to review and consider approving the draft Agenda of the Regular Regional Water Authority (RWA) Board of Directors Meeting of September 14, 2023.

STAFF RECOMMENDED ACTION

A motion to approve RWA Board of Directors Agenda for September 14, 2023, Board Meeting.

BACKGROUND

Per RWA Policy 200.0, the Executive Committee will be authorized to prepare and approve agendas for meetings of the RWA Board of Directors.

Please be aware that the regularly scheduled Board meeting for September 14, 2023 will be held at City of West Sacramento – City Hall located at 1110 W Capitol Ave., West Sacramento, CA 95691.

FINDING/CONCLUSION

The Executive Director has prepared the draft Agenda for the RWA Board of Directors Special Meeting June 14, 2023 for the RWA’s Executive Committee’s to review and approval.

ATTACHMENTS

Attachment 1- Draft RWA Board of Directors Agenda for September 14, 2023 Board Meeting



**REGIONAL WATER AUTHORITY
MEETING OF THE BOARD OF DIRECTORS**

Thursday, September 14, 2023 at 9:00 a.m.

**City of West Sacramento - City Hall
1110 W Capitol Ave.
West Sacramento, CA 95691
(916) 967-7692**

IMPORTANT NOTICE REGARDING VIRTUAL PUBLIC PARTICIPATION:

The Regional Water Authority currently provides in person as well as virtual public participation via the Zoom link below until further notice. 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.

Join the meeting from your computer, tablet or smartphone

<https://us06web.zoom.us/j/83679455812?pwd=NTQ4OEdWbzZZT2h1M0xRc1RTdkRCUT09>

Phone: 1-669-900-6833

Meeting ID: 836 7945 5812 Passcode: 094844

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) 967-7692. 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.

AGENDA

- 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. 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.

3.1 Approve the draft meeting minutes of June 14, 2023, RWA Special Board Meeting.

3.2 Approve Change Order #4 in the amount of \$521,900 with Stantec Consulting Services Inc for additional technical and planning support for continued development of the Sacramento Regional Water Bank and authorize the Executive Director to execute.

3.3 Approve Task Order #2 in the amount of \$150,000 with Khadam Consulting Inc for additional technical support for continued development of the Sacramento Regional Water Bank and authorize the Executive Director to execute.

3.4 Approve RWA Affiliate membership request for Wood Rodgers, Inc.

Action: Approve Consent Calendar items as presented

4. EMPLOYEE SUPPLEMENTAL BENEFITS

Presenter: Josette Reina-Luken, Finance & Administrative Services Manager

Discussion/Action: Approval of Total Administrative Services Corporation (TASC) to be the provider for an optional RWA employee FSA, HSA, and dependent care benefits program beginning January 1, 2024 and authorize the Executive Director to change Personnel Rules Appendix G to incorporate these changes under legal counsel guidance

5. PROPOSED REVISIONS TO RWA POLICY 200.1 THE RULES FOR PROCEEDINGS

Presenter: Jim Peifer, Executive Director

Discussion/Action: Approve proposed revisions to RWA Policy 200.1 the Rules for Proceedings

6. INFORMATION/PRESENTATION: REGIONAL WATER BANK UPDATE

Presenter: Trevor Joseph, Manager of Technical Services

7. INFORMATION/PRESENTATION: ARTESAN AGREEMENT UPDATE

Presenter: Michelle Banonis, Manager of Strategic Affairs

8. INFORMATION/PRESENTATION: LEGISLATIVE AND REGULATORY UPDATE

Presenter: Ryan Ojakian, Manager of Legislative and Regulatory Affairs

9. INFORMATION/PRESENTATION: 2024 RWA BOARD ELECTIONS OFFICERS AND EXECUTIVE COMMITTEE

Presenter: Jim Peifer, Executive Director and Ashley Flores, Board Clerk

10. EXECUTIVE DIRECTOR'S REPORT

11. DIRECTORS' COMMENTS

ADJOURNMENT

Next RWA Board of Director's Meeting:

November 9, 2023, 9:00 a.m. at the Sacramento Area Sewer District & Sacramento Regional County Sanitation District, 10060 Goethe Road, Sacramento, CA 95827. The location is subject to change.

Next RWA Executive Committee Meeting:

September 26, 2023, 1:30 p.m. at the RWA Office, 2295 Gateway Oaks, Suite 100 Sacramento, CA 95833.

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/>.

Posted on September 7, 2023

Ashley Flores, CMC, Secretary



Topic: Legislative and Regulatory Update
Type: New Business
Item For: Information/Presentation
Purpose: Policy 100.5 and Strategic Plan Priority- Advocacy Objective A

SUBMITTED BY:	Ryan Ojakian Legislative and Regulatory Affairs Manager	PRESENTER:	Ryan Ojakian Legislative and Regulatory Affairs Manager
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EXECUTIVE SUMMARY

This is a information item for the RWA Executive Committee to receive an update on various State legislation. Ryan Ojakian, Legislative and Regulatory Affairs Manager, will provide an oral report on legislation and recommended Executive Committee action as the Legislature moves into its final month of session.

STAFF RECOMMENDED ACTION

None. This item is for information/discussion only.

BACKGROUND

The Legislature reconvened from summer recess August 14th. The legislative session concludes September 15th. Bills may be amended, including gut and amends, up until September 12th. There may be a need for RWA to adjust positions based on amendments. Ryan Ojakian will provide and update on major topics expected to be resolved at the end of the legislative session.

