SAWPA COMMISSION
REGULAR MEETING MINUTES
AUGUST 2, 2016

COMMISSIONERS PRESENT
Thomas P. Evans, Chair, Western Municipal Water District
Ed Killgore, Vice Chair, San Bernardino Valley Municipal Water District
Phil Anthony, Orange County Water District
Terry Catlin, Inland Empire Utilities Agency
David Slawson, Alternate, Eastern Municipal Water District

COMMISSIONERS ABSENT
Ronald W. Sullivan, Secretary-Treasurer, Eastern Municipal Water District

ALTERNATE COMMISSIONERS PRESENT; NON-VOTING
Jasmin Hall, Alternate, Inland Empire Utilities Agency
Steve Copelan, Alternate, San Bernardino Valley Municipal Water District

STAFF PRESENT
Celeste Cantú, Rich Haller, Larry McKenney, Dean Unger, David Ruhl, Kelly Berry

The Regular Commission Meeting of the Santa Ana Watershed Project Authority was called to order at 9:30 a.m. by Chair Evans 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: JULY 19, 2016
      Recommendation: Approve as posted.
   B. RATIFY PA 23 COMMITTEE APPROVAL – AGREEMENT FOR SERVICES TO PROVIDE PROJECT MANAGEMENT SERVICES SUPPORTING SARCCUP (CM#2016.59)
      Recommendation: Ratify the PA 23 Committee’s approval of an Agreement for Services and Task Order No. 1 for RMC Water and Environment in the amount not-to-exceed $310,429 for project management services to support the Santa Ana River Conservation and Conjunctive Use Program (SARCCUP).

      MOVED, approve the Consent Calendar.

      Result: Adopted (Unanimously; 5-0)
      Motion/Second: Anthony/Catlin
      Ayes: Anthony, Catlin, Evans, Killgore, Slawson
      Nays: None
      Abstentions: None
      Absent: None
5. NEW BUSINESS

A. **2017 OWOW CONFERENCE (CM#2016.60)**

Celeste Cantú noted the last OWOW Conference (October 2014) was held at the Riverside Convention Center so San Bernardino County would be the next venue, but for readiness purposes provided dates in 2017 on which both the Riverside and Ontario Convention Centers would be available. Historically, the Water Education Foundation (WEF) has provided assistance with OWOW Conferences, and has indicated they are willing to honor the same terms of their 2011 agreement – they assume all liability and enjoy all profits except for a base fee of $10,000 and 3% of the gross revenues which are given back to SAWPA to cover our costs. Approval of a contract with WEF would be brought back to the Commission at a future meeting.

The Commission concurred direction should be given to staff to proceed with planning for the 2017 OWOW Conference at the Ontario Convention Center, to be held on either May 18 or May 25.

**MOVED**, authorize staff to proceed with planning the 2017 OWOW State of the Santa Ana River Watershed Conference at the Ontario Convention Center to be held on May 18 or May 25.

Result: **Adopted (Unanimously; 5-0)**

Motion/Second: Killgore/Anthony

Ayes: Anthony, Catlin, Evans, Killgore, Slawson

Nays: None

Abstentions: None

Absent: None

6. INFORMATIONAL REPORTS

Recommendation: Receive and file the following oral/written reports/updates.

A. **CHAIR’S COMMENTS/REPORT**

B. **COMMISSIONERS’ COMMENTS**

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

7. CLOSED SESSION

Larry McKenney noted the Closed Session item the Commission would discuss, and stated that in addition to General Manager Celeste Cantú, Rich Haller and David Ruhl are essential to the discussion of Agenda Item No. 7.A. McKenney further noted that confidential litigation consultant agreements have been executed with three of the member agency general managers – Joe Grindstaff, Mike Markus and Paul Jones. These agreements will allow them to participate in Closed Session discussions regarding this litigation and preserve the confidentiality process.

At 9:37 a.m., Chair Evans recessed the meeting to Closed Session. Celeste Cantú, Larry McKenney, Rich Haller, David Ruhl and Mike Markus participated in the discussion of Agenda Item No. 7.A.

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 Evans resumed Open Session at 10:38 p.m. As a result of Closed Session discussions, the Commission received a report and memo on the following item:
SOLE SOURCE PROCUREMENT TO COMPLETE REACH V REHABILITATION AND IMPROVEMENT PROJECT (CM#2016.61)

David Ruhl provided a PowerPoint presentation on circumstances constituting an emergency condition and creating an urgent necessary for immediate action on the Reach V Rehabilitation and Improvement Project, and a sole source procurement recommendation to complete the Project. Alternate Commissioner Slawson asked how long a bidding process would take and was advised approximately four months.

MOVED, (1) adopt Resolution 2016-3 finding that the unfinished condition of the Reach V Rehabilitation and Improvement Project (the Project) after the termination for cause of the Project contractor constitutes an emergency that requires immediate action, and that urgent necessity requires SAWPA to contract to complete the Project without competitive bidding to prevent or mitigate the loss or impairment of life, health, property and essential public services; and (2) authorize the General Manager to negotiate and execute a contract without competitive bidding to complete the Project.

Result: Adopted (Unanimously; 5-0)
Motion/Second: Catlin/Slawson
Ayes: Anthony, Catlin, Evans, Killgore, Slawson
Nays: None
Abstentions: None
Absent: None

8. ADJOURNMENT

There being no further business for review, Chair Evans adjourned the meeting at 10:53 p.m.

Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday, August 16, 2016.

Thomas P. Evans, Chair

Attest:
Kelly Berry, CMC
Clerk of the Board