

REVISED
MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
PUBLIC AFFAIRS AND LEGISLATION COMMITTEE
June 19, 2017, 8:30 a.m.
Conference Room 101

Committee:

Director Tamaribuchi, Chairman
Director Dick
Director Yoo Schneider

Staff: R. Hunter, K. Seckel, J. Volzke,
P. Meszaros, H. Baez, D. Micalizzi, T.
Baca

Ex Officio Member: W. Osborne

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>.

DISCUSSION ITEMS

1. LEGISLATIVE ACTIVITIES
 - a. Federal Legislative Report (Barker)
 - b. State Legislative Report (BBK)
 - c. County Legislative Report (Lewis)
 - d. Legal and Regulatory Report (Ackerman)
 - e. MWDOC Legislative Matrix
 - f. Metropolitan Legislative Matrix

ACTION ITEMS

2. ADOPT LEGISLATIVE POSITIONS
 - a. H.R. 2510 (DeFazio, D-OR, Duncan, R-TN, and Napolitano, D-CA) – Water Quality Protection and Job Creation Act of 2017
 - b. SB 623 (Monning) – Funding for Safe Drinking Water
3. VOTE ON PROPOSED AMENDMENTS TO THE ISDOC BYLAWS
4. EXTENSION OF CONSULTING CONTRACT WITH DICK ACKERMAN
5. AUTHORIZATION TO JOIN CALIFORNIANS FOR WATER SECURITY COALITION TO SUPPORT THE CALIFORNIA WATERFIX

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.)

6. EDUCATION REPORT
 - a. Elementary
 - b. High School
7. RECAP ON WATER SUMMIT PLANNING (JUNE 16, 2017)
8. UPDATE ON WATER POLICY DINNER
9. OC LAFCO UPDATE
10. PUBLIC AFFAIRS ACTIVITIES REPORT

OTHER ITEMS

11. 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.

JAMES C. BARKER, PC
ATTORNEY AND COUNSELOR AT LAW
FIFTH FLOOR
1050 THOMAS JEFFERSON STREET, NW
WASHINGTON, DC 20007
(202) 293-4064
jimbarker@jcbdc.com

Nicholas Crockett
Alia Cardwell

Municipal Water District of Orange County, California
Washington Update
June 13, 2017

The Mood in Washington

This week as the Attorney General Jeff Sessions testifies before the Senate Intelligence Committee regarding his activities with Russian Officials, the Trump Presidency has become consumed with the Russia investigations.

Not since the Watergate days of the mid 1970's, has Washington seen as much turmoil at the White House. As this report is being written, President Trump has indicated that he might seek to fire Bob Mueller, the man appointed to lead the FBI's investigation into Russia's potential ties to the 2016 election.

Virtually everyday for the past two months there has been some kind of new twist or story coming out about this issue.

Federal Funding Issues:

As reported in last month's Washington Report, the Congress passed the FY2017 Omnibus Appropriations Bill rejecting most of the President's funding "cuts" that he made to the Congress in March. This spending bill covers federal agency spending through September 30, 2017.

In May, the President submitted his more detailed FY2018 Budget Request. It includes major cuts to the EPA at 31%, the Army Corps at 16% and the Bureau of Reclamation at 15%. Congress is now considering its spending priorities for the Fiscal Year that starts October 1st and the Congress is likely to disagree with many of the items in the President's budget request. Of course, it is the President who recommends spending levels to the Congress and under our Constitution, it is the Congress which appropriates

the funding and sets policies for the Administration to follow.

As far as the Bureau of Reclamation is concerned--the President's proposed budget calls for \$59.1 million for the WaterSMART Program— to assist communities in optimizing the use of water supplies by improving water management. The WaterSMART Program components include: WaterSMART Grants funded at \$23.4 million; Basin Studies Program, \$5.2 million; Title XVI Water Reclamation and Reuse Program, \$21.5 million; Water Conservation Field Service program, \$4.0 million; Cooperative Watershed Management program, \$1.75 million; and the Drought Response program, \$3.25 million.

