

MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
PUBLIC AFFAIRS AND LEGISLATION COMMITTEE
August 9, 2010, 8:30 a.m.
Conference Room 101

Teleconference Site:
20989 Park Lane
Rollins, MT 59931
(406) 844-2282

Members of the Public may attend and participate in the meeting at both locations

Committee:

Director Hinman, Chairman
Director Clark
Director Dick

Staff: K. Hunt, K. Seckel, D. Cordero,
K. Davanaugh, D. Burke

Ex Officio Member: J. Finnegan

MWDOC Committee meetings are noticed and held as joint meetings of the Committee and the entire Board of Directors and all members of the Board of Directors may attend and participate in the discussion. Each Committee has designated Committee members, and other members of the Board are designated alternate committee members. If less than a quorum of the full Board is in attendance, the Board meeting will be adjourned for lack of a quorum and the meeting will proceed as a meeting of the Committee with those Committee members and alternate members in attendance acting as the Committee.

PUBLIC PARTICIPATION

Public comments on agenda items and items under the jurisdiction of the Committee should be made at this time.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED - Determine there is a need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda. (Requires a unanimous vote of the Committee)

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING -- Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

ACTION ITEMS

1. ESTABLISHMENT OF ADOPT SOCIAL MEDIA POLICY

2. ESTABLISHMENT OF LEGISLATIVE POSITIONS (Federal)

DISCUSSION ITEMS

3. STATE WATER RESOURCES CONTROL BOARD DRAFT DELTA FLOW CRITERIA REPORT (to be emailed separately)

INFORMATION ITEMS - (THE FOLLOWING ITEMS ARE FOR INFORMATIONAL PURPOSES ONLY – BACKGROUND INFORMATION IS INCLUDED IN THE PACKET. DISCUSSION IS NOT NECESSARY UNLESS REQUESTED BY A DIRECTOR.)

4. LEGISLATIVE ACTIVITIES
- a. Report on Federal Legislative Activities
 - b. Report on State Legislative Activities
 - c. Legislative Matrix

5. PUBLIC AFFAIRS ACTIVITIES REPORT

OTHER ITEMS

6. REVIEW ISSUES RELATED TO LEGISLATION, OUTREACH, PUBLIC INFORMATION ISSUES, AND MET

ADJOURNMENT

NOTE: At the discretion of the Committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated, and may be subject to action by the Committee. On those items designated for Board action, the Committee reviews the items and makes a recommendation for final action to the full Board of Directors; final action will be taken by the Board of Directors. Agendas for Committee and Board meetings may be obtained from the District Secretary. Members of the public are advised that the Board consideration process includes consideration of each agenda item by one or more Committees indicated on the Board Action Sheet. Attendance at Committee meetings and the Board meeting considering an item consequently is advised.

Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.



ACTION ITEM

August 18, 2010

TO: Board of Directors

FROM: **Public Affairs & Legislation Committee**
(Directors Hinman, Dick, Clark)

Kevin Hunt
General Manager

Staff Contact: David Cordero

SUBJECT: ESTABLISHMENT OF SOCIAL MEDIA USE POLICY

STAFF RECOMMENDATION

Staff recommends the Board of Directors adopt the MWDOC Social Media Use Policy as presented.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

The Public Affairs and Legislation (PAL) Committee requested at its July meeting additional information from staff about the District’s proposed use of social media communication. The particular issues to be addressed were: stated purpose for the District’s use of social media, identification of security and/or technical issues, and a survey of MWDOC’s client agencies on their social media use.

Purpose for MWDOC’s Use of Social Media

The District’s purpose for engaging in social media communication is highlighted in its proposed Social Media Usage Policy, *“the Municipal Water District of Orange County recognizes a need to augment its traditional communication methods with the use of Internet-based social media channels. This need is driven by an increased public demand and the rapid growth of social media use among local, state and federal government entities to enhance public/constituent communications and transparency. MWDOC supports the use of social media technology to enhance two-way communication, collaboration and information exchange.”*

Budgeted (Y/N):	Budgeted amount:
Action item amount:	Line item:
Fiscal Impact (explain if unbudgeted):	

Simply put, MWDOC's purpose for engaging in social media communication is to harness the power, popularity, and expanding presence of this electronic communication platform to:

1. Increase reach and awareness of the District and its services and activities among the public, the media, elected officials and community leaders and organizations, water-related interest groups, and others.
2. Convey news, information, messages, and other content directly to a broad and diverse audience, in an effective, efficient, timely, and inexpensive manner.
3. Empower others to be our communication partners by providing them with content that can be shared with others, which will further our information sharing objectives.
4. Engage the public and facilitate dialogue on water issues, news and District activities, with the feedback making it possible for the District to measure public opinion, be more responsive, and manage its "brand" more effectively.
5. Drive people to the District's website and make it a primary source for water information.

Client Agency Use of Social Media

Staff surveyed its client agencies through the Public Affairs Workgroup (PAW) to determine which agencies engage in social media communication, the platforms they use, and any functionality, technical, or security issues they have encountered. There were fifteen (15) agencies that responded to the survey, including Anaheim Public Utilities, of which:

- Twelve (12) currently use social media.
- One (1) is considering social media.
- Two (2) are not using or considering social media.

The twelve (12) agencies that currently engage in social media communication provided the following information regarding platforms used and any functionality, technical, or security issues they have encountered:

- **Anaheim Public Utilities**
 - **Platforms Used:** Facebook, YouTube. City also uses Twitter.
 - **Facebook "Likes":** 111
 - **Twitter Followers:** 308
 - **Issues Encountered:** None
- **Brea**
 - **Platforms:** Facebook and Twitter
 - **Facebook "Likes":** 1,528
 - **Twitter Followers:** 440
 - **Issues Encountered:** None.
- **Buena Park**
 - **Platforms:** Facebook, Twitter, YouTube
 - **Facebook "Likes":** TBD

- **Twitter Followers:** 109
 - **Issues Encountered:** None
- **Irvine Ranch Water District**
 - **Platforms:** Facebook, Linked-In, Twitter, YouTube
 - **Facebook “Likes”:** 185
 - **Twitter Followers:** 223
 - **Issues Encountered:** None
- **Golden State Water Company**
 - **Platforms:** Linked-In, Twitter, YouTube
 - **Twitter Followers:** TBD
 - **Issues Encountered:** None
- **Huntington Beach**
 - **Platforms:** Facebook
 - **Facebook “Likes”:** TBD
 - **Issues Encountered:** None
- **Laguna Beach County Water District**
 - **Platforms:** Twitter
 - **Twitter Followers:** 257
 - **Issues Encountered:** None
- **Newport Beach**
 - **Platforms:** Facebook and Twitter
 - **Facebook “Likes”:** 1,104
 - **Twitter Followers:** 245 (Water Dept.)
 - **Issues Encountered:** None
- **Metropolitan Water District of Southern California**
 - **Platforms:** Facebook
 - **Facebook “Likes”:** 324
 - **Issues Encountered:** None
- **Orange County Water District**
 - **Platforms:** Twitter. Facebook launch to coincide with new GWR website
 - **Twitter Followers:** 641
 - **Issues Encountered:** None
- **Santa Margarita Water District**
 - **Platforms:** Facebook and Twitter
 - **Facebook “Likes”:** 66
 - **Twitter Followers:** 18
 - **Issues Encountered:** None
- **Tustin**
 - **Platforms:** Facebook and Twitter
 - **Total Facebook “Likes”:** 2,403
 - **Twitter Followers:** 1,853

- **Issues Encountered:** None
- **Yorba Linda Water District**
 - **Platforms:** Facebook and Twitter
 - **Facebook “Likes”:** 57
 - **Twitter Followers:** 26
 - **Issues Encountered:** Had to delete one (1) female “follower” on Twitter seeking “friends.”

Functionality/Security/Technical Issues

The PAL Committee also had questions and concerns about whether social media usage poses risks to the District’s information resources such as breaches that could compromise network security. Staff from the Information Technology (IT) Department was involved in the review of the Social Media Usage Policy and during that process, it was determined that the Districts’ network security should not be compromised, as social media accounts do not run on or through the its network. Rather, the social media accounts are hosted directly by the social media platform (Facebook, Twitter, YouTube, etc.) However, threats to the integrity of social media accounts do exist and are often exploited through user deception. Not surprisingly, the most common culprit is malicious content embedded in file attachments or links that can compromise user accounts once opened. The IT staff has previously advised staff to not open emails that contain unknown or unsolicited attachments or embedded links. The same will hold true with regard to social media use.

Implementation of Social Media

Public Affairs staff is ready to initiate social media communication into its outreach efforts using the Facebook and Twitter platforms, as early as this summer and no later than in the fall when the second phase of the MWDOC website launches. The Director of Public Affairs will be responsible for the posting of content and monitoring of the Facebook account. The Director of Government Affairs will be responsible for the posting of content and monitoring of the Twitter account.

Overview of MWDOC Social Media Usage Policy

The following provides an abridged overview of the draft Social Media Use Policy before the PAL Committee for recommended approval to the Board of Directors:

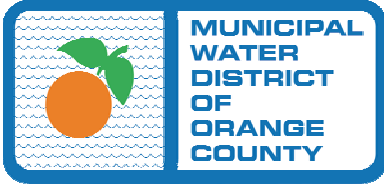
- **General**
 - Only official District spokespersons and select individuals, approved by the General Manager, will have permission to create, publish or comment on behalf of MWDOC.
 - District social media sites shall be created with identifiable characteristics of an official District site and make clear that they are maintained by the District and that they comply with the District’s Social Media Policy.
 - The same standards, principles and guidelines that apply to MWDOC employees in the performance of their assigned duties apply to employee social media technology use.
 - The District reserves the right to restrict or remove content that is deemed in violation of this Social Media Policy or any applicable law.
 - All District social media sites shall adhere to applicable federal, state, and local laws, regulations and policies.
 - District social media sites are subject to the California Public Records Act.

