



**SAWPA COMMISSION  
REGULAR MEETING MINUTES  
AUGUST 21, 2018**

**COMMISSIONERS PRESENT**

Mark Bulot, 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  
Bruce Whitaker, Orange County Water District  
Brenda Dennstedt, Alternate, Western Municipal Water District

**COMMISSIONERS ABSENT**

Thomas P. Evans, Western Municipal Water District

**ALTERNATE COMMISSIONERS  
PRESENT; NON-VOTING**

Kati Parker, Alternate, Inland Empire Utilities Agency

**STAFF PRESENT**

Rich Haller, Larry McKenney, Karen Williams, Dean Unger, David Ruhl,  
Carlos Quintero, Ian Achimore, Mike Antos, Kelly Berry

The Commission welcomed Mark Bulot, appointed on August 7, 2018, as the San Bernardino Valley Municipal Water District representative to the SAWPA Commission. Mark Bulot will also step into the role of Commission Chair for the remainder of the term.

The Regular Commission Meeting of the Santa Ana Watershed Project Authority was called to order at 9:30 a.m. by Chair Bulot 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**

Retiring SAWPA employee Dawna Munson addressed the Commission to again request the addition of a closed session item on the agenda for the next Commission meeting regarding a personnel matter. Chair Bulot noted as a personnel item, this would be referred to the SAWPA General Manager, and he will advise the Commission as to the policies and procedures.

**4. CONSENT CALENDAR**

**A. APPROVAL OF MEETING MINUTES: AUGUST 7, 2018**

Recommendation: Approve as posted.

**B. TREASURER'S REPORT – JULY 2018**

Recommendation: Approve as posted.

**MOVED**, approve the August 7, 2018 meeting minutes.

Result: **Adopted**  
Motion/Second: Hall/Whitaker  
Ayes: Hall, Sullivan, Whitaker  
Nays: None  
Abstentions: Bulot, Dennstedt  
Absent: None

**MOVED**, approve the July 2018, Treasurer's Report.

Result: **Adopted (Unanimously)**  
Motion/Second: Hall/Whitaker  
Ayes: Bulot, Dennstedt, Hall, Sullivan, Whitaker  
Nays: None  
Abstentions: None  
Absent: None

## 5. NEW BUSINESS

### A. NOMINATION OF COMMISSIONER WHITAKER TO THE SANTA ANA RIVER CONSERVANCY ADVISORY GROUP (CM#2018.83)

Ian Achimore provided the PowerPoint presentation contained in the agenda packet (pages 17-21) outlining the makeup and purpose of the Santa Ana River Conservancy Advisory Group; it is anticipated the group will meet bi-monthly throughout the watershed. Commissioner Phil Anthony had served on past Santa Ana River Conservancy Advisory Groups for many years. Commissioner Whitaker voiced his enthusiasm to serve in this capacity. The appointment term is five (5) years; however, this is not a term limit and Commissioner Whitaker could continue to serve in this capacity should the Commission and Commissioner Whitaker elect to do so at that time.

**MOVED**, nominate Commissioner Bruce Whitaker to serve as a SAWPA representative on the Santa Ana River Conservancy Advisory Group for a period of five (5) years.

Result: **Adopted (Unanimously)**  
Motion/Second: Dennstedt/Hall  
Ayes: Bulot, Dennstedt, Hall, Sullivan, Whitaker  
Nays: None  
Abstentions: None  
Absent: None

### B. CONTINUING EFFORT BY UNIVERSITY OF CALIFORNIA IRVINE IN THE DISADVANTAGED COMMUNITY INVOLVEMENT PROGRAM (CM#2018.84)

Mike Antos provided the PowerPoint presentation contained in the agenda packet (pages 29-33). The proposed Amendment No. 2 (pages 25-28 of the agenda packet) includes additional scope and an increase to the contract in the amount of \$255,000, bringing the total contract amount to \$382,000. A discussion ensued as to deliverables; 12 additional listening sessions will be conducted involving data collection which will be included in the UC Irvine analysis and they will amend their reporting based on their additional conclusions. The purpose of their report is to better understand critical needs from the perspective of community members in relation to water and watersheds. Commissioner Sullivan requested the Commission be advised as to the locations selected for these listening sessions. Chair

Bulot noted UC Irvine deliverables (listed on page 27 of the agenda packet) include quarterly progress reports, and he requested the Commission be appraised on a quarterly basis into the future. Antos confirmed the information would be made available to the Commission moving forward.