The Trump One Trillion Dollar Infrastructure Program:

More details have started to emerge from the White House within the last month regarding the President's \$1 Trillion Infrastructure program. Last week the President announced that of the \$1 Trillion, \$200 Billion will be federal funds to be spent on:

\$100 Billion to Local Governments ("Local prioritization of infrastructure needs" – with the program yet to be determined)

\$15 Billion on Transformative Projects (The Term "Transformative" or the program yet to be determined)

\$25 Billion to Rural Areas (Program yet to be determined)

\$60 Billion of the \$200 Billion has not yet been accounted for--this may be explained later this week during the President's "Workforce Development Week" to occur this week. The President has discussed having one million apprentices in two years as part of his infrastructure push.

Last week the President discussed (again) speeding up the review process to move large infrastructure projects generally more quickly through the approval process. His quote here:

"Instead of rebuilding our country, Washington has spent decades building a dense thicket of rules, regulations and red tape. It took only four years to build the Golden Gate Bridge, and five years to build the Hoover Dam, and less than one year to build the Empire State Building. People don't believe that. Took less than one year. But today, it can take 10 years and far more than that just to get the approvals and permits needed to build a major infrastructure project."

California Drought Bill Implementation--

S. 612, the “Water Infrastructure Improvements for the Nation Act” (WINN) the seven hundred plus page law that contains a number of legislative measures of particular importance to MWDOC members, including: the Water Resources Development Act of 2016, Water and Waste Act of 2016 and the California drought legislation (Subtitle J). WINN cleared the House on a 360-61 vote, passed the Senate on 78-21 vote and signed into law by President Obama on December 16, 2016.

It is anticipated that in the ensuing months, the respective federal agencies such as the EPA and the Bureau of Reclamation, will release new grant programs as directed in WINN. It is also reasonable to expect that the change in administrations will likely delay the agencies launch of new grant programs.

The following provisions and new grants programs of possible interest to MWDOC members, include:

- Subtitle H--Water Desalination, (Sec. 3801) reauthorizes through FY2021 the Water Desalination Act of 1996. In addition, the bill: expands the list of desalination-related research and study topics with respect to which Interior is authorized to award grants and contracts under the Act and establishes certain priorities with respect to research funding and the desalination demonstration program.
- Authorizes Interior to participate in an eligible desalination project in an amount up to 25% of the total project cost (sec 4009).
- Authorizes and sets forth conditions in California for flood risk management projects, in hurricane and storm damage risk reduction projects, ecosystem restoration, and recreation projects (Sec. 1401).
- Urges Congress to provide robust funding of capitalization grants to states for the drinking water state revolving fund (DWSRF) and the clean water state revolving fund.
- Allows public water systems to use financial assistance from the DWSRF for: (1) planning, design, and associated preconstruction activities, including activities related to the siting of the facility; and (2) meeting matching fund requirements (Sec. 2012).

- Expands the Water Infrastructure Finance and Innovation Act (WIFIA) eligibility to explicitly include drought mitigation projects. Modifies the WIFIA program to give all loan recipients the option to finance WIFIA application fees over the life of the loan rather than paying them in full upfront.
- Promotes local water supply development by authorizing \$558 million for new water infrastructure in the West, including \$515 million for storage, water recycling and reuse, and desalination projects in California.
- Makes the Title XVI water recycling program a competitive grant program and would remove the requirement that each project must be individually authorized by Congress.
- Increases the flexibility provided to federal and state agencies to operate the water projects in order to maximize the water available to urban and rural water agencies, while at the same time protecting listed fish species.
- Authorizes \$100 million over five years for a new grant program to help schools and childcare centers voluntarily test their drinking water for elevated levels of lead. State or local educational agencies that receive grant funds will have to spend the dollars in
- Authorizes a new five-year EPA grant program to support the replacement of lead service lines. Priority for grants will go to communities otherwise unable to pay for lead service line replacements and which have exceeded EPA's action level for lead within the previous three years. Grant funding may not be used to pay for partial lead service line replacements, but in the case of low-income households, the bill will allow the use of grant funds to subsidize replacement of both publicly and privately owned portions of a lead service line.
- accordance with EPA's "3Ts for Reducing Lead in Drinking Water in Schools" guidance and post a copy of the test results on school websites.
- Updates public notification requirements under the Safe Drinking Water Act to require water systems to notify the public within 24 hours of learning of a lead action level exceedance that has the potential to have serious adverse effects on human health – mirroring the public notification standard for water quality violations that carry serious adverse human health effects.