- Comments on topics or issues not within the jurisdictional purview of the District may be removed.
- **Approved Social Media Networks**
 - Only those social media networks approved by the General Manager shall be used for District communications.
 - Social media networks under consideration will be reviewed and approved by the General Manager, or his/her designee, in consultation with the Public Affairs Department and IT Department, as well as legal counsel and the Human Resources Department when appropriate.
- **Official District Social Media Sites**
 - District social media sites shall be created and maintained in accordance with the District's Social Media Policy and identifiable as an official District site.
 - District social media network accounts shall be created under an official District e-mail account. Account password(s) and related account information shall be provided in writing and retained by the Public Affairs and IT Departments.
 - Social media sites shall contain visible elements that identify them as an official District site. These elements include but are not limited to displaying the District logo, contact information, and a link to District website, whenever possible.
 - District social media sites shall display or link to the District Social Media Policy.
- **Site Content and Comment Policy**
 - Sites that allow public comment shall inform visitors of the intended purpose of the site and that inappropriate posts are subject to removal.
 - A comment posted by a member of the public on any District social media site is the opinion of the commentator or poster only. The District's publication of such a comment does not imply its endorsement of, or agreement with, nor do such comments necessarily reflect the District's opinions or policies.
 - MWDOC reserves the right to deny access to District social media sites to any individual who violates the District's Social Media Policy, at any time and without prior notice.
 - Departments shall monitor their social media sites for comments requesting responses from the District and for comments in violation of this Policy.
 - When a MWDOC employee responds to a comment, in his/her capacity as a MWDOC employee, the employee's name and title must be made available, and the employees shall not share personal information about themselves or other MWDOC employees.
- **Records Management**
 - District use of social media shall be documented and maintained in an easily accessible format that tracks account information and preserves items that may be considered a record subject to disclosure under the California's Public Records Act or required to be retained pursuant to the Government Code.
 - Departments are responsible for the creation, administration and deactivation of social media accounts, in coordination with the Public Affairs Department.

- Account password information shall only be shared with authorized staff designated by the Department manager, or her/his designee, to fulfill the role of site account administrator.
- An account password shall promptly be reset when an employee is removed as an account administrator.
- Departments shall maintain a record of social media sites created for District use
- Site content shall be maintained in accordance with its respective records retention schedule and in accordance with District policies and procedures.

Staff recommends that the Board of Directors adopt the draft Social Media Policy, which will allow the District to begin integrating social media into its existing communication activities to enhance communications, collaboration and information exchange.

Attached: 1) Draft Social Media Use Policy



SOCIAL MEDIA USE

Municipal Water District of Orange County

DRAFT Social Media Use Policy

August 18, 2010

I. PURPOSE

The Municipal Water District of Orange County (MWDOC or District) recognizes a need to augment its traditional communication methods with the use of Internet-based social media channels. This need is driven by an increased public demand and the rapid growth of social media use among local, state and federal government entities to enhance public/constituent communications and transparency. MWDOC supports the use of social media technology to enhance two-way communication, collaboration and information exchange.

This document establishes MWDOC's social media use policies, protocols and procedures. It also provides guidance to all MWDOC employees and other representatives that work or act on its behalf. MWDOC shall revise this policy as necessary and it will adjust the use social media activity by MWDOC, its staff, and affiliates accordingly.

II. DEFINITIONS

Social Media and Web 2.0 – The U.S. Government defines social media and Web 2.0 as umbrella terms that define the various activities that integrate technology, social interaction, and content creation. Through social media, individuals or collaborations of individuals can create Web content, organize content, edit or comment on content, combine content, and share content. Social media and Web 2.0 use many technologies and forms, including RSS and other syndicated Web feeds, blogs, wikis, photo-sharing, video-sharing, podcast, social bookmarking, mashups, widgets, virtual worlds, micro-blogs, and more.

Official District E-Mail Account – E-mail account created and maintained by the Information Technology (IT) Department for official District business.

General Manager - Refers to the General Manager or his/her designee.

Approved District Social Networking Site – Refers to social networks that the General Manager in coordination with the Public Affairs Department and IT Department, has assessed and approved for use by the District.

III. APPLICABILITY

This policy applies to all MWDOC employees and other approved District representatives.

IV. RESPONSIBILITY

The Board of Directors approved the MWDOC Social Media Policy on xx/xx/xxxx.

The General Manager is responsible for facilitating the MWDOC Social Media Policy in compliance with established rules and protocols. This includes responsibility to audit social media use and enforce policy compliance.

All employees shall be provided a copy of the District's Social Media Policy and are required to acknowledge their understanding and acceptance via wet signature. The Human Resources Department shall maintain a record of each employee's signed Social Media Policy acknowledgement form.

V. GENERAL POLICY

- a. The use of social media technology by any District department shall be approved by the General Manager. The department must conform to the policies, protocols and procedures contained, or referenced, herein.
- b. Access to social media networks from within MWDOC's IT infrastructure shall be extended to employees exclusively to perform District business.
- c. Only official District spokespersons and select individuals, approved by the General Manager, will have permission to create, publish or comment on behalf of MWDOC.
- d. District social media sites shall be created with identifiable characteristics of an official District site and make clear that they are maintained by the District and that they comply with the District's Social Media Policy.
- e. Wherever possible, District social media sites should link back to the official District website to provide additional content and information.
- f. The same standards, principles and guidelines that apply to MWDOC employees in the performance of their assigned duties apply to employee social media technology use. Social media activities pertaining to employee duties or outside of employee work time that negatively affect MWDOC's work or the work of other employees, for example, by undermining its mission, purpose, or credibility with the public, will be subject to investigation, and appropriate action, as determined by MWDOC.
- g. District social media sites and all related content shall be monitored by the IT Department.
- h. The District reserves the right to restrict or remove content that is deemed in violation of this Social Media Policy or any applicable law. Any content removed based on this Social Media Policy shall be retained by the Director of Public Affairs for a reasonable period of time, and include the time, date and identity of the author or individual who posted the content, when available.
- i. The Social Media Policy shall be displayed to users or made available by hyperlink.
- j. The District's website www.mwdoc.com will remain the District's primary and predominant Internet presence.

- k. All District social media sites shall adhere to applicable federal, state, and local laws, regulations and policies.
- l. District social media sites are subject to the California Public Records Act. Any content maintained in a social media format that is related to District business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure.
- m. Comments on topics or issues not within the jurisdictional purview of the District may be removed.
- n. Employees representing the District via District social media sites must conduct themselves at all times as a representative of the District and in accordance with all District policies.

VI. APPROVED SOCIAL MEDIA NETWORKS

Only those social media networks approved by the General Manager shall be used for District communications.

- a. Social media networks under consideration will be reviewed and approved by the General Manager, or his/her designee, in consultation with the Public Affairs Department and IT Department, as well as legal counsel and the Human Resources Department when appropriate.
- b. The Public Affairs Department, in consultation with the IT manager, is responsible for maintaining the list of approved social media networks and site related usage standards.
- c. On a semi-annual basis, the Public Affairs Department shall review existing social media networks for changes to terms of use agreements and/or new/expired offerings.
- d. A department may request that the Public Affairs Department review and approve additional social media networks.

VII. OFFICIAL DISTRICT SOCIAL MEDIA SITES

District social media sites shall be created and maintained in accordance with the District's Social Media Policy and identifiable as an official District site.

- a. District social media network accounts shall be created under an official District e-mail account. Account password(s) and related account information shall be provided in writing and retained by the Public Affairs and IT Departments.
- b. Social media sites shall contain visible elements that identify them as an official District site. These elements include but are not limited to displaying the District logo, contact information, and a link to District website, whenever possible.

- c. District social media sites shall display or link to the District Social Media Policy.

VIII. SITE CONTENT AND COMMENT POLICY

- a. As a public agency, the District must abide by certain standards to serve all of its constituents in a civil and unbiased manner.
- b. The intended purpose behind establishing District social media sites is to disseminate District information to the public.
- c. Sites that allow public comment shall inform visitors of the intended purpose of the site and that inappropriate posts are subject to removal, including but not limited to the following types of postings regardless of format (text, video, images, links, documents, etc.):
 - i. Comments not topically related;
 - ii. Profane language or content;
 - iii. Content that, for a reasonable person, promotes, fosters or perpetuates discrimination or a hostile attitude or gives offense on the basis of race, color, citizenship, age, religion, ancestry, gender, marital status, national origin, veteran's status, physical or mental disability or sexual orientation;
 - iv. Sexual content or links to sexual content;
 - v. Solicitations of commerce;
 - vi. Conduct or encouragement of illegal activity;
 - vii. Information that may tend to compromise the safety or security of the public or public systems;
 - viii. Content that violates a legal ownership interest of any other party; or
 - ix. Messages or information which in conflict with applicable law or District policies, rules or procedures.
- d. A comment posted by a member of the public on any District social media site is the opinion of the commentator or poster only. The District's publication of such a comment does not imply its endorsement of, or agreement with, nor do such comments necessarily reflect the District's opinions or policies.
- e. MWDOC reserves the right to deny access to District social media sites to any individual who violates the District's Social Media Policy, at any time and without prior notice.
- f. Departments shall monitor their social media sites for comments requesting responses from the District and for comments in violation of this Policy.

- g. When a MWDOC employee responds to a comment, in his/her capacity as a MWDOC employee, the employee's name and title must be made available, and the employees shall not share personal information about themselves or other MWDOC employees.