**MOVED**, continue the involvement of the University of California Irvine (UC Irvine) as part of the Disadvantaged Communities Involvement Program by authorizing the General Manager to execute Amendment No. 2 to the 2016 Proposition 1 Integrated Regional Water Management Disadvantaged Community Involvement Program Agreement Between the Santa Ana Watershed Project Authority and University of California Irvine, containing a time, scope and budget amendment in the amount of \$255,000, bringing the total contract amount to \$382,000.

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| Result:        | <b>Adopted (Unanimously)</b>               |
| Motion/Second: | Sullivan/Hall                              |
| Ayes:          | Bulot, Dennstedt, Hall, Sullivan, Whitaker |
| Nays:          | None                                       |
| Abstentions:   | None                                       |
| Absent:        | None                                       |

**C. ADOPTION OF LOCAL HAZARD MITIGATION PLAN (CM#2018.85)**

Carlos Quintero provided an oral report on adoption of the Riverside County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP). Participation in the hazard mitigation planning efforts allows agencies to receive funding for hazard mitigation projects and post-disaster assistance, such as those received by SAWPA for damage to the Brine Line access road resulting from the July 2017 storm events.

On June 6, 2016, the Commission approved a Letter of Commitment as a participant jurisdiction in the Riverside and San Bernardino Counties hazard mitigation planning efforts. On June 16, 2017, SAWPA submitted the Draft Local Hazard Mitigation Plan (LHMP) to Riverside County; staff submitted to San Bernardino County June 15, 2017. The San Bernardino County LHMP was approved July 13, 2017 by the Federal Emergency Management Agency (FEMA); no formal adoption by SAWPA was requested. The Riverside County LHMP, conditionally approved by FEMA, requires formal adoption by the SAWPA Commission.

**MOVED**, adopt Resolution 2018-8 adopting the Riverside County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan (LHMP) as required by the Federal Disaster Mitigation and Cost Reduction Act of 2000.

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| Result:        | <b>Adopted (Unanimously; Roll Call Taken)</b> |
| Motion/Second: | Dennstedt/Sullivan                            |
| Ayes:          | Bulot, Dennstedt, Hall, Sullivan, Whitaker    |
| Nays:          | None  |
| Abstentions:   | None  |
| Absent:        | None  |

**D. IT INFRASTRUCTURE SERVER NETWORK UPGRADE (CM#2018.86)**

Dean Unger provided the PowerPoint presentation contained in the agenda packet (pages 41-44) and reviewed the proposed equipment upgrade. These improvements will complete the hardware needs of the SAWPA server room over the next 5-7 years.

**MOVED**, approve the execution of a purchase order for additional storage, smart controllers and 48-port switch from MJP Technologies Inc. for an amount of \$27,874.

Result: **Adopted (Unanimously)**  
Motion/Second: Dennstedt/Hall  
Ayes: Bulot, Dennstedt, Hall, Sullivan, Whitaker  
Nays: None  
Abstentions: None  
Absent: None

**E. PROPOSITION 1 IRWM GRANT PROGRAM – PROJECT ELIGIBILITY CRITERIA AND RATING AND RANKING SYSTEM (CM#2018.87)**

Mike Antos delivered the PowerPoint presentation contained in the agenda packet (pages 55-60) providing with an overview and status relating to the Project Eligibility Criteria and Rating & Ranking System, which is an evolution of the existing program. Commissioner Sullivan asked why there were two rounds; his understanding is that there would be only one. Antos stated DWR is continuing to support two rounds; however, staff continues to advocate flexibility to meet the needs of the region.

Chair Bulot noted this is the continuance of groupthink that has been the OWOW process, which is described as a competitive process. SAWPA is a cooperative, collaborative entity and to force SAWPA constituent agencies to compete against one another is detrimental to the future and well-being of SAWPA. Chair Bulot furthered that the replicability of the results denotes a rigging of the weighting so there isn't any other outcome. Finally, there is no benefit for the most water at the least cost – the greatest benefit to the population at large. Chair Bulot stated his dismay that the process has continued along these lines, which in essence has provided a way for the Commission to avoid the accountability and responsibility that they have under these grant programs. He hopes in the future something on a more cooperative basis can be accomplished to do the same thing so there are not just a number of smaller projects that may make us feel good but do not really improve the overall reliability of the watershed.

Larry McKenney noted regarding the competitive vs. collaborative aspect, we are required by the state to have a competitive process. If we do not, they are required to have a competitive process for us. We have tried to craft a process where project proponents feel incentivized to collaborate with each other to produce competitive project proposals; we want that collaboration to occur among project proponents. Ultimately our selection of grant funded projects is required by statute to be competitive. Chair Bulot stated that the process is cumbersome and convoluted. McKenney noted the constant tension during the process – securing grant funding, then ensuring we continue to have our own regional control and that the program is helping to produce an outcome beneficial to the region.