Turf Rebate Issue:

Senator Feinstein’s office has a draft bill, The Water Conservation Tax Parity Act, prepared on this IRS matter. They are in the process of seeking Co-sponsors and at press time they had Senator Bennet of Colorado. We are working with the Senator’s office on this issue.

California Water Fix Update:

As discussed previously, the California WaterFix is the state’s plan to upgrade outdated infrastructure in the Sacramento-San Joaquin Delta (Delta) to secure California’s water supplies and improve the Delta’s ecosystem. It is noteworthy to understand that California’s largest supply of clean water is dependent on 50-year-old system. Earthquakes, floods and rising sea levels could compromise this system, putting our fresh water supply at risk from saltwater contamination. The current system is inefficient and cannot adequately capture and store water when it’s abundantly available.

The California WaterFix includes the construction of two 40-foot tunnels in the Delta that will be placed 150-ft underground; along with three new intakes, located north of the Delta, each with 3,000 cubic-feet per second (cfs) capacity. Once completed the average annual yield is expected to reach close to 5 million acre-feet. Constructing and permitting a \$15 billion project is complex and involves multiple state and federal agencies. Within the coming months—Federal and State officials are hoping to render a “Record of Decision” and a “Notice of Decision” so that a schedule can be made for the ultimate construction of these tunnels.

Update on Funding Related Issues for the Municipal Water District of Orange County:

In addition to the summary of the provisions included in the WIIN Act included in this report, there is a Funding Scorecard attached to this Report. It provides a listing of current federal grants available that may be of interest to MWDOC’s Member Agencies at the present time. The Scorecard works electronically. The Scorecard contains a listing of current grants and some grants that have expired—the purpose of showing the expired grants is to allow water districts to see what federal grants may be on the horizon based upon last year’s grants. In many cases, these competitive grants often, but not always repeat, for the next year. We are actively monitoring and advocating for increased federal funding levels for water infrastructure in Orange County.

Items of General Interest***Wildfire Updates:***

We have had a series of wildfires that are burning across the state of California during the year 2017. A total of 716 fires have burned 10,927 acres, according to the California Department of Forestry and Fire Protection which keeps records on these matters.

Throughout the early months of 2017, there was significant rainfall over most of California thus ending the state's severe drought conditions. However, according to a recent report published by the National Interagency Fire Center, the potential for large fires was "expected to remain near normal through the spring, but once fine fuels dry out, there will likely be a spike in grass fire activity."

Translation, we may have a fairly serious wildfire season later this year.

JCB 6-13-2017



Memorandum

To: Municipal Water District of Orange County
From: Syrus Devers, Best Best & Krieger
Date: June 19, 2017
Re: Monthly State Political Report

Permanent Conservation Regulations/Legislation

Last month's PAL Committee report described the separate efforts of the Legislature and the administration to implement the "Conservation as a Way of Life" framework, and opined that the two efforts need to come together at some point. That joining of efforts has not happened. The water industry continues to meet with legislators to support the Rubio bills on water conservation and water recycling, and the administration is pressing ahead with a rewrite of the trailer bill language.

The package of five water conservation bills was winnowed down to three (plus one) in Assembly Appropriations Committee, with each of the authors keeping one bill. (See below.) The bills are not as relevant as the discussions that are underway. Presumably, each bill will be used for some part of the total package.

With the bills now in the Senate, the lobbying effort has slowed somewhat. The bills have until July 21st to move out of the Senate Natural Resources and Water Committee, and the budget process is now dominating the attention of legislators. The administration, however, has increased its activity. There have been two meetings in the Governor's office in the last 30 days. After the first meeting, the Governor's staff surprised the group by announcing that they would draft amendments based on the feedback they had received. This was unanticipated because it effectively meant the Governor was negotiating against his own language. That caused the water industry to pause their efforts to wait and see how far the administration would move.