IX. RECORDS MANAGEMENT

District use of social media shall be documented and maintained in an easily accessible format that tracks account information and preserves items that may be considered a record subject to disclosure under the California's Public Records Act or required to be retained pursuant to the Government Code.

- a. Departments are responsible for the creation, administration and deactivation of social media accounts, in coordination with the Public Affairs Department.
 - i. Account password information shall only be shared with authorized staff designated by the Department manager, or her/his designee, to fulfill the role of site account administrator.
 - ii. An account password shall promptly be reset when an employee is removed as an account administrator.
- b. Departments shall maintain a record of social media sites created for District use, which include, but may not be limited to:
 - i. A log file containing the name of the social media network, account id, password, registered e-mail address, date established, authorizing representative and name of person who created account and agreed to the site's terms of use agreement and/or policy.
 - ii. A record of the site's usage agreement at the time the site was created and any updated versions.
 - iii. A list of authorized site content authors and editors.
- c. Electronic information posted to a social media site by the District, or a member of the public, if permitted, may be considered a record subject to California's Public Records Act.
 - i. The Public Affairs Department shall be responsible for responding completely and accurately to any public records request for public records on social media.
 - ii. Site content shall be maintained in accordance with its respective records retention schedule and in accordance with District policies and procedures.



ACTION ITEM

August 18, 2010

TO: Board of Directors

FROM: **Public Affairs & Legislation Committee**
(Directors Hinman, Dick, Clark)

Kevin Hunt
General Manager

Staff Contact: David Cordero

SUBJECT: ESTABLISHMENT OF LEGISLATIVE POSITIONS

STAFF RECOMMENDATION

Staff recommends the Board of Directors adopt an "Oppose unless Amended" position on AB 1975 (Fong).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

AB 1975 (Fong) – Water charges and meters: multiunit structures.

Summary: AB 1975 would:

- Require a water purveyor that provides water service to a multi-unit residential structure or mixed-use residential and commercial structure that is subject to specified building standards, to either:
 1. Adopt a general policy to require the installation of either a water meter or submeter to measure water supplied to each individual dwelling unit, or
 2. Inform, on an individual basis, an applicant for new water service as to whether a water meter or submeter is required to be installed for each individual dwelling unit.

Budgeted (Y/N):	Budgeted amount:
Action item amount:	Line item:
Fiscal Impact (explain if unbudgeted):	

- Require the owner of the structure to ensure that a water submeter installed for these purposes complies with laws and regulations governing installation, certification, maintenance, reading, billing, and testing of water submeters.
 1. The water purveyor would be prohibited from imposing specified fees related to the installation of submeters, and
 2. The owner of a rental structure, as specified, would be prohibited from assessing or collecting charges or fees related to water usage based on a submeter reading, from the occupants of the structure.

(Note: The author's intent is that cleanup legislation would be adopted using taskforce recommendations that "establishes standards and procedures governing the practices of assessing and charging occupants of rental dwelling units in multiunit structures for water usage.")
- Require the Department of Housing and Community Development to develop and submit to the commission building standards that require the installation of water meters or submeters in individual dwelling units within a newly constructed multiunit residential structure or a mixed-use residential and commercial structure, as specified.
- Authorize the department to include criteria for exemptions for certain types of residential structures and where installation is deemed infeasible.
 1. The commission, prior to adopting these proposed building standards, would be required to determine that a sufficient number of water meters and submeters are available in the market.
- Require the Department of Housing and Community Development, commencing on January 1, 2011, to convene a task force to develop recommendations for legislation to establish standards and procedures governing the practice of assessing and charging occupants of rental dwelling units in multiunit structures for water usage.
 1. The department would be required to report the final recommendations of the task force to the Legislature no later than December 31, 2011.

Analysis: AB 1975 is intended to promote increased water conservation by requiring the installation of meters or submeters on all multi-unit residential structures. It also requires the formation of a taskforce that would make recommendations for legislation related to the development of billing standards for the use of water sub-meters. There are no established sub-meter billing standards currently in place and property owners/management companies have different methods for billing their tenants.

Staff has been monitoring this bill as it has evolved in recent months, soliciting feedback from the MWDOC client agencies, and providing general input to Metropolitan with regard to technical questions and applicability. While the bill has evolved in a positive direction and the author has been generally receptive to water industry suggestions, it appears to have

reached a point where only limited amendments will be made during the final month of the legislative session.

There are two issues that have not yet been adequately resolved which prevent staff from recommending support for the bill at this time:

1. The bill allows water providers to determine whether to require installation of a water meter or submeter for each individual dwelling unit in the newly constructed multi-unit residential structures they would serve. However, the bill prohibits the owners of multi-unit residential rental structures from assessing or collecting from tenants any charges or fees associated with water usage based on a submeter reading.

This prohibition is intended to be temporary until cleanup legislation is signed into law that “establishes standards and procedures governing the practices of assessing and charging occupants of rental dwelling units in multiunit structures for water usage.” The problem with this “temporary” prohibition is that it lacks a sunset clause or some other protective measure for multi-unit rental property owners that would allow them to begin collecting charges and fees associated with their tenant’s sub-metered water use in the event that cleanup legislation never becomes law.

AB 1975 also creates a double standard that would provide protections for only renters in multiunit structures, but not for residents who live in condos and common interest developments, or sublet units. It is also unclear how this standard would be applied in multiunit structures where there are rental and owned units. Additionally, this double standard would place an undue burden on water purveyors that would be called upon to help those without billing standard protections even though the water purveyor has no authority to do so.

Staff would recommend that the bill be amended to either:

- 1) Eliminate submeters entirely from AB 1975 and simply require installation of individual meters on all units for newly constructed multiunit residential structure or mixed-use residential and commercial structure; or
- 2) Impose a December 31, 2012 sunset date for this billing prohibition, at which point owners of multi-unit residential rental structures with installed submeters on each individual unit could begin charging for water use.

The Association of California Water Agencies, Contra Costa Water District, East Bay Municipal Utility District, Metropolitan Water District of Southern California, and San Diego County Water Authority are presently seeking an amendment to the AB 1975 billing standards that would equitably apply to all multi-unit structures, regardless of whether they are rental, by deleting all references to “rental” from the bill.

2. The bill also directs that sewer use be included in the task force’s development of billing standards for submetered water use. Sewer and water use is not the same thing and sewer use is not metered. Also, outdoor water use can comprise a large portion of a multi-unit structure’s water use but it doesn’t contribute to a resident’s sewer use. Additionally, sewer and water service are often provided and billed by different agencies, so it makes no sense for the property owner to allocate the

charges from one agency based on the charges of another. Finally, it is common for sewer charges to be “flat” rates that are not based on water use. Allocating sewer charges to residents based on their water use can result in some residents subsidizing others for their sewer service.

Staff would recommend supporting a second amendment being sought by the Association of California Water Agencies, Contra Costa Water District, East Bay Municipal Utility District, Metropolitan Water District of Southern California, and San Diego County Water Authority that would delete from the bill all references to “sewer,” including usage and service.

Staff recommends adoption of an “Oppose unless Amended” position on AB 1975 until such time as both proposed amendments are incorporated into the bill.

Status: AB 1975 is presently in the Senate Natural Resources & Water Committee. It has not yet been scheduled for a hearing.

Recommended Position: Oppose unless Amended

Attachments: AB 1975 (Fong) – *as amended August 2, 2010*

AMENDED IN SENATE AUGUST 2, 2010

AMENDED IN SENATE JUNE 28, 2010

AMENDED IN SENATE JUNE 16, 2010

AMENDED IN ASSEMBLY JUNE 1, 2010

AMENDED IN ASSEMBLY APRIL 29, 2010

AMENDED IN ASSEMBLY APRIL 7, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1975

Introduced by Assembly Member Fong

February 17, 2010

An act to add Section 17922.14 to the Health and Safety Code, and to add Chapter 8.5 (commencing with Section 537) to Division 1 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1975, as amended, Fong. ~~Water~~ *Building standards: water charges and meters: multiunit structures.*

(1) The Water Measurement Law requires every water purveyor to require, as a condition of new water service on and after January 1, 1992, the installation of a water meter to measure water service. That law also requires urban water suppliers to install water meters on specified service connections, and to charge water users based on the actual volume of deliveries as measured by those water meters in accordance with a certain timetable.

This bill, ~~contingent upon adoption by the California Building Standards Commission of specified building standards,~~ would require

~~that architectural plans for individual dwelling units in certain multiunit structures, for which a building permit application is submitted on or after January 1, 2013, include, as a condition for the issuance of the building permit, would require a water purveyor that provides water service to a multiunit residential structure or mixed-use residential and commercial structure that is subject to specified building standards, to either adopt a general policy to require the installation of either a water meter, as defined, or a submeter, at the discretion of the water purveyor, with a specified exception as defined, to measure water supplied to each individual dwelling unit, or to inform, on an individual basis, an applicant for new water service as to whether a water meter or submeter is required to be installed for each individual dwelling unit. The bill would require the owner of the structure to ensure that a water submeter installed for these purposes complies with laws and regulations governing installation, certification, maintenance, reading, billing, and testing of water submeters. The bill would prohibit a water purveyor from imposing specified fees related to the installation of water meters and submeters, and would prohibit the owner of the a rental structure, or an association managing the structure, as specified, from assessing or collecting charges or fees related to the water meters and submeters water usage based on a submeter reading, from the occupants of the structure.~~

(2) The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption.

