



**SAWPA COMMISSION  
REGULAR MEETING MINUTES  
JUNE 4, 2019**

**COMMISSIONERS PRESENT**

Ronald W. Sullivan, Chair, Eastern Municipal Water District  
Kati Parker, Vice Chair, Inland Empire Utilities Agency  
Denis R. Bilodeau, Secretary-Treasurer, Orange County Water District  
Brenda Dennstedt, Western Municipal Water District  
T. Milford Harrison, San Bernardino Valley Municipal Water District

**COMMISSIONERS ABSENT**

None.

**ALTERNATE COMMISSIONERS  
PRESENT; NON-VOTING**

Jasmin A. Hall, Alternate, Inland Empire Utilities Agency  
June D. Hayes, Alternate, San Bernardino Valley Municipal Water District

**STAFF PRESENT**

Rich Haller, Larry McKenney, Karen Williams, Mark Norton, Dean Unger,  
Carlos Quintero, David Ruhl, Matthew Howard, Kelly Berry

The Regular Commission Meeting of the Santa Ana Watershed Project Authority was called to order at 9:30 a.m. by Chair Sullivan at the Santa Ana Watershed Project Authority, 11615 Sterling Avenue, Riverside, California.

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

Roll call was duly noted and recorded by the Clerk of the Board.

**3. PUBLIC COMMENTS**

There were no public comments.

**4. COMMENDATION | REGINA PATTERSON**

Chair Sullivan and General Manager Haller thanked Regina Patterson for over 27 years of public service at SAWPA and presented her with a commendation plaque. Regina Patterson voiced her appreciation and thanked General Manager Haller for his guidance during her years at SAWPA. General Manager Haller introduced Katie Lucht, who will be stepping in at Regina's retirement.

**5. CONSENT CALENDAR**

**A. APPROVAL OF MEETING MINUTES: MAY 21, 2019**

Recommendation: Approve as posted.

**MOVED**, approve the May 21, 2019 meeting minutes.

Result: **Adopted (Unanimously)**

Motion/Second: Harrison/Parker

Ayes: Bilodeau, Dennstedt, Harrison, Parker, Sullivan

Nays: None

Abstentions: None

Absent: None

**6. WORKSHOP DISCUSSION ITEMS**

**A. BABCOCK LABORATORIES PRESENTATION**

Allison MacKenzie, Babcock Laboratories CEO, provided a PowerPoint presentation about services provided to SAWPA in supporting Inland Empire Brine Line operations and their role as a collaborative partner in ensuring water quality objectives within the basin. Babcock has provided analytical testing services to the Inland Empire region since 1906, has partnered with SAWPA for over 40 years, and is centrally located in the watershed. Testing services support Brine Line water quality and regulatory compliance as well as microbiology expertise in the region. MacKenzie extended an invitation for the Commission and staff to attend the upcoming Technical Environmental Analytical Meeting at their facility on June 20, 2019, when PFAS regulatory updates will be discussed and a tour of their facility will be provided.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 6.A.

**B. MWDSC CLOUD SEEDING PROGRAM (CM#2019.53)**

Tom Ryan, Metropolitan Water District of Southern California (MWDSC), provided the PowerPoint presentation contained in the agenda package on pages 14-43. Commissioner Harrison asked about the viability of a cloud seeding program in Southern California. Ryan noted it could be viable; there are approximately 500,000 acres above 5,000 feet in Southern California that are available target areas, with multiple overlapping jurisdictions and at least three national forests. The first step would be conducting a climatology study and determining whether the goal would be increased rain or snow.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 6.B.

**7. NEW BUSINESS**

**A. PARKING LOT RESTORATION AND IMPROVEMENTS (CM#2019.54)**

Carlos Quintero provided a PowerPoint presentation regarding restoration and improvements to the SAWPA parking lot relating to the WMWD La Sierra Pipeline project. Through the proposed Memorandum of Understanding (MOU), the cost share percentage for the restoration and improvements is estimated to be: SAWPA 32.7% (\$23,200) and WMWD 67.3% (\$47,800). Additionally, SAWPA will pay 100% of \$24,000 for an additional three parking spaces and ADA improvements. WMWD is conducting a bidding process to perform this work; once the actual costs have been determined, staff will present them to the Commission for approval. Work is expected to start during the second week of August.

**MOVED**, authorize the General Manager to execute the Memorandum of Understanding (“MOU”) between the Santa Ana Watershed Project Authority (“SAWPA”) and Western Municipal Water District (“WMWD”) establishing the terms and conditions for the restoration and improvements to the SAWPA parking lot.

Result:	<b>Adopted (Unanimously)</b>
Motion/Second:	Dennstedt/Harrison
Ayes:	Bilodeau, Dennstedt, Harrison, Parker, Sullivan
Nays:	None
Abstentions:	None
Absent:	None

**B. RECOMMENDED FUNDING ALLOCATION AND PROJECTS FOR OWOW PROPOSITION 1 ROUND 1 INTEGRATED REGIONAL WATER MANAGEMENT (IRWM) PROJECT FUNDING (CM#2019.55)**

Matthew Howard provided the PowerPoint presentation included in the agenda packet on pages 58 - 62. The OWOW Steering Committee approved this funding allocation and portfolio of projects for the Proposition 1 Round 1 Integrated Regional Water Management (IRWM) grant program. Staff will work with the North OC Stakeholder Group to incorporate up to four additional IRWM projects expected in North OC and bring those to the Commission at a future date. Although these projects must comply with all Proposition 1 DWR IRWM grant proposal requirements, they will be based on the OC rating and ranking system.