Commissioner Sullivan noted the process seems to be reversed – this rating and ranking developed by the Pillars had not been shared with the Commission; however, when everything gets ranked the Commission is expected to blindly approve everything, yet the Commission is the responsible entity. The Commission should at least review what goes before the OWOW Steering Committee so they are provided with a full, complete understanding. Commissioner Sullivan requested that at the very least, prior to going before the OWOW Steering Committee the Commission should be provided with an informational item and documentation so they can provide their own input.

Larry McKenney advised that the OWOW governance document delegates the authority for doing this type of rating and ranking to the OWOW Steering Committee, the committee would then make recommendations to the Commission for funding opportunities. The policy states that the Commission

is to approve those recommendations, as long as they are in accordance with the law. The Commission is required to ensure that statutory and regulatory requirements are being met. Commissioner Sullivan noted he wasn't aware that the Commission gave away its responsibilities to the OWOW Steering Committee and did not recall doing that while on the Commission. It was the consensus of the Commission that staff provide the OWOW governance document to the Commission at a future meeting in order to provide a clearer understanding as to authority and process.

Michael Markus, General Manager, OCWD, noted for the record that he did not support the rating and ranking system nor does he believe that OCWD was supportive. OCWD has expressed concerns, and those concerns were submitted in the form of a letter; OCWD would be supportive of the rating and ranking set forth in their letter as opposed to those submitted today. Markus believes Amanda Carr from Orange County will make a presentation on the OC Plan before the OWOW Steering at the next meeting, and suggested she give a similar presentation before the SAWPA Commission to explain what is being proposed and why. By consensus of the Commission, Amada Carr will be invited to make a presentation before the Commission at a future meeting.

Commissioner Whitaker, who has been in attendance during many of these OWOW Pillar and Steering Committee meetings, commended staff for providing and following an open process within the confines and requirements of these programs.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 5.E.

**F. COMMISSIONER PHILIP L. ANTHONY RESOLUTION (CM#2018.88)**

Commissioners and staff noted their appreciation for Phil Anthony's years of service; several shared their experience attending the celebration of life ceremony held August 19 in Westminster. The signed resolution will be framed and presented to his family. Commissioner Whitaker noted that the OCWD Board has dedicated an important facility, the Philip Anthony Water Quality Laboratory, to give proper due to his many contributions, ideas and initiatives during his service on the OCWD Board spanning more than 30 years.

**MOVED**, adopt Resolution No. 2018-9 in memoriam of Commissioner Philip L. Anthony for his many contributions and years of public service.

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| Result:        | <b>Adopted (Unanimously; Roll Call Taken)</b> |
| Motion/Second: | Sullivan/Dennstedt                            |
| Ayes:          | Bulot, Dennstedt, Hall, Sullivan, Whitaker    |
| Nays:          | None  |
| Abstentions:   | None  |
| Absent:        | None  |

**6. INFORMATIONAL REPORTS**

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

**A. CASH TRANSACTIONS REPORT – JUNE 2018**

**B. INTER-FUND BORROWING – JUNE 2018 (CM#2018.81)**

**C. PERFORMANCE INDICATORS/FINANCIAL REPORTING – JUNE 2018 (CM#2018.82)**

**D. GENERAL MANAGER REPORT**

Rich Haller reviewed the report and advised he will provide a presentation regarding proposed changes

to the JPA Agreement and the PA 24 Agreement to the WMWD Board on August 22, 2018.

- E. **SAWPA GENERAL MANAGERS MEETING NOTES**  
August 14, 2018
- F. **STATE LEGISLATIVE REPORT**
- G. **CHAIR'S COMMENTS/REPORT**
- H. **COMMISSIONERS' COMMENTS**
- I. **COMMISSIONERS' REQUEST FOR FUTURE AGENDA ITEMS**  
There were no further requests for future agenda items.

7. **CLOSED SESSION**

The Commission took a brief recess at 10:39 a.m., then Chair Bulot commenced Closed Session at 10:45 a.m. Designated personnel essential to the discussion of Agenda Item No. 7.A. 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 Bulot resumed Open Session at 11:33 a.m. There was no reportable action.

8. **ADJOURNMENT**


There being no further business for review, Chair Bulot adjourned the meeting at 11:33 a.m.

Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday, September 4, 2018.



Mark Bulot, Chair

Attest:

  
Kelly Berry, CMC  
Clerk of the Board