FINDING/CONCLUSION

The action is consistent with Policy Principles adopted as part of RWA policy 100.5 and Strategic Plan Priority- Advocacy Objective A



Topic: Executive Directors’ Report
Type: New Business
Item For: Information
Purpose: General

SUBMITTED BY:	Jim Peifer Executive Director	PRESENTER:	Jim Peifer Executive Director
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EXECUTIVE SUMMARY

This is an information item for the Executive Director to provide a briefing on important activities, reports, communications, advocacy, and other updates.

STAFF RECOMMENDED ACTION

None. This item is for information/discussion only.

BACKGROUND

This agenda item is a standing item to provide an opportunity for the Executive Director to report to the Executive Committee on important activities, reports, communications, advocacy, and other updates.

The Water Bank will be featured as part of a video series produced by the California Department of Water Resources to highlight groundwater recharge projects throughout the state. The Water Bank joins [Roseville’s Aquifer Storage and Recovery](#) as one of the key initiatives to be featured. You can find other DWR groundwater recharge videos [here](#).

The RWA hosted a tour of Water Bank facilities for federal agencies in partnership with the City of Roseville on August 15th. Local and Washington, DC-based representatives from Reclamation and local representatives from the U.S. Geological Services learned why the Water Bank is critical to a reliable water future with climate change.

Billboards promoting Summer Strong landscape practices will begin appearing throughout the Sacramento region in August and run through September. Digital signs will appear on the major highways in Sacramento and Placer counties, including Highway 99 near Mack Rd., I-80 near Northgate Blvd., I-80 near Douglas Blvd., U.S. 50 near Sunrise Blvd., and other locations. See the billboard artwork [here](#).

Correspondence from the Environmental Council of Sacramento (ECOS) – ECOS has sent a letter to the RWA (Attachment 1) regarding the accounting system for the Water Bank. Among other items, they are interested in the effectiveness of the SGA Water Accounting Framework.

SAVE THE DATE: SGA 25th Anniversary Event: Thursday, September 21, 2023, 8 to 9:30 a.m. at the Sutter Club, 1220 9th Street, in Sacramento. Confirmed speakers include California Senators Angelique Ashby and Roger Niello participating in an engaging conversation moderated by John McGinness, KFBK radio host (AM 1530 and FM 93.1) and former Sacramento County Sheriff. The trio will discuss the evolution of groundwater management and politics in California and the Sacramento region over the past 25 years. **Sponsorships Available:** Contact Michelle Smira at (916) 479-3687 or michelle@mmsstrategies.com. Additional details and registration link to come!

Attachments:

Attachment 1 - Letter from ECOS



Post Office Box 1526 | Sacramento, CA 95812-1526

Mr. Jim Peifer, Executive Director
Regional Water Authority
jpeifer@rwah2o.org

Subject: Accounting System for the Regional Water Bank

Dear Mr. Peifer,

I am writing to suggest a meeting between members of the Regional Water Authority (RWA) who are overseeing efforts to develop a Federally Authorized Regional Water Bank (Regional Water Bank), you and your staff, and members of the Environmental Council of Sacramento's (ECOS) Water Committee to discuss efforts to develop an Accounting System for the Regional Water Bank.

We have followed with interest RWA's efforts to develop the Regional Water Bank. We appreciate RWA's extensive efforts to reach out to the community to provide information and education about the region's water situation and how a water bank can help address future water supply needs.

The Water Committee recently reviewed the 2012 Water Accounting Framework published on RWA's website. We understand this framework was utilized by RWA prior to the passage and implementation of the Sustainable Groundwater Management Act (SGMA) and the subsequent development of the region's Groundwater Sustainability Plans.

We are interested in learning about how effective the 2012 Accounting Framework was in tracking and accounting for groundwater transactions within the bank, and which aspects of the 2012 Framework may be included in the new Regional Water Bank Accounting Framework currently in development. We are also interested in discussing how the requirements of SGMA will be incorporated in the Framework. Also, we suspect that the expanded monitoring and modeling of both the North and South American subbasins has provided additional sophistication and understanding of how groundwater moves within and between these subbasins. We would like to hear your plans for including this added technical understanding of subbasin operations into the accounting framework. We would also like to learn how you plan to account for any deposited ground water losses, and ideas you are considering regarding the use of portions of deposits to address groundwater dependent ecosystem needs, and, as a set asides to improve basin storage. Finally, the 2012 framework seemed to establish pumping levels for participants tied to water years. Is this approach one you are considering going forward, and would any resulting pumping agreements be included in Individual Purveyor Agreements established as part of the Water Forum 2 process?



ECOS

ENVIRONMENTAL
♦ COUNCIL ♦
OF SACRAMENTO

Post Office Box 1526 | Sacramento, CA 95812-1526

We look forward to a discussion with RWA on these and other Framework topics, and wait to hear from you in order to coordinate a meeting.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Ted'.

Ted

Cc: ECOS Water Committee



Topic: Board Directors' Comments
Type: New Business
Item For: Information
Purpose: Routine

SUBMITTED BY: Jim Peifer Executive Director PRESENTER: Brett Ewart Vice Chair

EXECUTIVE SUMMARY

This is an information item to provide an opportunity for the RWA Executive Committee to report on any updates from their agency, comments, request future agenda items, recommendations, and questions.

STAFF RECOMMENDED ACTION

None. This item is for information only.

BACKGROUND

This agenda item is a standing item to provide an opportunity to report on any updates from their agency, comments, request future agenda items, recommendations, and questions.