



**SAWPA COMMISSION
REGULAR MEETING MINUTES
FEBRUARY 21, 2023**

COMMISSIONERS PRESENT

Bruce Whitaker, Chair, Orange County Water District
Mike Gardner, Vice Chair, Western Municipal Water District
T. Milford Harrison, Secretary-Treasurer, San Bernardino Valley
Municipal Water District [9:44 a.m.]
David J. Slawson, Eastern Municipal Water District
Jasmin A. Hall, Inland Empire Utilities Agency

COMMISSIONERS ABSENT

None

**ALTERNATE COMMISSIONERS
PRESENT; NON-VOTING**

Kelly Rowe, Orange County Water District
Gil Botello, San Bernardino Valley Municipal Water District

STAFF PRESENT

Jeff Mosher, Karen Williams, Mark Norton, Rachel Gray, David Ruhl,
Rick Whetsel, Marie Jauregui, Dean Unger, Mikayla Coleman, Sara
Villa, Zyanya Ramirez

OTHERS PRESENT

Andrew Turner, Lagerlof, LLP; Leighanne Kirk, Eastern Municipal
Water District; Cathy Pieroni, Inland Empire Utilities Agency; Ken
Tam, Inland Empire Utilities Agency; Ryan Shaw, Western Municipal
Water District; Brian Dickinson, City of Colton; Robert Ennis, County
of Riverside

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

1. CALL TO ORDER

Pursuant to the provisions of AB 361, this meeting was conducted virtually, and all votes were taken by oral roll call.

2. ROLL CALL

An oral roll call was duly noted and recorded by the Clerk of the Board.

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 items to be added or deleted.

5. CONSENT CALENDAR

A. APPROVAL OF MEETING MINUTES: FEBRUARY 7, 2023

Recommendation: Approve as posted.

MOVED, to approve the Consent Calendar as posted.

Result:	Adopted by Roll Call Vote
Motion/Second:	Hall/Slawson
Ayes:	Botello, Gardner, Hall, Slawson, Whitaker
Nays:	None
Abstentions:	None
Absent:	Harrison

6. **NEW BUSINESS**

A. **SOLVE THE WATER CRISIS PRESENTATION BY WESTERN MUNICIPAL WATER DISTRICT (CM#2023.10)**

Commissioner Mike Gardner provided a presentation titled Solve the Water Crisis, contained in the agenda packet on pages 15-24. Mr. Gardner noted the coalition mission of the Solve the Water Crisis campaign is an educational effort that brings into focus the ongoing water supply crisis and enhance awareness to California policymakers. To demand a comprehensive, bold, and immediate legislative solution for the State to secure California's future and make water supply a top State agenda item with ongoing investment. Action is needed to respond to the ongoing water supply crisis, which is already impacting residents' quality of life, economic growth, community health, and the environment. There is a legislative Senate Bill (SB 366) that is being pushed by Senator Anna M. Caballero and there are several senators and assembly members who will be signing on as co-sponsors. The legislative bill is to establish bold water supply targets, modernize the CA Water Plan for a 21st Century Climate, and ensure accountability for state agencies on water management issues. Mr. Gardner encouraged membership and engagement by visiting the Solve the Water Crisis website <https://www.solvethewatercrisis.com/>.

Commissioner T. Milford Harrison attended the meeting at 9:44 a.m. during the Solve the Water Crisis presentation.

Chair Bruce Whitaker noted that Agenda Item No. 6.A is a receive and file though it's an item to act upon and entertained a motion for the Commission to support what is being requested. Commissioner Gardner stated that the motion would be for SAWPA to lend its name and logo as a supporter for the Solve the Water Crisis. Commissioner Slawson concurred with Chair Whitaker and second the motion.

MOVED, to modify Agenda Item No. 6.A and allow SAWPA to lend its name and logo as a supporter for Solve the Water Crisis.

Result:	Adopted by Roll Call Vote
Motion/Second:	Whitaker/Slawson
Ayes:	Gardner, Hall, Harrison, Slawson, Whitaker
Nays:	None
Abstentions:	None
Absent:	None

B. **UPDATED PROCUREMENT POLICY AND PURCHASING AUTHORITY (CM#2023.11)**

Karen Williams provided a verbal report on the updated procurement policy and purchasing authority. In February 2020, SAWPA's Legal Counsel, Lagerlof reviewed and updated

SAWPA's Procurement Policy. Within the policy, Section 7.0 Periodic Review, states that staff will review and modify, if necessary, every three years, and any significant changes to the policy shall be submitted to the Commission for approval. SAWPA staff has reviewed the policy and determined the following changes be made to the policy:

1. Section 1.9 Change Orders

Language was added to Section 1.9 Change Orders to allow for Department Managers and the General Manager to approve amounts that exceed the current Purchase Order, Work Order, or Task Order by less than 10% as long as the amount does not exceed the amounts listed in the Standard Authorization Table. This language allows small amounts to be approved without submitting a change order. For example, if a vendor did not include sales tax on a purchase of \$1,000, a change order would be needed for \$87.50 (sales tax). In this case the cost of preparing the change order exceeded the amount of the change order.

2. Section 3.7 Electronic Signatures

Since the global pandemic COVID hit in late 2019, staff has implemented electronic signatures using DocuSign. Section 3.7 Electronic Signatures added language that allowed for electronic signatures on SAWPA contracts.

The two requested changes to the procurement policy have been reviewed and approved by Andy Turner of Lagerlof LLP. Commissioner Harrison noted that DocuSign has been very efficient and helps eliminate the expense of delivery fees on routing documents for signatures. Commissioner Slawson asked how we ensure that the party we are dealing with when signing a document has the proper controls and cannot later claim that the document was never really signed by them. Dean Unger, SAWPA's IT Manager noted that the DocuSign gets sent to the authorized signatory's email and can always be tracked by the IP in the PC. Commissioner Gardner noted there is an email response that is received once you have completed a signed document and has a lot of safeguards.

MOVED, to approve the updated PRO110-Procurement Policy and Purchasing Authority.

Result:	Adopted by Roll Call Vote
Motion/Second:	Harrison/Gardner
Ayes:	Gardner, Hall, Harrison, Slawson, Whitaker
Nays:	None
Abstentions:	None
Absent:	None

C. FYE 2024 AND 2025 OWOW AND ROUNDTABLE FUND DRAFT BUDGETS (CM#2023.12)

Karen Williams provided a presentation titled FYE 2024 and 2025 OWOW and Roundtable Fund Draft Budgets, contained in the agenda packet on pages 41-92. A brief overview of the OWOW Fund Budget, Roundtable Fund Budget, Labor Distribution and Indirect Cost Allocation, and Member Agency Contributions was provided. Ms. Williams noted that SAWPA hosted a Budget Workshop on February 9th with the member agency Chief Financial Officers (CFOs) to go over the draft budgets and the General Managers were given a short, summarized presentation as well. On March 7th the General Fund and Brine Line Budgets will be presented and the combined comprehensive budget presentation will be provided to the Commission on April 4th, with budget approval anticipated May 16th. There was no discussion. The Commission commended Ms. Williams on all her efforts and noted that her presentation was clear, concise, and comprehensive.

This item is to receive and file; no action was taken on agenda item no. 6.C.

D. BROWN ACT REMOTE MEETING GUIDELINES (CM#2023.13)

Jeff Mosher provided a presentation titled Brown Act Remote Meeting Guidelines, contained in the agenda packet on pages 109-115. Public meetings have been held remotely since March 2020 as authorized by Assembly Bill 361 and will cease to be in effect when statewide emergency declaration ends on February 28, 2023. A brief overview of the change to the meeting format was provided which includes having a hybrid format (in-person/virtual) meetings, Commissioners must attend in person, and a link will be provided for the public, member agency staff, General Managers, and Alternates to participate remotely. This provides a lot of flexibility, and the public can continue to comment through the hybrid approach.

The Brown Act continues to allow the legislative body to participate remotely if:

- All votes are taken by oral roll call
- Each teleconference location is identified on the agenda
- The agenda is posted at each teleconference location
- Teleconference locations is accessible to the public
- Members of the public may directly address legislative body at each teleconference location
- At least a quorum of legislative body must participate from locations within SAWPA's boundaries

AB 2449 allows remote participation by legislative body:

- Just cause
 1. A childcare or caregiving need as defined
 2. A contagious illness prevents in person attendance
 3. A need related to a physical or mental disability
 4. Travel while on official business
- Emergency circumstance
 1. A physical or family medical emergency that prevents in person attendance
- At least a quorum of the legislative body must participate and attend the meeting in person from a singular location.
- The members of the Commission must participate through both audio and visual technology.

Mr. Mosher noted that if any of the Commissioners have a preference to attend the Commission meetings from their water district or their home, they'd have to notify the Clerk of the Board within 72 hours so that the address location can be listed on the agenda prior to posting. Also, if there is an instance where a commissioner will not be able to attend, the alternate will be contacted to be available on their behalf. A quorum (three members) has to be present in-person at the SAWPA office. If there is a commissioner that requests to participate under AB 2449 under the emergency circumstance, there will need to be a vote at the beginning of the meeting. Mr. Mosher noted that an email of this summary will be distributed to the Commissioners prior to the March 7th meeting as a reminder. Commissioner Hall thanked staff for taking the time to look at what's best effective for the participation of the Commissioners, alternates, and general managers and raised a few concerns under the AB

2449 guidelines, for instance, does SAWPA have a visitor policy in place to take measures in safe distancing if someone tests positive for Covid-19 and/or is ill. Commissioner Hall asked who the author is for AB 361 to be able to get into contact with to address the lessons learned from what is currently being done on how effective it is to attend meetings through zoom/teams and reducing the carbon footprint, it is more time consuming to be able to attend more meetings versus having the driving factor, and the cost of gas. Commissioner Slawson noted that he agrees with Commissioner Hall's comments.

This item is to receive and file; no action was taken on agenda item no. 6.D.

7. **INFORMATIONAL REPORTS**

Recommendation: Receive for Information.

A. **CASH TRANSACTIONS REPORT – DECEMBER 2022**

B. **INTER-FUND BORROWING – DECEMBER 2022 (CM#2023.14)**

C. **PERFORMANGE INDICATORS/FINANCIAL REPORTING – DECEMBER 2022 (CM#2023.15)**

D. **PROJECT AGREEMENT 25 – OWOW FUND – FINANCIAL REPORT, NOVEMBER 2022**

E. **PROJECT AGREEMENT 26 – ROUNDTABLE FUND – FINANCIAL REPORT, NOVEMBER 2022**

F. **GENERAL MANAGER REPORT**

Jeff Mosher informed the Commission that SAWPA's planning staff presented at the 2023 Santa Ana River Science Symposium. Mark Norton's presentation focused on the four-year pilot-scale program for weather modification (cloud seeding) in the Santa Ana River Watershed, and Ian Achimore presented data on one of the longest running annual aquatic habitat assessments in Southern California, the Santa Ana Riverwalk. Rachel Gray hosted the WateReuse Inland Empire Chapter's first quarterly meeting on February 14, 2023.

On Friday, January 13, 2023, an accident occurred involving a vehicle hitting a Brine Line air release and vacuum valve (AV valve) in the City of Corona. Approximately 6,000 gallons of brine was released from the damaged AV valve and entered the storm drain system. SAWPA staff notified the Regional Water Quality Control Board and submitted the required spill report. On February 8, 2023, the replacement of the AV valve and bollards was completed and SAWPA is in the process of recovering the cost of damages by pursuing the owner of the vehicle.

G. **STATE LEGISLATIVE REPORT**

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

There were no Chair comments.

I. **COMMISSIONERS' COMMENTS**

There were no Commissioners' comments.

J. COMMISSIONERS' REQUEST FOR FUTURE AGENDA ITEMS

There were no Commissioners' request for future Agenda items.

8. CLOSED SESSION

There was no closed session.

9. ADJOURNMENT

There being no further business for review, Chair Bruce Whitaker adjourned the meeting at 10:52 a.m.

Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday, March 7, 2023.

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Bruce Whitaker

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Bruce Whitaker, Chair

Attest:

DocuSigned by:

Sara Villa

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Sara Villa, Clerk of the Board