



**SAWPA COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 15, 2020**

COMMISSIONERS PRESENT

David J. Slawson, Chair, Eastern Municipal Water District
Kati Parker, Vice Chair, Inland Empire Utilities Agency
Kelly E. Rowe, 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**

Steven Adams, Alternate, Western Municipal Water District

STAFF PRESENT

Rich Haller, Karen Williams, Carlos Quintero, David Ruhl, Mark Norton,
Dean Unger, Rick Whetsel, Marie Jauregui, Kelly Berry

OTHERS PRESENT

Andrew D. Turner, Lagerlof, LLP; Janet Philibosian, Lewis Brisbois
Bisgaard & Smith LLP; Beth Olhasso, West Coast Advisors

The Regular Commission meeting of the Santa Ana Watershed Project Authority was called to order at 9:34 a.m. by Chair Slawson on behalf of the Santa Ana Watershed Project Authority, 11615 Sterling Avenue, Riverside, California. The record will reflect this meeting was conducted virtually.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Pursuant to the provisions of Executive Order N-25-30 issued by Governor Gavin Newsom on March 12, 2020, and Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020, any Commission member may call into the Commission meeting without otherwise complying with the Brown Act's teleconferencing requirements. In concert with state and local efforts to prevent the spread of COVID-19, the Santa Ana Watershed Project Authority will be holding all Board and Committee meetings by teleconference and virtually through the Zoom app until further notice.

Members of the public who were unable to participate by teleconference or virtually were invited to submit comments and questions in writing via email for the Commission's consideration. All votes taken during this meeting were conducted via oral roll call.

2. ROLL CALL

An oral roll call was noted and recorded by the Clerk of the Board. Chair Slawson left the meeting at approximately 9:36 a.m. Vice Chair Parker chaired the meeting at this point. Commissioner Dennstedt introduced Steven Adams, newly appointed Alternate Commissioner for WMWD.

3. PUBLIC COMMENTS

There were no public comments; there were no public comments received via email.

4. ITEMS TO BE ADDED OR DELETED

There were no added or deleted items.

5. GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) ACHIEVEMENT AWARDS – FYE JUNE 30, 2019

SAWPA's Finance Department was recently awarded the Certification of Achievement for Excellence in Financial Reporting. This award is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Chair Slawson returned and resumed chairing the meeting at approximately 9:42 a.m.

6. CONSENT CALENDAR

A. APPROVAL OF MEETING MINUTES: SEPTEMBER 1, 2020

Commissioner Rowe noted that he did mention during the September 1, 2020 meeting that Orange County had a growth in homeless from 20 people in one year, to approximately 2,000 two years later, then due to enforcement efforts the number dropped to zero. If enforcement efforts were in place along the Santa Ana River there would be no need for a study assessing homelessness impact.

MOVED, approve the Consent Calendar.

Result:	Adopted by Roll Call Vote (Unanimously)
Motion/Second:	Harrison/Dennstedt
Ayes:	Dennstedt, Harrison, Parker, Rowe, Slawson
Nays:	None
Abstentions:	None
Absent:	None

7. NEW BUSINESS

A. PROPOSITION 84 AND PROPOSITION 1 STATUS UPDATE

Marie Jauregui provided a PowerPoint presentation contained in the agenda packet on pages 17 – 35. There was no discussion.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 7.A.

B. DISADVANTAGED COMMUNITIES INVOLVEMENT (DCI) PROGRAM STATUS (CM#2020.60)

[This item is subject to the provisions of Project Agreement 25]

Rick Whetsel provided the PowerPoint presentation contained in the agenda packet on pages 40 – 54. Whetsel noted the SAWPA-hosted virtual Disadvantaged Communities and Tribal Involvement Lessons Learned Summit will be held October 8, 13 and 14; Commissioners were encouraged to participate in the event.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 7.B.

C. EXTENSION OF AGREEMENT WITH WEST COAST ADVISORS FOR LEGISLATIVE AFFAIRS SERVICES (CM#2020.61)

Rich Haller provided an oral report. Commissioner Dennstedt voiced her concern over the amount of the contract, whether these services were duplicative of those already provided by lobbyists to individual member agencies, and asked if the amount could be reduced due to that duplication of effort. Rich Haller noted there is a weekly legislative affairs conference call to coordinate the activities of member agencies and SAWPA. Beth Olhasso, West Coast Advisors, stated having this coordinated voice has been very effective in crafting a strong regional message for legislators. It was the consensus of the Commission that the monthly lobbying reports (included in the agenda packet) are also emailed to the

Commissioners. Commissioner Dennstedt encouraged a quarterly legislative report before the Commission during the legislative session; the Commission concurred and the motion was revised accordingly.