At the second meeting on June 6th, administration staff passed out a list of proposals for amendments that were discussed. (MWDOC staff was immediately provided a copy.) This was supposed to be followed by actual language the next day, but no language has been provided at the time of this report. The proposals, however, and the discussion that followed, suggest substantial movement by the administration. Perhaps the most significant concession was pulling back on the Board's authority to revise water conservation standards. As described by the Governor's staff, the new proposal would limit the Board's power to acting on proposals from the Department of Water Resources. While interesting, the proposals need to be put into actual language before devoting any



more attention to them. Hopefully bill language will be available by the PAL Committee meeting and BB&K can give a more detailed analysis.

Legislative Update

Water Conservation bill package:

The bills dealing with making “Conservation A Way of Life” are now as follows:

AB 1654--Support (Rubio): Water shortage contingency plan requirements.

AB 1668--Oppose (Friedman): Urban water management plans. While MWDOC is opposed, it is effectively a “soft oppose” now since attention is no longer on the bill’s contents, and the threat of hostile trailer bill language has largely been removed.

AB 1323--Watch (Weber): Stakeholder process to set conservation standards.

All bills are now in the Senate awaiting committee assignment. Related to the bill package, although it is being negotiated separately, is AB 869 (Rubio—support) dealing with water recycling.

WaterFix:

AB 791 (Opposed): This was the “death by process” bill that “slipped through the net” last month in committee while all of the attention was on the water conservation bill package. The net caught up to the bill in the Appropriations Committee and it is now dead for the year.

Other legislation:

AB 732 (Opposed) was a reintroduction of the Delta levee bill to permanently remove the sunset on the increased level of state funding for maintenance. Last month’s PAL report mentioned that the bill passed out of policy committee, as it always has in the past, simply because no one wants to be against levee maintenance in the policy committee, and that it would find a less friendly audience in the Appropriations Committee. That is, in fact, what happened. The Appropriations Committee did the right thing and replaced the sunset.



As a result of these wins, all of the bills actively opposed by MWDOC are now dead or neutralized, which means BB&K's lobbyist will take the rest of the year off.¹

Activity Report

- Attended ACWA water conservation and long-term efficiency drafting sessions on behalf of MWDOC. (6/1 and 6/8—MWDOC staff is now on the invite list.)
- Attended ACWA's State Legislative Committee meetings (6/9) and lobbyist meetings.
- Participated in various meetings with legislators and staff on the water conservation bill package, including Assemblyman Brough. (5/16)
- Attended two meeting in the Governor's office related to long-term conservation regulations. (5/23 and 6/6)
- Attended WaterReuse meeting re AB 869 (Rubio) on water recycling. (5/26)
- Participated in CalDesal legislative workgroup on desalinization related legislation. (5/16)

¹ Just kidding.

FY 2017 FUNDING OPPORTUNITIES for MWDOC (updated 6-12-17)						
No.	Program No./ SolicitationNo.	OPPORTUNITY TITLE*	AGENCY	Applic. Available	Deadline	STATUS
1	P17AS00340	Land and Water Conservation Fund State and Local Assistance Program	DOI-NPS	Yes	07/31/17	Open
2	EPA-OECA-MAMPD-2017-01	Manage the Compliance Assistance Center Program	EPA	Yes	08/18/17	Open
3	DHS-17-MT-023-009-99	Community Assistance Program - State Support Services Element (CAP-SSSE) - R9	DHS-DHS-R9	Yes	07/30/17	Open
4	DHS-17-MT-045-09-01	Fiscal Year (FY) 2017 Cooperating Technical Partners (CTP) Program - Region 9	DHS-DHS	Yes	07/01/17	Open
5	L17AS00144	BLM CA Support of National Seed Strategy to Produce Ecologically Native Plant	DOI-BLM	Yes	08/09/17	Open
6	DHS-17-GPD-042-09-01	Fiscal Year (FY) 2017 Emergency Management Performance Grant Program - Region 9	DHS-DHS	Yes	06/22/17	Open
7	USDA-NIFA-AFRI-006353	Agriculture and Food Research Initiative - Resilient Agroecosystems in a Changing Climate Challenge Area	USDA-NIFA	Yes	07/13/17	Open
8	F17AS00108	National Coastal Wetlands Conservation Grant Program	DOI-FWS	Yes	06/30/17	Open
9	L17AS00056	BLM CA Cultural and Archaeological Resources, California State Office Statewide Announcement	DOI-BLM	Yes	06/19/17	Open
10	PD-17-7643	Environmental Sustainability	NSF	Yes	10/20/17	Open
RECENTLY CLOSED GRANT OPPORTUNITIES						
	G17AS00027	Water Resources Research National Competitive Grants Program	DOI-USGS1	Yes	06/01/17	Closed
	BOR-UC-17-N006	The Next Generation of Evaporation Pans	DOI-BOR	Yes	05/10/17	Closed
	F17AS00192	FY17 Aquatic Nuisance Species Task Force Regional Panels	DOI-FWS	Yes	05/26/17	Closed
	USDA-NRCS-CA-CIG-17-01	California Conservation Innovation Grants	USDA-NRCS	Yes	06/07/17	Closed
	M17AS00015	BOEM FY 2017 Environmental Studies Program	DOI-MMS	Yes	06/06/17	Closed
	L17AS00058	BLM CA Friends of Jawbone	DOI-BLM	Yes	05/09/17	Closed
	BOR-DO-17-F014	WaterSMART Grants: Water Marketing Strategy Grants for Fiscal Year 2017	DOI-BOR	Yes	04/19/17	Closed
	G17AS00032	2017 Water Use Data and Research	DOI-USGS1	Yes	04/18/17	Closed

