



**SAWPA COMMISSION  
REGULAR MEETING MINUTES  
SEPTEMBER 18, 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  
Thomas P. Evans, Western Municipal Water District

**COMMISSIONERS ABSENT**

None

**ALTERNATE COMMISSIONERS  
PRESENT; NON-VOTING**

Kati Parker, Alternate, Inland Empire Utilities Agency

**STAFF PRESENT**

Rich Haller, Larry McKenney, Karen Williams, Mark Norton, Dean Unger,  
David Ruhl, Mike Antos, Kelly Berry

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**

There were no public comments. The new CivicSpark Fellows, Marisa Perez-Reyes and Brian Keener were introduced.

The Commission next considered Closed Session Agenda Item No. 7.A.

**4. CONSENT CALENDAR**

**A. APPROVAL OF MEETING MINUTES: SEPTEMBER 4, 2018**

Recommendation: Approve as posted.

**B. TREASURER'S REPORT – AUGUST 2018**

Recommendation: Approve as posted.

**MOVED**, approve the Consent Calendar.

Result:	<b>Adopted</b>
Motion/Second:	Evans/Whitaker
Ayes:	Bulot, Evans, Sullivan, Whitaker
Nays:	None
Abstentions:	Hall
Absent:	None

5. **NEW BUSINESS**

A. **APPLICATION FOR CERTIFICATE OF CONSENT TO SELF-INSURE AS A PUBLIC AGENCY EMPLOYER SELF-INSURER (WORKERS COMPENSATION INSURANCE) (CM#2018.97)**

Karen Williams provided a PowerPoint presentation regarding Workers' Compensation insurance history and recommendations. Commissioner Evans requested staff provide the Commission with more specific information relating to SAWPA's rating – what determines the rating and how we arrived at that rating, as well as programs SAWPA has in place to ensure the best rating.

**MOVED**, approve Resolution No. 2018-10, authorizing application to the Director of Industrial Relations, State of California for a Certificate of Consent to Self-Insure Workers' Compensation Liabilities; and authorize staff to complete the application.

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

B. **PAYING RETENTION ON CONTRACTS FOR GRANT-FUNDED PROJECTS (CM#2018.98)**

Karen Williams provided the PowerPoint presentation contained in the agenda packet (pages 61-62). A discussion ensued regarding the proposed policy, authority of the General Manager under existing policy, the need for future Commission approval, and fulfilling financial audit requirements. The Commission ultimately declined to adopt the proposed policy, but gave direction authorizing the General Manager to release and pay retention up to a total amount not to exceed \$50,000 for completed work on grant-funded projects in advance of State reimbursement. The General Manager will determine on a case-by-case basis the nature of the work and reimbursement risk, extent of delay, significance of impact to small businesses or non-profit organizations, and would report to the Commission if use of the authority would exceed \$50,000.

**MOVED**, authorize the General Manager to release and pay retention up to a total amount not to exceed \$50,000, as determined by the General Manager on a case-by-case basis, for completed work on grant-funded projects in advance of State reimbursement.

Result:	<b>Adopted (Unanimously)</b>
Motion/Second:	Hall/Evans
Ayes:	Bulot, Evans, 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 – JULY 2018**

B. **INTER-FUND BORROWING – JULY 2018 (CM#2018.93)**

C. **PERFORMANCE INDICATORS/FINANCIAL REPORTING – JULY 2018 (CM#2018.94)**

- D. **BUDGET VS ACTUAL VARIANCE REPORT – FYE 2018 FOURTH QUARTER - ENDING JUNE 30, 2018 (CM#2018.95)**
- E. **FINANCIAL REPORT FOR THE FOURTH QUARTER ENDING JUNE 30, 2018**
- F. **FOURTH QUARTER FYE 2018 EXPENSE REPORTS**
- G. **INLAND EMPIRE BRINE LINE REACH V TEMESCAL CANYON ROAD WIDENING PROJECT (CM#2018.96)**  
David Ruhl provided a brief oral update.
- H. **GENERAL MANAGER REPORT**  
Rich Haller briefly reviewed the General Manager report and attachments.
- I. **SAWPA GENERAL MANAGERS MEETING NOTES**  
September 11, 2018
- J. **STATE LEGISLATIVE REPORT**
- K. **CHAIR’S COMMENTS/REPORT**
- L. **COMMISSIONERS’ COMMENTS**
- M. **COMMISSIONERS’ REQUEST FOR FUTURE AGENDA ITEMS**  
There were no further requests for future agenda items.

The Commission next considered Closed Session Agenda Item No. 7.B.

## 7. **CLOSED SESSION**

The Commission first considered Closed Session Agenda Item No. 7.A. Designated personnel essential to the discussion of Agenda Item No. 7.A. were present during Closed Session. Chair Bulot recessed the meeting to Closed Session at 9:33 a.m.

### 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 10:26 a.m. There was no reportable action on Agenda Item No. 7.A. The Commission next considered Agenda Item No. 4. Consent Calendar.

Chair Bulot recessed the meeting to Closed Session at 10:39 a.m. for consideration of Agenda Item No. 7.B. Only General Manager Rich Haller was present during the discussion.

### B. **PUBLIC EMPLOYEE ANNUAL PERFORMANCE EVALUATION – PURSUANT TO GOVERNMENT CODE SECTION 54957**

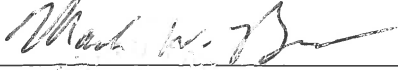
Title: General Manager

Chair Bulot resumed Open Session at 11:43 a.m. There was no reportable action on Agenda Item No. 7.B.

## 8. **ADJOURNMENT**

There being no further business for review, Chair Bulot adjourned the meeting at 11:43 a.m.

**Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday,  
October 2, 2018.**



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Mark Bulot, Chair

Attest:



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Kelly Berry, CMC  
Clerk of the Board