MOVED, approve and authorize extending the agreement with West Coast Advisors to provide state legislative affairs services for an additional period of two (2) years in the total not-to-exceed amount of \$240,000; the monthly legislative reports will also be provided to the Commission; and, West Coast Advisors will provide quarterly reports before the Commission during the legislative session.

Result:	Adopted by Roll Call Vote (Unanimously)
Motion/Second:	Parker/Dennstedt
Ayes:	Dennstedt, Harrison, Parker, Rowe, Slawson
Nays:	None
Abstentions:	None
Absent:	None

The Commission next considered Informational Reports, Agenda Item Nos. 8.A. through 8.J.

D. UPDATE ON CLAIM FOR MONEY/DAMAGES | CLAIMANT LARRY McKENNEY

Legal Counsel Turner noted that during Closed Session the Commission considered the information provided as well as remarks made by Mr. McKenney during the last Commission meeting and has a better understanding of what transpired.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 7.D.

The Commission next considered Agenda Item Nos. 8.K, 8.L., and 8.M.

8. INFORMATIONAL REPORTS-

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

- A. CASH TRANSACTIONS REPORT – JULY 2020**
- B. INTER-FUND BORROWING – JULY 2020 (CM#2020.58)**
- C. PERFORMANCE INDICATORS/FINANCIAL REPORTING – JULY 2020 (CM#2020.59)**
- D. PROJECT AGREEMENT 25 – OWOW FUND – FINANCIAL REPORT, JUNE 2020**
- E. PROJECT AGREEMENT 26 – ROUNDTABLE FUND – FINANCIAL REPORT, JUNE 2020**
- F. BUDGET VS ACTUAL VARIANCE REPORT – FYE 2020 FOURTH QUARTER – ENDING JUNE 30, 2020 (CM#2020.57)**
- G. FINANCIAL REPORT FOR THE FOURTH QUARTER ENDING JUNE 30, 2020**
- H. FOURTH QUARTER FYE 2020 EXPENSE REPORTS**
- I. GENERAL MANAGER REPORT**
- J. STATE LEGISLATIVE REPORT**

The Commission next considered Closed Session, Agenda Item No. 9.A. and 9.B.

K. CHAIR'S COMMENTS/REPORT

There were no comments/reports from the Chair.

L. COMMISSIONERS' COMMENTS

There were no Commissioner comments.

M. COMMISSIONERS' REQUEST FOR FUTURE AGENDA ITEMS

Commissioner Dennstedt requested an overview of Lagerlof's retention – General Services Agreement(s) and Task Orders including the amount spent to date. Commissioner Rowe requested an update on the weather modification feasibility study and cost analysis completed by the consultant – the next phase is a CEQA mitigated negative declaration and moving forward if favorable. Commissioner Harrison requested auxiliary meetings not be scheduled on the same day as SAWPA Commission meetings, other than Project Agreement committee meetings, and deferred to the General Manager as to requiring a future agenda item or simply enacting a staff policy. There was discussion and direction to staff to provide a more extensive list of SAWPA auxiliary meetings within the existing format of the compensable meetings table.

9. CLOSED SESSION

Chair Slawson recessed the meeting to Closed Session at 10:23 a.m. Legal Counsel Andy Turner noted that Item 9.B. would first be considered and Janet Philibosian, Lewis Brisbois Bisgaard & Smith LLP would participate in that discussion. General Manager Rich Haller, Deputy Manager Karen Williams, and Clerk of the Board Kelly Berry were present during the discussion of Agenda Item No. 9.B. General Manager Rich Haller and Legal Counsel Turner was present during the discussion of Agenda Item No.9.A.

A. PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION – PURSUANT TO GOVERNMENT CODE SECTION 54957

Title: General Manager

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2)

Name of Party: Larry McKenney

Chair Slawson resumed Open Session at 11:37 a.m. Legal Counsel Turner announced the Commission received reports on Agenda Item Nos. 9.A. and 9.B. during Closed Session; direction was provided to staff and legal counsel and there was no reportable action.

The Commission next considered Agenda Item No. 7.D.

10. ADJOURNMENT

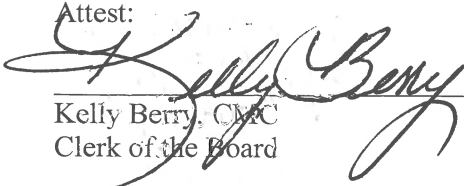
There being no further business for review, Chair Slawson adjourned the meeting at 11:50 a.m.

Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday, October 6, 2020.



David J. Slawson, Chair

Attest:



Kelly Berry, CMC
Clerk of the Board