Rich Haller noted that the agreement with the OC Stakeholders approved by the Commission at the May 21, 2019 meeting has been agreed upon by all parties and is now proceeding through each agency for approval for its governing body. Mike Markus, OCWD General Manager noted the expectation is that the OC projects should be selected by mid-July; most likely only 2-3 projects will be selected.

Commissioner Dennstedt advised WRCOG recently received a presentation on the agreement with OC Stakeholders and the proposed portfolio of projects and was pleased with the collaborative progress made by the parties.

**MOVED**, approve the funding allocation and portfolio of projects for OWOW Proposition 1 Round 1 Integrated Regional Water Management Grant Funding.

Result:	<b>Adopted (Unanimously)</b>
Motion/Second:	Parker/Dennstedt
Ayes:	Bilodeau, Dennstedt, Harrison, Parker, Sullivan
Nays:	None
Abstentions:	None
Absent:	None

**C. STRATEGIC PLAN UPDATE (CM#2019.57)**

Rich Haller provided an oral report and requested the Commission consider direction to staff to prepare an update to the 2016 strategic planning efforts of consultant Paul Brown and bring the matter back to the Commission for consideration at a future meeting.

Commissioner Dennstedt noted she met with Mr. Brown in 2016 for an extensive interview to share what she believed were SAWPA's objectives and goals and what the strategic plan should encompass. She suggested a printed copy of Paul Brown's report be provided to the Commission so they could meet with the general manager to discuss goals, priorities, and expectations before we bring this back for further discussion. Chair Sullivan agreed all Commissioners should review the last report from Paul Brown; however, encouraged more of a frank and open discussion among the Commissioners. Commissioner Dennstedt noted her suggestion was a precursor to an open discussion among the Commissioners, so if the general manager would like to make changes or suggestions to that document, he would be able to do so based on those meetings and prior to the meeting of the Commission. Chair Sullivan noted the general manager was welcomed to evaluate and make suggestions relative to the 2016 strategic planning efforts; however, he did not see the value in each Commissioner meeting with the general manager individually.

Commissioner Harrison asked was this supposed to be a three-year or five-year plan; at the time it was approved was there any projection into the future that would necessitate an update? Chair Sullivan noted it wasn't necessarily a strategic plan; it was a process by which the Commission could look forward together into the future as to how SAWPA would operate. Chair Sullivan stated he was supportive of Paul Brown's materials being distributed to the Commission, and stated it would be

appropriate to have General Manager Haller, who was involved in this process in 2016, review the material to determine where we were at the time, where and how we should move forward, and propose any necessary updates.

General Manager Haller suggested revisiting the materials to at least ensure they are consistent with the thoughts of the present Commission and that we are proceeding in the right direction. Commissioner Harrison noted he would like to sit down with someone to review the materials since he was not on the Commission at that time. Chair Sullivan encouraged an open, frank discussion and not one-on-one discussions. Commissioner Dennstedt noted the value of one-on-one meetings would be to provide a historical perspective and background to those who were not involved with the process in 2016, before an open discussion. Chair Sullivan suggested that the Commission provide General Manager Haller an opportunity to review the materials and then develop and present an approach to update this moving forward. General Manager Haller noted the results presented in 2016 would be provided to the Commissioners and Alternates; he welcomed the opportunity to present a future workshop and to prepare the matter for discussion and encouraged future direction from Commissioners at that time.

It was the consensus of the Commission to direct the General Manager to develop an approach to updating the 2016 Strategic Plan and present the approach to the Commission at a future meeting.

**D. REQUEST FOR QUALIFICATIONS (RFQ) FOR LEGAL SERVICES (CM#2019.58)**

Rich Haller noted over time SAWPA has realized the need for a variety of different legal services ranging from OSHA requirements, Human Resources, industrial pretreatment programs, agreements, rights-of-way, public works bidding, construction claims, claims avoidance, etc. It is proposed to seek and evaluate proposals from firms who could work with SAWPA in providing the breadth of services outlined in the Commission Memorandum. If the Commission were to move forward, this could potentially eliminate the need for in-house legal counsel should the Commission so elect. This is simply an opportunity to evaluate available legal consultant services.

Commissioner Dennstedt asked if these services would complement or replace in-house legal counsel; she was not aware of anything relating to current legal counsel that would necessitate issuing the RFQ. General Manager Haller noted the RFQ is structured with a scope of work that details the entirety of SAWPA's legal services, but it could be either option – hire a consultant to provide all legal services or complement existing in-house legal counsel. Commissioner Dennstedt noted it was unclear how complementary legal services would be determined from those that were not; from her perspective cost savings is the primary factor. As an example, WMWD's consultant legal services expenses exceed that of current SAWPA legal in-house counsel. General Manager Haller noted he would evaluate the cost from a business perspective to consider the cost vs. qualifications and skill set of legal services to ensure the value received is worth the cost for SAWPA. Commissioner Dennstedt reiterated this was not discussed during the budget process.