This bill would require the Department of Housing and Community Development to develop and submit *to the commission* building standards ~~for that require~~ the installation of water meters ~~and or~~ submeters in ~~residential individual dwelling~~ units within a *newly constructed* multiunit residential structure or a mixed-use residential and commercial structure, as specified. ~~This~~ *The* bill would also ~~require~~ *authorize the department to include criteria for* exemptions for certain types of residential structures and where installation is deemed infeasible. The bill would require the commission, prior to adopting these proposed building standards, to determine that a sufficient number of water meters and submeters are available in the market.

The bill would also require the department, commencing on January 1, 2011, to convene a task force to develop recommendations for legislation to establish standards and procedures governing the practice of assessing and charging occupants of *rental dwelling units in* multiunit structures for water usage ~~by building owners and homeowners' associations for purposes of the water metering requirements imposed by the bill.~~ The bill would require the department to report the final recommendations of the task force to the Legislature no later than December 31, 2011, ~~and would declare legislative intent to subsequently enact comprehensive legislation relating to assessment and collection by owners and associations of charges and fees associated with water meters and submeters.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17922.14 is added to the Health and
- 2 Safety Code, to read:
- 3 17922.14. (a) During the next regularly scheduled building
- 4 standards-annual code adoption cycle commencing on or after
- 5 January 1, 2011, the department shall develop and submit, pursuant
- 6 to Chapter 4 (commencing with Section 18935) of Part 2.5,
- 7 building standards ~~for the~~ *that require* installation of water meters
- 8 ~~and or~~ submeters in ~~residential units within a individual dwelling~~
- 9 ~~units within a newly constructed~~ multiunit residential structure or
- 10 ~~a newly constructed~~ mixed-use residential and commercial
- 11 ~~structures for purposes of Section 537 of the Water Code.~~ *structure.*
- 12 (b) (1) The department ~~shall~~ *may* determine circumstances
- 13 under which the installation of water meters or submeters ~~shall be~~
- 14 ~~deemed in individual dwelling units is~~ infeasible, and provide ~~an~~
- 15 ~~exemption~~ *exemption criteria* for these circumstances in the
- 16 proposed building standards. *A master meter shall be required for*
- 17 *any structure to which an exemption is provided under this*
- 18 *subdivision.*
- 19 (2) ~~The building standards proposed by the department pursuant~~
- 20 ~~to this section shall provide an exemption, at a minimum, for each~~
- 21 ~~of the following:~~
- 22 (A) ~~Low-income housing.~~

1 (2) *At a minimum, the department shall consider the*
 2 *development of exemptions for structures in each of the following*
 3 *categories:*

4 (A) *Low-income housing. For purposes of this subparagraph,*
 5 *“low-income housing” means a residential housing development*
 6 *financed with low-income housing tax credits, tax-exempt mortgage*
 7 *revenue bonds, general obligation bonds, or local, state, or federal*
 8 *loans or grants, and for which the rents of the occupants in lower*
 9 *income households, as defined in Section 50079.5, do not exceed*
 10 *rents prescribed by deed restrictions or regulatory agreements*
 11 *pursuant to the terms of the financing or financial assistance.*

12 (B) *Student dormitories.*

13 ~~(C) Senior living facilities.~~

14 (C) *Long-term health care facilities, as defined in Section 1418.*

15 (D) *Time-share property, as defined in subdivision (aa) of*
 16 *Section 11212 of the Business and Professions Code.*

17 (c) *The building standards developed pursuant to this section*
 18 *shall require a meter or submeter used to measure water supplied*
 19 *to an individual residential unit to be of a type approved pursuant*
 20 *to Section 12500.5 of the Business and Professions Code, and to*
 21 *be installed and operated in compliance with regulations*
 22 *established pursuant to Section 12107 of the Business and*
 23 *Professions Code.*

24 ~~(e) The commission~~

25 (d) *The California Building Standards Commission, prior to*
 26 *adopting the building standards proposed pursuant to this section,*
 27 *shall collaborate with other state entities, including, but not limited*
 28 *to, the Division of Measurement Standards, to determine whether*
 29 *a sufficient supply of water meters and submeters are available in*
 30 *the market for purposes of compliance with the proposed building*
 31 *standards.*

32 ~~(e)~~

33 (e) (1) *Commencing on January 1, 2011, the department shall*
 34 *convene a task force to develop recommendations for legislation*
 35 *to establish standards and procedures governing the practice of*
 36 *assessing and charging occupants of multiunit structures for water*
 37 *rental dwelling units in multiunit structures for water and sewer*
 38 *usage by building owners and associations, as defined in*
 39 *subdivision (a) of Section 1351 of the Civil Code, for purposes of*
 40 *Chapter 8.5 (commencing with Section 537) of Division 1 of the*

1 ~~Water Code.~~ The task force shall be composed of representatives
 2 of tenant organizations, property owners, ~~water purveyors,~~ *private*
 3 *and public water purveyors, environmental organizations,*
 4 *wastewater agencies,* and other interested parties. ~~The task force~~
 5 ~~shall develop its final recommendations by June 30, 2011.~~

6 (2) The department shall report the final recommendations of
 7 the task force to the Legislature no later than December 31, 2011.

8 (e)

9 (f) (1) The requirement for submitting a report imposed under
 10 paragraph (2) of subdivision ~~(d)~~ (e) is inoperative on December
 11 31, 2015, pursuant to Section 10231.5 of the Government Code.

12 (2) A report to be submitted pursuant to paragraph (2) of
 13 subdivision ~~(d)~~ (e) shall be submitted in compliance with Section
 14 9795 of the Government Code.

15 (g) *The following definitions govern the construction of this*
 16 *section:*

17 (1) *“Master meter” means a meter that measures water usage*
 18 *for an entire property or structure, which may include common*
 19 *areas, and is read by the water purveyor.*

20 (2) *“Meter” has the same meaning as “water meter” in Section*
 21 *516 of the Water Code.*

22 (3) *“Submeter” means a device that measures water*
 23 *consumption of an individual unit within a master-metered*
 24 *structure, and is read by the owner of the structure or the owner’s*
 25 *agent.*

26 SEC. 2. Chapter 8.5 (commencing with Section 537) is added
 27 to Division 1 of the Water Code, to read:

28
 29 CHAPTER 8.5. MULTIUNIT STRUCTURES
 30

31 ~~537. (a) (1) Architectural plans for individual dwelling units~~
 32 ~~in a newly constructed multiunit residential structure or a~~
 33 ~~mixed-use residential and commercial structure for which the~~
 34 ~~application for a building permit is submitted on or after January~~
 35 ~~1, 2013, shall include, as a condition for the issuance of the~~
 36 ~~building permit, the installation of either a water meter or a~~
 37 ~~submeter, at the discretion of the water purveyor, to measure water~~
 38 ~~supplied to each individual dwelling unit.~~

39 (2) ~~Notwithstanding paragraph (1), a water purveyor shall not~~
 40 ~~require installation of a submetering system for a multiunit~~

~~1 residential structure or mixed-use residential and commercial
2 structure that is a part of a common interest development, as
3 defined in subdivision (c) of Section 1351 of the Civil Code.~~

~~4 (b) A meter or submeter used to measure the water supplied to
5 the dwelling unit pursuant to this chapter shall be of a type
6 approved pursuant to Section 12500.5 of the Business and
7 Professions Code and shall be installed and operated in compliance
8 with regulations established pursuant to Section 12107 of the
9 Business and Professions Code.~~

~~10 (c) (1) An owner of a structure described in subdivision (a)
11 shall ensure that each submeter installed pursuant to subdivision
12 (a) complies with all laws and regulations governing installation,
13 certification, maintenance, reading, billing, and testing of water
14 submeters. The owner shall be responsible for any costs associated
15 with this paragraph.~~

~~16 537. The following definitions govern the construction of this
17 chapter:~~

~~18 (a) "Master meter" means a meter that measures water usage
19 for an entire property or structure, which may include common
20 areas, and is read by the water purveyor.~~

~~21 (b) "Meter" has the same meaning as "water meter" in Section
22 516 of the Water Code.~~

~~23 (c) "Submeter" means a device that measures water
24 consumption of an individual unit within a master-metered
25 structure, and is read by the owner of the structure or the owner's
26 agent.~~

~~27 538. (a) With respect to an application for a water connection
28 or connections for a structure that is subject to building standards
29 adopted pursuant to Section 17922.14 of the Health and Safety
30 Code, a water purveyor shall do either of the following:~~

~~31 (1) Adopt a general policy to determine when the installation
32 of either a water meter or submeter to measure water supplied to
33 each individual dwelling unit shall be required. The water purveyor
34 shall inform all local building departments within its service area
35 of the policy.~~

~~36 (2) On an individual basis, and upon receipt of an application
37 for new water service to the structure, inform the applicant, and
38 the appropriate local building department, as to whether a water
39 meter or submeter is required to be installed to measure water
40 supplied to each individual dwelling unit in the structure.~~

1 (b) (1) *If the water purveyor requires installation of submeters*
2 *pursuant to subdivision (a), the owner of the structure shall ensure*
3 *that each submeter installed complies with all laws and regulations*
4 *governing installation, certification, maintenance, reading, billing,*
5 *and testing of water submeters.*

6 (2) ~~This section~~ *subdivision* does not require a water purveyor
7 to fund or assume responsibility for ensuring compliance with any
8 law or regulation governing installation, certification, maintenance,
9 reading, billing, and testing of water submeters and associated
10 onsite plumbing.