FY 2017 FUNDING OPPORTUNITIES for MWDOC (updated 6-12-17)

BOR-LC-17-F003	Lower Colorado Region Water Conservation Field Services Program Grant Program for FY 2017	DOI-BOR	Yes	04/03/17	Closed
P17AS00112	Land and Water Conservation Fund State and Local Assistance Program	DOI-NPS	Yes	04/28/17	Closed
M17AS00006	BOEM FY 2017 Environmental Studies Program	DOI-MMS	Yes	04/03/17	Closed
EPA-R1-HC-2017	2017 HEALTHY COMMUNITIES GRANT PROGRAM	EPA	Yes	04/07/17	Closed
BOR-DO-NOI-015	Determining Impacts of Long Term Use of RO Concentrate on Atriplex Species, Soil Characteristics and Microbial Habitats	DOI-BOR	Yes	03/23/17	Closed
M17AS00007	BOEM FY 2017 Environmental Studies Program	DOI-MMS	Yes	03/20/17	Closed
L17AS00034	BLM CA Headwaters Forest Reserve Watershed Restoration	DOI-BLM	Yes	04/24/17	Closed
NOAA-NMFS-HCPO-2017-2005156	Community-based Restoration Program Coastal and Marine Habitat Restoration Grants	DOC	Yes	03/23/17	Closed
NOAA-NOS-NRPO-2017-2005159	FY 2017 NOAA Coastal Resilience Grants Program	DOC	Yes	03/15/17	Closed
F17AS00096	Cooperative Endangered Species Conservation Fund	DOI-FWS	Yes	03/17/17	Closed
BOR-DO-17-F011	WaterSMART Grants: Small-Scale Water Efficiency Projects for Fiscal Year 2017	DOI-BOR	Yes	04/27/17	Closed
RDRUS-17-01-HWWS	Household Water Well Grant Program	USDA-RUS	Yes	02/06/17	Closed
RDRUS-17-RFP	Revolving Fund Program	USDA-RUS	Yes	02/06/17	Closed
M17AS00005	BOEM FY 2017 Environmental Studies Program	DOI-MMS	Yes	02/09/17	Closed
NOAA-NMFS-HCPO-2017-2005146	DARRP Restoration Implementation Grants	DOC	Yes	03/06/17	Closed
BOR-DO-17-F013	WaterSMART Cooperative Watershed Management Program Phase II Grants for Fiscal Year 2017	DOI-BOR	Yes	02/15/17	Closed
DE-FOA-0001663	Marine and Hydrokinetic Technology Development and Advancement	DOE-GFO	Yes	03/01/17	Closed
BOR-MP-17-F001	Bay-Delta Restoration Program: CALFED Water Use Efficiency Grants	DOI-BOR	Yes	02/28/17	Closed
P17AS00035	Land and Water Conservation Fund State and Local Assistance Program	DOI-NPS	Yes	02/03/17	Closed
17-530	Innovations at the Nexus of Food, Energy and Water Systems	NSF	Yes	03/06/17	Closed
BOR-MP-17-F002	Agricultural Water Conservation and Efficiency Grants	DOI-BOR	Yes	02/14/17	Closed
BOR-DO-17-F010	Drought Resiliency Projects for Fiscal Year 2017	DOI-BOR	Yes	02/14/17	Closed

FY 2017 FUNDING OPPORTUNITIES for MWDOC (updated 6-12-17)						
	BOR-DO-17-F009	Drought Response Program: Drought Contingency Planning Grants for Fiscal Year 2017	DOI-BOR	Yes	02/14/17	Closed
	BOR-DO-17-F004	WaterSMART: Water Recycling and Reuse Research under the Title XVI Water Reclamation and Reuse Program for Fiscal Year 2017	DOI-BOR	Yes	02/06/17	Closed
	G17AS00009	2017 Groundwater and Streamflow Information Program National Ground-Water Monitoring Network	DOI-USGS1	Yes	01/27/17	Closed
	BOR-UC-17-F001	Water Conservation Field Services Program	DOI-BOR	Yes	01/18/17	Closed
	BOR-DO-17-F012	WaterSMART Grants: Water and Energy Efficiency Grants for Fiscal Year 2017	DOI-BOR	Yes	01/18/17	Closed
	BOR-LC-17-001	Water Conservation Field Services Program	DOI-BOR	Yes	01/23/17	Closed
	BOR-DO-17-F003	WaterSMART: Development of Feasibility Studies under the Title XVI Water Reclamation and Reuse Program (FY) 2017	DOI-BOR	Yes	01/05/17	Closed
	BOR-DO-17-F002	WaterSMART: Title XVI Water Reclamation and Reuse Program Funding for Fiscal Year (FY) 2017	DOI-BOR	Yes	12/15/16	Closed
	BOR-DO-17-F006	Desalination and Water Purification Research (DWPR) Program Fiscal Year 2017 Pilot Scale Testing Projects	DOI-BOR	Yes	01/12/17	Closed
	BOR-DO-17-F007	Desalination and Water Purification Research Program Fiscal Year 2017 Full Scale Testing Projects	DOI-BOR	Yes	01/12/17	Closed
	BOR-DO-17-F005	Desalination and Water Purification Research ProgramFiscal Year 2017 Research & Laboratory Scale Projects	DOI-BOR	Yes	01/18/17	Closed
	USDA-NRCS-NHQ-CIG-17-01	2017 National Conservation Innovation Grants APF	USDA-NRCS	Yes	01/09/17	Closed
	G17AS00007	Long Term Resource Monitoring Program FY 2017	DOI-USGS1	Yes	01/15/17	Closed
*Please "click" on a particular "Opportunity Title" to access the corresponding solicitation and application, if available, and other relevant information.						

*Please "click" on a particular "Opportunity Title" to access the corresponding solicitation and application, if available, and other relevant information.

NOTICE: The above list of federal funding opportunities may not represent a complete or exhaustive list of the grants that MWDOC may be eligible for and/or interested in pursuing. This list is periodically updated and is not intended to be exclusively relied on. This list is intended to be a helpful tool. Federal grants are continually released and reported across many different platforms. Potential grantees should themselves continually monitor for federal funding opportunities. Hyperlinks for closed grants may expire.

The County of Orange Report

June 13, 2017
by Lewis Consulting Group



The June 14th meeting of Orange County LAFCO was held after the print deadline for PAL, so this report will be given orally at the June 19, 2017 meeting.

Key agenda items include:

- ◆The Commission's Comprehensive 3rd Quarter Report
- ◆Proposed adoption of final fiscal year 2017-2018 budget and fee schedule
- ◆Amended contract with Best, Best & Krueger LLC for legal services



Update

At the May 23rd meeting of the Orange County Board of Supervisors the County's 7 year Capital Plan was adopted. As part of the updated plan is the allocation of monies to be spent on Orange County Flood Projects.

Flood Control Capital Improvement Program, