



**SAWPA COMMISSION  
REGULAR MEETING MINUTES  
MAY 2, 2017**

**COMMISSIONERS PRESENT**

Susan Lien Longville, Chair, San Bernardino Valley Municipal Water District  
Ronald W. Sullivan, Vice Chair, Eastern Municipal Water District  
Jasmin A. Hall, Secretary-Treasurer, Inland Empire Utilities Agency  
Phil Anthony, Orange County Water District  
Thomas P. Evans, Western Municipal Water District

**COMMISSIONERS ABSENT**

**ALTERNATE COMMISSIONERS  
PRESENT; NON-VOTING**

Gil Navarro, Alternate, San Bernardino Valley Municipal Water District  
Bruce Whitaker, Alternate, Orange County Water District

**STAFF PRESENT**

Celeste Cantú, Rich Haller, Larry McKenney, Mark Norton, Karen Williams, Dean Unger, David Ruhl, Kelly Berry

The Regular Commission Meeting of the Santa Ana Watershed Project Authority was called to order at 9:35 a.m. by Chair Longville 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. CONSENT CALENDAR**

**A. APPROVAL OF MEETING MINUTES: APRIL 18, 2017**

**MOVED**, approve the April 18, 2017 meeting minutes.

Result:	<b>Adopted (Unanimously)</b>
Motion/Second:	Anthony/Evans
Ayes:	Anthony, Evans, Hall, Longville, Sullivan
Nays:	None
Abstentions:	None
Absent:	None

**5. NEW BUSINESS**

**A. AWARD OF CONTRACT FOR EXECUTIVE SEARCH SERVICES (CM#2017.63)**

Copies of supplemental Commission Memorandum No. 2017.63 (which had been posted on April 28, 2017 at 4:18 p.m.), were provided to the Commission and members of the public. Questions arose

regarding the length of time indicated in the proposal and the process moving forward. Chair Longville noted an ad hoc committee could be formed, and that Commissioner Hall has voiced her willingness to serve on such a committee. Commissioner Anthony suggested this could be decided at a future date and that the Commission should wait to see how many qualified candidates apply for the position. It was the consensus of the Commission that further consideration as to process and the formation of an ad hoc committee would be decided at a future date. Chair Longville will contact the consultant to begin the recruitment process.

Commissioner Anthony moved the item, and included in his motion that Chair Longville will advise the consultant of the award of contract and begin the recruitment process.

**MOVED**, approve award of contract to Bob Murray & Associates in an amount not to exceed \$24,900 to provide executive search services for the General Manager position, and authorize Chair Longville to contact the consultant and begin the recruitment process.

Result:	<b>Adopted (Unanimously)</b>
Motion/Second:	Anthony/Sullivan
Ayes	Anthony, Evans, Hall, Longville, Sullivan
Nays:	None
Abstentions:	None
Absent:	None

**B. PAUL BROWN CONSULTING SERVICES – FACILITATION PROCESS (CM#2017.62)**

Commissioner Evans had proposed for consideration retaining Paul Brown to support the SAWPA Commission during the GM facilitation process to better define their working relationship with SAWPA. However, Commissioner Evans withdrew Agenda Item No. 5.B. from consideration at this time, stating he is prepared to wait for the general managers to come back to the Commission with a recommendation of what they see as their role in accomplishing the three SAWPA business lines.

Chair Longville invited Doug Headrick to speak to this specific matter. Headrick advised the general managers were going to encourage the utilization of Paul Brown at the conclusion of the facilitation process with Sharon Browning. Paul Brown is uniquely qualified to take the process to the next step and complete the strategic assessment, including how the general managers will be involved with the Commission and SAWPA's business lines moving forward.

Commissioner Evans stated the GM facilitation process and the multistep recruitment process should proceed concurrently. Headrick agreed, noting the general managers will soon provide a report for the Commission and the recruitment consultant to assist in the development of the candidate criteria. Commissioner Sullivan voiced his agreement.

With the consensus of the Commission, Agenda Item No. 5. B. was removed from the agenda.

**C. OUTSTANDING MEMBER AGENCY CONTRIBUTIONS – UPDATE**

Correspondence from Commissioner Anthony/OCWD dated April 27, 2017 regarding outstanding member agency contributions was provided. On April 18, 2017, the OCWD Board took action to provide payment to SAWPA to be allocated toward the Santa Ana Sucker Habitat Protection and Beneficial Use Enhancement Project. As outlined in the March 22, 2017 correspondence from SAWPA to OCWD, the \$46,000 payment will go toward constructing habitat structures within the Santa Ana River mainstem near Hidden Valley.

## **6. WORKSHOP DISCUSSION AGENDA**

### **A. FYE 2018 AND 2019 BRINE LINE ENTERPRISE, OWOW AND ROUNDTABLES FUND DRAFT BUDGETS (CM#2017.60)**

Karen Williams provided a PowerPoint presentation on the combined FYE 2018 and 2019 Brine Line Enterprise, OWOW and Roundtables Fund draft budgets.

Commissioner Sullivan voiced interest in additional discussion of the SRF Loan, and also requested a report in the next month or so providing information on basin monitoring and the location of the monitoring.

Relative to the proposal to hire grant/technical writer, Commissioner Sullivan stated that adding the additional position or hiring a consultant would be a decision for the new general manager. Karen Williams stated she would leave funding for the position in the budget, but emphasized that approval to hire a new employee or a consultant would require Commission approval.

Commissioner Evans voiced his support for the one additional Brine Line operations position included in the budget and suggested to the Commission that authorization to recruit and hire for that position be included as part of the budget approval. It was the consensus of the Commission that authorization to recruit and hire for the one additional Brine Line operations position should be included with the budget approval; no further Commission approval would be necessary to fill that position. Commissioner Sullivan agreed but asked to see the offset, which is the reason to hire the operations person.

Chair Longville encouraged communications with member agency general managers and chief financial officers in order to work through any concerns at this point, rather than at a later time. Williams advised the budget was presented to the member agency CFOs in February, at which time no concerns were forthcoming; the budget has not changed much since that time.

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

Chair Longville briefly recessed the meeting at 10:42 a.m.; the meeting resumed at 10:46 a.m. All Commissioners remained in attendance.

### **B. SAWPA JOINT POWERS AGREEMENT (CM#2017.61)**

Correspondence from Commissioner Sullivan/EMWD and Commissioner Anthony/OCWD dated May 1, 2017 regarding the SAWPA Joint Powers Agreement was provided.

Larry McKenney provided a PowerPoint presentation outlining his historical research on SAWPA's use of project agreements, management of brine line activities, commission and committee decision-making, and the role of member agency general managers. His research was concentrated within three timeframes: Early Years (1968-1980); Project Agreements, Money and Governance (2001-2002); and, Governance and Strategic Direction (2006-2009).

Chair Longville requested these historical milestones placed in a report for SAWPA's record and also provided to the Water Resources Institute at Cal State San Bernardino for their archives.

Commissioner Sullivan referenced the May 1, 2017 correspondence regarding the SAWPA Joint Powers Agreement, and read the following into the record:

It is the concern of EMWD and OCWD, as consistently relayed for months, that it is not related to historical practices or procedures but is a simple fact that SAWPA is not operating under the contractual agreement of its Joint Powers

Authority agreement. The JPA agreement is very clear when it states that except for preliminary studies and matters of general administration, all other activities SAWPA undertakes shall be administered as projects, with project agreements and unanimous voting requirements among the participating agencies for operating decisions. We presently do not have project agreements for many critical projects and activities, and as a result are not following the voting or administrative procedures for these items. The staff report suggests that we need to determine if there is a problem; simply put, not following the requirements of the JPA agreement is a problem. To use the Commission's time productively today we have requested that we spend a minimal amount of time, but we have already gone over that half hour. The bottom line is that I believe that the working relationship between SAWPA and its member agencies will benefit and many of the issues we are having will disappear if on an ongoing, forward basis we stick to the requirements of the JPA agreement. What Phil and I did was to provide a letter as a suggestion of a step-by-step process by which we can hopefully get ourselves back on track.

Commissioner Sullivan stated first and foremost is that nothing is done here that causes harm to another district. He believes with collaboration among the Commission itself we can get back on track, and welcomed suggestions and opinions; nothing is personal. The Commission is trying to make business decisions acting as one group to encourage economic growth and reduce the salt in this watershed.

Chair Longville provided a list of questions on this topic to Doug Headrick for the member agency general managers to consider and evaluate as part of the facilitation process.

Commissioner Anthony agreed with Commissioners Sullivan's statement, stating the question before the Commission is do they want to follow the JPA agreement or not.

Commissioner Evans stated this process moving forward is healthy, but silence from others on the record does not mean they agree with what Commissioners Sullivan and Anthony stated. That question is still open, and the process as they move forward may evolve to where the Commission decides how they want to operate. The statement that we are violating the JPA agreement is deserving of further discussion, but cannot be taken at face value.

No action was taken on Agenda Item No. 6.B.

## **7. INFORMATIONAL REPORTS**

### **A. INLAND EMPIRE BRINE LINE REACH V REHABILITATION AND IMPROVEMENT PROJECT – PHASE 1**

David Ruhl provided a PowerPoint presentation on laser profiling determinations and pipeline ovality.

### **B. GENERAL MANAGER'S REPORT**

Celeste Cantú referenced the welcome reception for Joaquin Esquivel the evening of May 25, 2017, following the Santa Ana River Watershed Conference. The not-to-exceed cost for the event is \$2,500; maximum member agency sponsorship will be \$500. Chair Longville noted there should be no problem with sponsorship since that amount is well within the authorization amount of the general managers.

### **C. CHAIR'S COMMENTS/REPORT**

Chair Longville noted that JPA Amendment No. 6 has been approved by SBVMWD, WMWD, IEUA, OCWD and is on the May 3, 2017 agenda for consideration by EMWD. Longville commended

member agency staff for their hard work in approving JPA Amendment No. 6 prior May 6, 2017, the date on which the Ordinance addressing Commissioner compensation becomes effective.

**D. COMMISSIONERS' COMMENTS**

There were no Commissioners' comments.

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

There were no Commissioner requests for future agenda items.

**8. CLOSED SESSION**

Chair Longville recessed the meeting to Closed Session at 11:52 a.m. to discuss Agenda Item No. 8.A. No reportable action was anticipated. Designated personnel essential to the discussion were present during Closed Session.

**A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(1)**

Name of Case: Spiniello Companies v. Charles King Company, Inc., Santa Ana Watershed Project Authority, The Ohio Casualty Insurance Company (Superior Court of Los Angeles BC616589)

Chair Longville resumed Open Session at 12:15 p.m., and stated there was no reportable action taken during Closed Session.

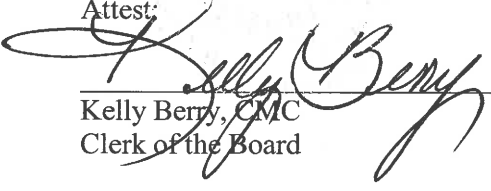
**9. ADJOURNMENT**

There being no further business for review, Chair Longville adjourned the meeting at 12:15 p.m.

**Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday, May 16, 2017.**

  
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Susan Lien Longville, Chair

Attest:

  
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Kelly Berry, CMC  
Clerk of the Board