11 ~~(d)~~

12 (c) A water purveyor shall not charge an owner of a structure
13 ~~described in subdivision (a)~~ *that is subject to building standards*
14 *adopted pursuant to Section 17922.14 of the Health and Safety*
15 *Code, or his or her agent, a fee, charge, or assessment, either*
16 *directly or indirectly, for the installation, approval, connection, or*
17 *use of a ~~water meter or~~ submeter that is installed by the owner or*
18 *his or her agent. This subdivision shall not be construed to restrict*
19 *the authority of a water purveyor to collect fees or charges for*
20 *meters or connection and installation of meters, or other fees or*
21 *charges associated with providing and maintaining water service,*
22 *as described in the water purveyor's authorized tariffs or rates.*

23 ~~(e) An owner of a structure described in subdivision (a), or an~~
24 ~~association, as defined in subdivision (a) of Section 1351 of the~~
25 ~~Civil Code, that manages a structure described in subdivision (a),~~
26 ~~shall not assess or collect from occupants any charges or fees~~
27 ~~associated with the installation, certification, maintenance, reading,~~
28 ~~billing, and testing of water meters or submeters for purposes of~~
29 ~~this chapter.~~

30 (d) *An owner of a rental structure subject to building standards*
31 *adopted pursuant to Section 17922.14 of the Health and Safety*
32 *Code, and in which a water submeter is installed on or after the*
33 *effective date of those building standards, shall not assess or collect*
34 *from occupants any charges or fees associated with water usage*
35 *based on a submeter reading. For purposes of this subdivision,*
36 *“water usage” includes services based on water usage, including*
37 *sewer service.*

38 538.

39 539. It is the intent of the Legislature that this chapter should
40 not be construed to impose costs on any local government agency,

1 except to the extent that the local government agency is a water
2 purveyor subject to subdivision (a) of Section ~~537~~ 538.

3 ~~539. This chapter shall become operative upon the adoption~~
4 ~~by the California Building Standards Commission of building~~
5 ~~standards pursuant to Section 17922.14 of the Health and Safety~~
6 ~~Code.~~

7 ~~SEC. 3. It is the intent of the Legislature to enact subsequent~~
8 ~~comprehensive legislation to authorize an owner of, or an~~
9 ~~association, as defined in subdivision (a) of Section 1351 of the~~
10 ~~Civil Code, that manages, a structure described in subdivision (a)~~
11 ~~of Section 537 of the Water Code to assess and collect from~~
12 ~~occupants charges and fees associated with water meters and~~
13 ~~submeters for purposes of Chapter 8.5 (commencing with Section~~
14 ~~537) of Division 1 of the Water Code and to establish standards~~
15 ~~and procedures governing the practice of assessing and collecting~~
16 ~~charges and fees associated with water meters and submeters from~~
17 ~~occupants of structures governed by Chapter 8.5 (commencing~~
18 ~~with Section 537) of Division 1 of the Water Code.~~

Municipal Water District of Orange County, California
Washington Update
August 4, 2010

LEGISLATIVE REQUESTS FOR 2010

<i>Potential Source of Funding</i>	<i>Description</i>	<i>Amount Requested</i>	<i>Status</i>
<p>Natural Resources Conservation Service (NRCS) – U.S. Dept of Agriculture</p>	<p>SmarTimer Irrigation Controller Installations</p>	<p>\$0.5M</p>	<p>Reviewing what happened earlier this summer, the House Agriculture Appropriations Subcommittee met on June 30, 2010 and marked up its FY2011 Spending Bill. The Subcommittee allocated \$134,000 out of the Natural Resources Conservation Service Account for the MWDOC Irrigation Efficiency Program (SmarTimers). Congresswoman Loretta Sanchez was the sponsor of this Congressionally Directed Spending. Again please note that none of the House Republicans from Orange County submitted any funding requests for any projects this year as part of the their one year moratorium on Congressionally Directed Spending.</p> <p>To quickly review the importance of the program, once the program is fully implemented, there will be a significant annual reoccurring savings of some 30,000 acre feet of water. \$150,000 was received for this project for MWDOC for this fiscal year, FY2010.</p> <p>This new funding should be accepted by the Senate.</p>

<p>South Orange Coastal Ocean Water Desalination Project</p>	<p>Federal Appropriations and an Authorization for Federal Funds for the Desalination Project</p>	<p>\$1.3 M</p>	<p>Appropriations: \$875,000 in federal funds were appropriated for a State and Tribal Assistance Grant (STAG Grant) for the Municipal Water District of Orange County for water infrastructure for the current fiscal year, FY2010. MWDOC is in the process of receiving these funds.</p> <p>MWDOC submitted a \$1.3 Million funding request with the Orange County Delegation and the two Senate Offices for federal funds for the South Orange Coastal Water Desalination Project. Senator Boxer has submitted this request to the Interior Appropriations Committee. While Senator Feinstein’s Office has continued to express support for our Desal Project, she did not submit a request for an appropriation to the Appropriations Committee.</p> <p>This funding is planned for the South Orange Coastal Ocean Water Desalination Project.</p> <p>We are still waiting for the Senate Appropriations Interior and Environment Subcommittee to mark up its bill. It is now assumed that the Subcommittee will complete its work in September.</p> <p>Regarding the Energy and Water Appropriations Subcommittee, while Senator Feinstein did request funds for the Section 5039 Account this year, the Subcommittee did not allocate any funds for this account.</p> <p>Authorizations: To review, Senator Feinstein submitted a request to the Senate Environment and Public Works Committee (EPW Committee) for a \$1,000,000</p>
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		<p>Authorization for the MWDOC Desal Project. This proposed authorization, which still needs passage by the Committee and the Congress, would be part of the Water Resources Development Act or “WRDA” bill. This type of authorization is considered an “authority” for the Army Corps of Engineers to perform the work for this vital project.</p> <p>There has been very little change here. Senator Boxer’s Office has still not announced what projects they are officially submitting for Senate consideration. Senate EPW Committee Staff have advised us that over 245 California Projects were submitted to Senator Boxer’s Office. Because Senator Boxer is Chairwoman of the Senate EPW Committee, she has asked that her Committee Staff review the merits of each submitted project. <i>She has also asked that the Army Corps of Engineers provide her with a report as to which projects are meritorious.</i> Presently, the Committee is waiting for the Corps to supply this information to the Committee.</p> <p>The Committee Staff does not know when they will be able to report which California Projects from the Boxer Office will be submitted to the Committee for inclusion in the WRDA Bill or when that announcement will be made.</p> <p>With each passing week of no formal consideration of a Senate WRDA Bill, it will become harder and harder to pass a bill as large as the WRDA bill this year, particularly in light of the shorter legislative period due to the fall elections. That said, it is still very important that the MWDOC</p>
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			<p>Desalination Project be recommended for inclusion into the Bill this year, because that list will likely be the starting point for a bill next year.</p> <p>The House T&I Committee passed its version of the House WRDA Bill during the last week of July. Its future path is unclear given the uncertainty of the Senate's consideration of WRDA.</p>
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GENERAL CONGRESSIONAL UPDATES

<p>Congressional Session Status</p>	<p>There is a growing debate in Congress as to whether or not the best economic policy direction for the country is for continued federal deficit spending, to stimulate the economy in various ways, or to reduce spending and thereby reduce the amount of federal debt that is accumulating as a result of the country's deficit spending. The so-called Tea Party Movement is fueling efforts to reduce federal spending at a time when some leading economists indicate that our deep recession is far from over and that additional federal spending may be helpful to the economy. Here in Washington, the Democratic Party has aligned itself with more federal spending for the most part, and the Republican Party has aligned itself with a slowdown in federal spending.</p> <p>As Congress is getting ready to enter the August Recess period, the Senate is trying to confirm Elena Kagan as a new Supreme Court Justice. Though not discussed here for months, the so called Cap and Trade Energy Legislation (aka the Global Warming Legislation) which was launched with great fanfare some 18 months ago, has all but died here for the congressional session.</p>
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JCB 8/4/10



M E M O R A N D U M

To: MWDOC Public Affairs and Legislative Committee

From: Christopher Townsend, President
Heather Dion Stratman, Senior Director
Casey Elliott, Senior Legislative Associate

Date: August 9, 2010

Subject: Activity Report

State Political Highlights:

Speaker Perez and Pro Tem Steinberg officially unveiled the Democrats' latest budget proposal. The proposal would balance this year's budget primarily through a combination of program cuts, increased revenues, and tax reform. Perez and Steinberg said that the goal of this budget is to spare vulnerable Californians from the worst budget cuts, while at the same time promote economic growth and job creation. Attached please find three documents that outline the Democrats' budget summary, tax plan, and complete solutions. The main points outlined by the Democratic leadership at a press conference on August 3rd include:

- Tax Reform – The tax reform proposal, initially reported in the press last week, will likely be the main point of contention between the Democrats and Republicans. The proposal, in an effort to reduce the volatility in state tax collection, would raise the State income tax, as well as the Vehicle License Fee, on all Californians, while at the same time lowering the State sales tax by nearly half. The Speaker and Pro Tem, working with the Franchise Tax Board, have conducted modeling which shows that this proposal would lead to an overall reduction in the tax burden at all income levels (but not necessarily all individuals). Both of the taxes that the Democrats propose to increase, the State income tax and VLF, can be used as deductions on federal income taxes, thereby lessening their impact on Californians that itemize their federal tax returns. This plan works for the State budget because the actual tax increases would be paid to the State, but the deductions would be paid back to the taxpayer by the federal government, thereby allowing the State to collect an estimated \$2 billion to \$3 billion annually.
- Delay in Corporate Tax Breaks – As part of last year's budget agreement, a law was passed which will modify the way that corporations can calculate their tax liability to the State. This corporate tax break is set to go into effect on January 1, 2011 and would likely cost the State \$2 billion per year in lost corporate taxes. The Democrats' plan unveiled today calls for a two-year delay in the

implementation of these tax breaks, thereby saving the State approximately \$4 billion over the next two fiscal years.