Chair Sullivan noted at this point we could not be certain there would be a budget impact; every district does a review of their legal services as with CPA services and encouraged SAWPA look at statements of qualifications to determine what might be beneficial to SAWPA – which is yet to be determined. Staff should explore what is available and at what cost, which should come back to the Commission for further direction as to cost and other benefits. We are simply seeking to determine expertise, qualifications and costs. In the past, SAWPA has hired outside counsel with specific qualifications to provide legal services; this isn't just about what we need today. To explore something of this nature is up to the Commission; to say that we are not ready to do something is not in the best interests of SAWPA.

Vice Chair Parker noted she felt this was putting the cart before the horse and did not see a need to

proceed; at a point where she could see a need, she would be supportive.

Secretary-Treasurer Bilodeau voiced his support, noting that when we engage in litigation we routinely hire outside legal counsel so we should solicit the market, then have staff evaluate the proposals and bring it back for the Commission to make a decision at that time as to course of action.

Commissioner Harrison stated he did see a value in taking this action, noting it's been his experience that even if you have in-house counsel, there will be occasions when you need the services of specialized counsel. It is beneficial to have someone available with various capabilities, not just singular capabilities, under agreement who can provide specialized services when we need outside counsel. Commissioner Dennstedt noted that when WMWD contracts for specialized legal services, it is not at the exclusion of their general counsel. Commissioner Dennstedt, noting the current organizational chart for SAWPA indicates general counsel reports directly to the General Manager and not the Commission, asked if this is a staffing management decision which should be made by the General Manager or by the Commission. Chair Sullivan noted since this recommendation was brought forward by the General Manager, he didn't see that was a problem; this doesn't mean that we are going to make any changes.

General Manager Haller noted that clarification of the relationship and role of legal counsel with the Commission will be clarified as part of the Employee Handbook update.

**MOVED**, authorize release of a Request for Qualifications (RFQ) for Legal Services.

Result:	<b>Adopted (Passed)</b>
Motion/Second:	Bilodeau/Harrison
Ayes:	Bilodeau, Harrison, Sullivan
Nays:	Dennstedt, Parker
Abstentions:	None
Absent:	None

**E. SAWPA BUILDING RENOVATIONS | NOTICE INVITING BIDS (CM#2019.59)**

Carlos Quintero provided a PowerPoint presentation with an outline of each activity and date of completion. Bids will be received June 17, 2019, the results of which will be brought to the Commission for consideration at the June 18 meeting. Final interior decorating selections will be on display for the Commission to review as well.

**MOVED**, authorize the General Manager to issue a Notice Inviting Bids for the Santa Ana Watershed Project Authority Building Renovations and to file a Notice of Exemption with the Riverside County Clerks' Office.

Result:	<b>Adopted (Unanimously)</b>
Motion/Second:	Harrison/Parker
Ayes:	Bilodeau, Dennstedt, Harrison, Parker, Sullivan
Nays:	None
Abstentions:	None
Absent:	None

**F. COMMISSION MEETING SCHEDULE | JULY 2019**

Given the upcoming July 4 holiday, a census was taken to determine attendance at the July 2, 2019 Commission meeting. It was determined that a quorum will be present for the July 2, 2019 meeting; accordingly, no action was taken on Agenda Item No. 7.F.

**8. INFORMATIONAL REPORTS**

The following oral/written reports/updates were received and filed.

**A. CHAIR'S COMMENTS/REPORT**

There were no further Chair comments or report.

**B. COMMISSIONERS' COMMENTS**

There were no Commissioners comments.

**C. COMMISSIONERS' REQUEST FOR FUTURE AGENDA ITEMS**

There were no requests for future agenda items.

**9. CLOSED SESSION**

Chair Sullivan recessed the meeting to Closed Session at 11:03 a.m. Designated personnel essential to the discussion were present during Closed Session.

**A. PURSUANT TO GOVERNMENT CODE SECTION 54957.6 – CONFERENCE WITH LABOR NEGOTIATOR**

SAWPA Designated Representative: General Manager Richard E. Haller  
Non-Represented Employees: All SAWPA employees

**B. PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE EVALUATION – GENERAL MANAGER**

Chair Sullivan resumed Open Session at 11:45 a.m. There was no reportable action.

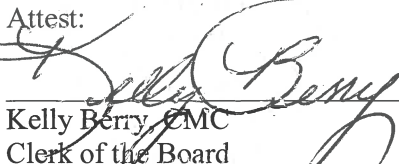
**10. ADJOURNMENT**

There being no further business for review, Chair Sullivan adjourned the meeting at 11:45 a.m.

**Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday, June 18, 2019.**

  
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Ronald W. Sullivan, Chair

Attest:

  
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Kelly Berry, CMC  
Clerk of the Board