- Proposition 98 suspension – The Speaker and Pro Tem did acknowledge today that in order to balance the budget, the Proposition 98 minimum guarantee would need to be suspended. While they did not provide exact details, Perez and Steinberg did indicate that there would be provisions put into place to ensure that the loss in funding would be fully restored over the next number of years. While many anticipated that a Prop 98 suspension would be necessary, this is the first budget this year to publically acknowledge that K-14 education would be receiving less funding than is mandated by law.
- Realignment – While not all of the realignment proposed by Pro Tem Steinberg several weeks back was included in the Democrats’ new proposal, some realignment of services was proposed. Specifically, the Pro Tem outlined a block grant program for counties whereby they will be given funds in order to house criminals convicted of “wobbler” offenses (crimes that can be pursued as either a felony or misdemeanor). Under this program, a county would receive funding for locally housing criminals convicted of wobbler offenses, but would be required to forfeit the money back to the State if they chose to send the offenders to State prison.

The proposal that the Democrats outlined today will now be sent to the Budget Conference Committee for further vetting and discussion. It is likely that the committee will listen to the key components of this proposal over the coming days and that further information will be released regarding these proposals.

Specific Activities for the Month:

- TPA has been monitoring and analyzing legislation on behalf of MWDOC and its member agencies since before the beginning of the 2009-2010 legislative session on January 4th. We are providing recommendations to staff and have created a tracking matrix to help monitor the process of legislation.
- TPA attended and reported to MWDOC staff on the July 21st ACWA Legislative Committee Meeting. Some of the key items that ACWA will be following are:

Hot Issues

- Federal
 - Congress is just finished with financial reform legislation and is preparing to go on recess from August 9th – September 13th
 - It is likely that there will be a comprehensive energy bill introduced shortly which will deal with many issues, including: renewable energy, gulf oil spill, and a cap and trade program.
 - ACWA’s main focus will be securing incentives for renewable energy
 - The House Energy and Water committee marked up their appropriations bill.
 - Earmarks were not down as much as feared
 - \$5.2B for Army Corps of Engineers, more than initially proposed by the President.

- State
 - The Governor and Pro Tem have called for the water bond to be moved to the 2012 ballot
 - ACWA was not happy about the policy or politics surrounding the decision to move to 2012
 - The water bond campaign did not feel that they could win unless they were able to raise \$25M for the campaign. The lion's share of that fundraising would have needed to be performed by the Governor
 - Steinberg believes that he has the 2/3 vote needed to postpone the bond in the Senate
 - Perez has remained silent about his position on moving the bond. Most believe that he will likely use this as leverage with the Governor in upcoming budget negotiations.
 - There is currently no legislative vehicle for the postponement of the water bond
 - There hasn't been any major activity on the budget and there is currently no sense of urgency on the part of the Legislature.



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
AB 155	Local Government: Bankruptcy Proceedings	6/14/2010	MWDOC	
Mendoza [D]	Provides that a local public entity may only file under federal bankruptcy law with the approval of the State Debt and Investment Advisory Commission. Provides an exception.	In SENATE. From third reading. To Inactive File.	Oppose (6/17/09)	
AB 1594	Sacramento-San Joaquin Delta: Peripheral Canal	4/27/2010	MWDOC	
Huber (D)	Prohibits the construction of a peripheral canal that conveys water from a diversion point in the Sacramento River to a location south of the Sacramento San Joaquin Delta, unless expressly authorized by the Legislature. Requires the Legislative Analyst's Office to complete an economic feasibility analysis prior to the enactment of a statute authorizing the construction of a peripheral canal. Prohibits such canal from diminishing or negatively affecting the water supplies or rights in the watershed.	In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Held in committee.	Oppose (1/20/10)	MWD - Oppose
AB 1664	Metropolitan Water District	4/8/2010	MWDOC	
Swanson (D)	Amends the Metropolitan Water District Act which provides for the creation of metropolitan water districts, governed by a board of directors composed of at least one appointed representative of each member public agency. Requires that such representative be authorized to represent the appointing agency at all times. Prohibits the member agency from directing or instructing a board member to vote in a particular manner with respect to any question, order, resolution, or ordinance before the board.	To ASSEMBLY Committee on LOCAL GOVERNMENT.	Oppose (4/21/10)	MWD - Oppose
AB 1677	Public Resources Sacramento San Joaquin Delta	7/6/2010	MWDOC	
Caballero (D)	<i>Designates the Secretary of Commerce as the new appointing entity for membership on the Sacramento San Joaquin Delta Conservancy board. Makes a technical correction in the Johnston Baker Andal Boatwright Delta Protection Act of 1992 that creates the Delta Protection Commission to prepare and adopt a comprehensive long term resource management plan for specified areas within the Delta.</i>	Signed by GOVERNOR. Chaptered by Secretary of State	Support (5/19/10) Previous position removed following "gut and amend" of bill which has changed topics.	MWD - Support



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
AB 1774 Saldana (D)	Recycled Water: State Agency Landscape Irrigation. States legislative findings and declarations that the use of potable domestic water for the irrigation of landscaping generally is a waste or an unreasonable use of water if recycled water is available for such use. Authorizes a public agency, including local public agencies, to require a state agency whose property is located within the jurisdiction of the public agency to use recycled water for landscape irrigation or the property of that state agency if certain requirements are met.	6/22/2010 In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.		
AB 1780 Yamada (D)	Delta Stewardship Council: Certification Consistency Makes a technical, nonsubstantive change to existing law that requires the state or local public agency that proposes to undertake certain actions within the boundaries of the Sacramento-San Joaquin Delta or the Suisun Marsh to prepare, and submit to the Delta Stewardship Council, a specified written certification of consistency with a prescribed Delta Plan.	2/9/2010 INTRODUCED.		
AB 1793 Saldana (D)	Common Interest Developments: Artificial Turf Provides for creation and regulation of common interest developments. Provides for use of low water using plants as a group with a local water efficient landscaper ordinance or water conservation measure. Provides that a provision governing documents of a common interest development would be void and unenforceable if it prohibits the use of artificial turf or any other synthetic surface that resembles grass. Provides that the association can use rules and regulations in existing governing documents.	6/17/2010 In SENATE. Read second time. To third reading.	MWDOC Support (3/17/10)	MWD - Support
AB 1797 Berryhill B (R)	Water Resources Development System: Delta Plan Requires the Department of Water Resources to undertake an expedited evaluation and feasibility study with regard to the implementation of a specified Delta Corridors Plan as part of the State Water Resources Development System, a study of specified impacts and benefits of the plan and to include in the study an assessment of a specified fish demonstration project, and to include with any recommendations the construction of specified facilities. Provides funds for the study from a specified bond act.	5/28/2010 In ASSEMBLY Committee on APPROPRIATION S: Held in committee.		MWD - Oppose



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
AB 1834 Solorio (D)	Rainwater Capture Act of 2010 Enacts the Rainwater Capture Act of 2010. Authorizes a landowner to install, maintain, and operate a rainwater capture system meeting specified requirements. Requires the State Water Resources Control Board to initiate a process to develop recommendations for state and local agencies to encourage and facilitate the installation and use of such systems for nonpotable uses and place them on its Internet Web site. Relates to building code recommendations. Authorizes related landscape contractor contracts.	8/2/2010 In SENATE Committee on APPROPRIATION S: To Suspense File.	MWDOC Watch (5/19/10)	
AB 1843 Gilmore (R)	Water Supply Security: Reports Relates to the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002. Requires the Office of Homeland Security to submit confidential reports to the Legislature regarding the current security status of the state's existing drinking water systems and facilities, with a special focus on vulnerability to terrorist attacks and recommended actions necessary to correct the security status.	3/4/2010 To ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION.		
AB 1886 Yamada (D)	Water Use: Sacramento-San Joaquin Delta Watershed Requires the Department of Water Resources, in preparing and updating the California Water Plan, to include a report on the progress toward meeting the goals for conservation, development, and use of the water resources of the state by reducing reliance on the Sacramento-San Joaquin Delta in meeting the state's future water supply needs.	5/28/2010 In ASSEMBLY Committee on APPROPRIATION S: Held in committee.		
AB 1929 Hall (D)	Invasive Aquatic Species: Mussels Provides that an operator of water delivery and storage facilities, who has prepared, initiated and is in compliance with a plan to control and eradicate dreissenid mussels would not be subject to any civil or criminal liability for the introduction of dreissenid mussel species as a result of operations of those facilities.	8/3/2010 In SENATE. Read second time. To Consent Calendar.	MWDOC Support (4/21/10)	MWD & ACWA: Co-Sponsors



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
AB 1975 Fong (D)	Water Charges and Meters: Multiunit Residential Requires a water purveyor that provides water service to a multiunit residential structure or mixed use residential and commercial structure that is subject to specified building standards, to either adopt a general policy to require the installation of a water meter or a submeter, or to inform, on an individual basis, an applicant for new water service as to whether a water meter or submeter is required for each dwelling unit. Requires development of building standards requiring meters or submeters.	8/2/2010 In SENATE. Read second time and amended. Re referred to Committee on RULES.		
AB 1978 Harkey (R)	Regional Water Quality Control Board: Communications Exempts from the provisions of the Administrative Procedure Act pertaining to prohibited communications, specified ex parte communications relating to proceedings of the regional water quality control boards. Establishes requirements for the disclosure of ex parte communications relating to a matter before a regional board.	4/13/2010 In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Failed passage.		
AB 2003 Mendoza (D)	Legislative Bodies: Contracts and Appointments Provides that any contract entered into or appointment made by a legislative body of a local agency during the period after close of the polls on election day for an election involving that legislative body and before a new member of the legislative body is sworn in to take office shall not take effect until the legislative body, which includes the newly elected member, has reviewed and approved the contract or appointment. Provides an exception.	4/28/2010 In ASSEMBLY Committee on LOCAL GOVERNMENT: Not heard.		
AB 2049 Arambula (I)	Transfers Of Water: Agricultural Use To Municipal Use Prohibits the Department of Water Resources with respect to a contractual entitlement to water from the State Water Project, and the State Water Resources Control Board, with respect to any other transfer of water or water rights, from approving the transfer of surface water or water rights from agricultural use to municipal use for a specified period, unless the user provides an evaluation of the economic, social, and environmental effects of the transfer.	6/3/2010 In ASSEMBLY. Read third time. Failed to pass ASSEMBLY.		MWD - Oppose



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
AB 2092 Huffman (D)	Delta Plan: Financing Requires the Delta Stewardship Council to develop a long term finance plan to pay for the costs of implementing the Delta Plan. Prohibits the council from adopting new fees for these purposes unless authorized by statute. Authorizes the council to seek to obtain early funding contributions from entities that may benefit from implementation of the plan and to track those contributions to provide credit against future funding requirements.	8/2/2010 In SENATE Committee on APPROPRIATION S: Not heard.	MWDOC Neutral (5/17/10) <i>Recent amendments have addressed initial concerns of Metropolitan and other agencies.</i> Oppose unless Amended (3/17/10)	MWD - Oppose unless Amended
AB 2277 Fletcher (R)	Water Conservation: Urban Retail Water Suppliers Amends existing law that imposes various water use reduction requirements that apply to urban retail water suppliers and that requires an urban retail water supplier that supplies water to a United States Department of Defense military installation to consider specified requirements. Requires an urban retail water supplier that supplies water to that described military installation, for the purpose of preparing that implementation plan, to consider the conservation of that military installation.	8/3/2010 In SENATE. Read second time. To Consent Calendar.		
AB 2304 Huffman (D)	Groundwater Management Plans: Components Requires a local agency, upon a written request, to provide a copy of a proposed groundwater management plan to an interested person. Requires the agency to provide each interested person with a specified notice prior to the commencement of a second public hearing to determine whether to adopt the plan. Authorizes such person to contact the Department of Water Resources regarding the plan. Adds to the list of components that are to be included in the plan for specified funding purposes a recharge areas map.	8/3/2010 In SENATE. Read second time and amended. To third reading.		



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
AB 2336 Fuller (R)	Delta Stewardship Council Requires the Delta Stewardship Council, in developing and adopting the Delta Plan, to direct the Delta Independent Science Board to conduct an assessment of certain stressors and populations of native fish species in the delta, the Sacramento and San Joaquin rivers, and the tributaries to those rivers below the rim dams of the central valley, and recommend changes in statute and actions by state agencies to remedy the situation in as timely a manner as possible.	6/29/2010 In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.		MWD, Modesto Irrigation, Kern County Water: Co-Sponsor
AB 2405 Buchanan (D)	Delta Flood Protection Makes technical, nonsubstantive changes to the authority of the Department of Water Resources relative to the maintenance and improvement of levees in the Sacramento-San Joaquin Delta.	4/8/2010 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.		
AB 2407 Harkey (R)	Regional Water Quality Control Boards Revises the description of the boundaries of the Santa Ana Regional Water Quality Control Board and the San Diego Regional Water Quality Control Board.	4/20/2010 In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Not heard.	MWDOC Support (4/21/10)	
AB 2409 Nestande (R)	Urban Water Suppliers: Water Shortage Contingency Requires an urban water supplier, for purposes of developing a water shortage contingency analysis, to analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas.	7/6/2010 Signed by GOVERNOR. Chapered by Secretary of State		



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
AB 2420 Huffman (D)	Protected Species: Incidental Take Amends the State Endangered Species Act that provides if a person obtains a federal incidental take permit for an endangered species, that no further authorization or approval is necessary under the state act if specified notification is made to the Director of Fish and Game. Requires the inclusion in that notice of specified additional information, including copy of the biological opinion along with an incidental take statement or a copy of the conservation plan with an incidental take permit.	3/24/2010 In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.		
AB 2422 Berryhill T (R)	Urban Water Demand Management Requires the Department of Water Resources to convene an expert scientific panel to review, and provide recommendations for, updates to the model water efficient landscape ordinance and proposed rules, regulations, and guidelines relating to urban residential water demand management.	4/13/2010 In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Failed passage.		
AB 2583 Hall (D)	Water Treatment: Hazardous Materials Requires the state Emergency Management Agency to adopt regulations to require a public water system or wastewater treatment plant that is a release stationary source and is required to prepare and submit a risk management plan to consider the use of safer technologies by the system or plant in the plan.	5/28/2010 In ASSEMBLY Committee on APPROPRIATION S: Held in committee.	MWDOC Oppose unless Amended (5/19/10)	MWD - Oppose unless Amended
AB 2679 Eng (D)	Public Buildings: Energy and Water: Consumption Requires all state public buildings to conform to a specified compliance schedule to achieve reductions in energy and water consumption and to maintain specified water and energy reduction levels and all new buildings to have zero energy consumption or be grid neutral by a specified date. Requires each public entity operating a building to provide the Department of General Services an onsite assessment. Requires applicable public entities to adopt and implement processes in the Green Building Action Plan.	5/28/2010 In ASSEMBLY Committee on APPROPRIATION S: Held in committee.		



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
AB 2775 Huffman (D)	Safe, Clean, and Reliable Drinking Water Supply Act Relates to the Safe, Clean, and Reliable Drinking Water Supply Act of 2010 which is to be on the 2010 general election ballot. Deletes the authorization for joint powers authorities to include nongovernmental partners in their membership. Prohibit the authorities from including in their membership any for-profit corporation or mutual water company whose shareholders and members include a for-profit corporation of any other private entity. Requires these changes be made to the bill submitted to the voters.	6/30/2010 In SENATE. Read second time. To third reading.		
AB 2776 Huffman (D)	Transfers of Water: Agricultural Use to Municipal Use Prohibits the Department of Water Resources from approving the transfer of surface water or water rights from agricultural use to municipal use for a specified time period, unless the water user provides the department or state Water Resources Control Board a evaluation of the economic, social, and environmental effects of the transfer upon the service area from which the water was transferred. Prohibits the replacement of surface water with groundwater unless the basin is monitored.	8/2/2010 In SENATE Committee on APPROPRIATION S: Failed passage. Reconsideration Granted.	MWDOC Oppose (7/21/10)	
SB 565 Pavley (D)	Water Resources Relates to the exemption from the payment of fees for official services of the State Water Resources Board by the state, city, county, or district, state board water rights investigations and proceedings, the fine for water trespassing, the filing of a statement of water diversion and use with the state board, the civil penalties for violating a cease and desist order of the state board for unauthorized use of water, a schedule of penalties for small farm water violations.	8/2/2010 In ASSEMBLY. Read second time and amended. Re referred to Committee on APPROPRIATION S. Hearing: 8/4/10		MWD - Watch



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
SB 613	Irvine Ranch and Santa Margarita Water District	8/2/2010		IRWD: Co-Sponsor
Harman (R)	Authorizes the Irvine Ranch Water District and the Santa Margarita Water District to form improvement districts and to pledge and apply all or part of the revenues of each district to the payment or security of any or all of the principal, redemption price, and purchase price of general obligation bonds for improvement districts and consolidated general obligation bonds for improvement districts, and the interest thereon, in accordance with specified requirements. Requires reports from the districts.	In ASSEMBLY. From Consent Calendar. To third reading.		SMWD: Co-Sponsor
SB 808	Delta Levee Maintenance	6/3/2010		
Wolk (D)	Relates to reimbursement to eligible local agencies for costs incurred in connection with the maintenance or improvement of levees in the Sacramento San Joaquin Delta. Provides for a decrease in the reimbursement rate after a specified date. Extends the operation of a provision of existing law that authorizes the allocation of funds in the form of an advance in a specified amount that does not exceed a certain percentage of the estimated state share.	Signed by Governor. Chaptered by Secretary of State. Chapter No. 23		
SB 918	Water Recycling	6/29/2010		
Pavley (D)	Requires the State Department of Public Health to develop and adopt uniform water recycling criteria for indirect potable water reuse for groundwater recharge, and develop and adopt uniform water recycling criteria for surface water augmentation, under a certain condition. Requires the department to investigate developing uniform water recycling criteria for such reuse. Requires funds from violations of water quality requirements for use in developing and adopting water recycling criteria.	From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATION S. Hearing: 8/4/10		
SB 934	Water Resource: California Water Plan	2/18/2010		
Cogdill (R)	Makes technical, nonsubstantive changes to existing law that specified the Department of Water Resources operation of the State Water Project and exercise of specified water planning functions. Requires the department to update the Water Plan, which is a plan for the conservation, development and use of water resources, every 5 years.	To SENATE Committee on RULES.		



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
SB 972 Wolk (D)	Indemnity: Design Professionals Amends existing law that relates to indemnity clauses, covenants, and agreements in public contracts for design professional services. Provides that for such contracts and amendments thereto are considered unenforceable. Provides that the obligations of such professional to indemnify a public agency for damages to be proportionate to the actual liability of the professional. Provides enforceability requirements if a public agency includes indemnity language in a contract for services.	8/3/2010 In ASSEMBLY. Read second time. To third reading.		
SB 1173 Wolk (D)	Recycled Water Defines raw water under the Porter Cologne Water Quality Control Act. Declares the use of raw or potable domestic water for nonpotable municipal or industrial uses, irrigation of landscaping, floor trap priming, cooling towers, and air conditioning devices is a waste or unreasonable use of water if recycled water is available. Prohibits a person or public agency from using raw or potable water that is suitable for nonpotable municipal or industrial uses if suitable recycled water is available.	8/2/2010 In ASSEMBLY. Read second time and amended. Re referred to Committee on APPROPRIATION S. Hearing: 8/4/10		
SB 1234 Kehoe (D)	Water: Unreasonable Use State Water Resources Control Board requires the board to adopt regulations to identify unreasonable uses of water during various periods of water shortage set forth related legislative findings and declarations.	3/4/2010 To SENATE Committee on NATURAL RESOURCES AND WATER.		MWD - Oppose
SB 1284 Ducheny (D)	Water Quality Amends the mandatory waste discharge requirements in accordance with the federal Clean Water Act and the state Porter Cologne Water Quality Control Act. Provides that a failure to file a discharge monitoring report is not a serious waste discharge violation if the discharger submits a specified statement. Specifies penalty assessment requirements. Relates to an effluent limitation time schedule for compliance by waste dischargers.	6/29/2010 From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATION S. Hearing: 8/4/10		



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
SB 1334	Natural Community Conservation Plans	6/29/2010		
Wolk (D)	Amends the Natural Community Conservation Planning Act that authorizes the Department of Fish and Game to enter into agreements for the purpose of preparing a natural community conservation plan, in cooperation with a local agency and requires the department to approve a plan after making specified findings. Includes in the required finding that the plan has been developed consistent with the planning agreement process an additional finding of cooperation with a local agency that has permit authority.	From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATION S. <i>Hearing: 8/4/10</i>		MWD - Oppose unless Amended
SB 1469	Sacramento-San Joaquin Delta: Water Quality	5/27/2010		
Simitian (D)	Requires the State Water Resources Control Board to identify all parties that benefit from waters originating in the Sacramento-San Joaquin Delta watershed and whose activities impact the watershed. Requires the board to develop a process for determining the degree of responsibility attributable to each of the identified parties for physical and environmental impacts. Requires the State Department of Water Resources to identify certain factors regarding the State Water Plan over the next 30 years.	In SENATE Committee on APPROPRIATION S: Held in committee.		
SB 1478	Water conservation: urban water management	7/1/2010	MWDOC	
Senate Natural Resources and Water Committee	Grants the extension for adoption of an urban water management plan that is due in 2010 to an urban wholesale water supplier to permit coordination between an urban wholesale water supplier and urban retail water suppliers. Revises the requirements that apply to an urban retail water supplier that supplies water to a specified military installation by requiring the supplier to consider the water conservation of the installation for the purpose of preparing an implementation plan.	In ASSEMBLY. Read second time. To third reading.	Support (5/19/10)	MWD - Support



Municipal Water District of Orange County Priority State Legislation

BILL	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
<u>FEDERAL LEGISLATION</u>				
H.R. 4349	Hoover Power Allocation Act of 2009	7/21/2010	MWDOC	
Napolitano	<i>A bill to further allocate and expand the availability of hydroelectric power generated at Hoover Dam.</i> The Hoover Power Allocation Act of 2009 would extend Metropolitan Water District of Southern California's contract for Hoover Power supplies, scheduled to sunset in 2017, for an additional 50 years. The Act provides 5% of the energy and capacity from Hoover to be made available to new parties, including tribal interests, starting in 2017.	Committee on Energy and Natural Resources. Ordered to be reported without amendment favorably.	Support	
H.R. 5088	America's Commitment to Clean Water Act	4/22/2010	MWDOC	
Oberstar	To amend the Federal Water Pollution Control Act to reaffirm the jurisdiction of the United States over waters of the United States.	Referred to the Subcommittee on Water Resources and Environment.	Oppose (6/16/10)	

Public Affairs Activities Report
July 18, 2010 – August 8, 2010

<p>Client Agency Relations</p>	<p>Darcy provided Yorba Linda Water District with a copy of MWDOC's proposed Social Media Policy.</p> <p>Darcy and Tiffany continue to work with Metropolitan staff to coordinate the inspection trips for the coming year. The first draft of the schedule was sent to the directors the last week in July.</p> <p>Jessica is working with staff of Metropolitan and Laguna Beach CWD to coordinate a distribution of educational materials to Laguna Beach teachers. Laguna Beach seeks to distribute water education handouts and booklets to local teachers in grades K-12.</p> <p>Jessica distributed conservation materials to the City of Garden Grove for their landscape class, and education materials to the City of Westminster.</p>
<p>Community Relations</p>	<p>Darcy met with Dave Shepard of OCTA regarding opportunities for possible water use efficiency options for the county. A follow-up meeting will be scheduled with Joe Berg and a representative from the county.</p> <p>Director Barbre forwarded Darcy a request for Ricki the Raindrop from Forest City Communications. Forest City is located in Ohio and was requesting film or photos of Ricki for a water and energy conservation video being developed for the US Navy. During recent interviews of Navy families, a woman, originally from Orange County, commented on how she learned about water conservation from Ricki the Raindrop at school, and still follows those water saving habits. Photos were sent and a request for a copy of the completed video was submitted.</p>
<p>School Program</p>	<p>Darcy is working with DSC and the client agencies to finalize student numbers for the upcoming year. Currently, no additional funding has been pledged to serve additional students.</p> <p>Darcy continues to meet with Denise Antrim from Orange County Department of Education (OCDE) regarding grant opportunities the Department of Education is seeking and possible partnerships with MWDOC and DSC. In addition, discussions are continuing regarding Project WET for the upcoming school year.</p> <p>Jessica is coordinating the ordering of new supplies for the OC Water Hero program. Additional materials for the Water Hero kits have been ordered for the 2010-11 year.</p>

	<p>Jessica and public affairs intern Hailey Means are compiling data regarding other Metropolitan wholesale member agencies' spending and offerings on education and communication programs. Results will be presented to the general manager for review later this month.</p>
<p>Media Relations</p>	<p><u>e-Newsletter</u>, Metropolitan Water District of Southern California, quoted Kevin Hunt in regards to the AMP shutdown in June.</p>
<p>Special Projects</p>	<p>Darcy continues to work with Ed Means in the developing MWDOC's Strategic Goals. Ed facilitated a workshop for the client agency managers on July 22, 2010 and a staff workshop on July 29th. Ed will present the draft goals statements for the Board on August 18th and another board workshop will be scheduled for September for input on strategies and goals.</p> <p>Darcy met with OCWD staff regarding the joint Prop 50 grant. Two invoices have been submitted to the state and the third one will be complete before the middle of August. The state has not been able to provide a timeline for payment.</p> <p>Darcy met with Rachel Bowman, Area General Manager for Jamba Juice. Ms. Bowman is interested in partnering with MWDOC by providing space in her Dana Point stores regarding the SOCOD project, promoting OC Water Hero in all her OC stores and providing coupons and give-away items for events, the school program, and special treats for the Poster Slogan event. Partnering discussion will continue.</p> <p>Jessica worked with Keith, Kevin, and Darcy to develop a survey regarding the monthly member agency managers meetings. The survey was distributed electronically to meeting participants. Twenty individuals representing fourteen client agencies participated in the survey. Survey results were compiled and shared with management. Per the survey results, the managers are very pleased with the quality and content of the monthly meetings. They feel that the meetings are extremely useful and they gave MWDOC staff many nice compliments.</p> <p>Jessica worked with Darcy to develop a survey regarding the monthly public affairs workgroup meetings. The survey was distributed electronically to meeting participants. Survey results will be available within the next week.</p> <p>Jessica continues to work with staff of 34 North on the MWDOC website. There are some issues with the calendar function, so the consultant is working on refining and improving this feature. Phase two, which includes integration of social media and web 2.0 elements, will be complete by September 31.</p>

	<p>David prepared three submissions to the California Special District Association (CSDA) for award consideration at the CSDA Annual Conference being held September 20-23 in Newport Beach. David submitted: 1) Water: Do More with Less; and 2) OC Water Hero for consideration for CSDA's Exceptional Public Outreach Award. He also submitted for consideration ISDOC as CSDA Chapter of the Year.</p>
<p>Water Use Efficiency Marketing</p>	<p>Jessica is working with Fortech on the landscape programs database development project. Staff is currently reviewing the database design document.</p> <p>Jessica was invited to speak on the Water: Do More with Less program at the 2010 Water Smart Innovations Conference in Nevada this fall.</p>
<p>Legislative Affairs</p>	<p>David and Joe Berg have been soliciting input from the Water Use Efficiency Working Group on AB 1975 (Fong) which would require the installation of meters or submeters on all new construction multi-unit residential and mixed use commercial structures. It would also require the formation of a task force to make recommendations for future legislation related to billing standards for submeters that are installed in multi-unit residential rentals. The bill is being presented to the PAL Committee for a position this month.</p> <p>David provided input to Jeff Vanderslice (Office of Congressman Dana Rohrabacher) regarding a letter to the U.S. Fish and Wildlife Service on its proposal to expand the Critical Habitat Designation for the Santa Ana Sucker within the Santa Ana River watershed. Congressman Rohrabacher's letter urged USFWS to fully analyze the economic impact that the habitat expansion would have on the region, and explained that the proposed expansion would impact water supply and flood protection efforts.</p> <p>David continues his participation in the legislative conference calls with the Metropolitan Water District and the Southern California and its member agencies, as well as with the Southern California Water Committee Legislative Advisory Taskforce. With the legislature having reconvened for the final month of the session, August will be an extremely busy month in Sacramento.</p>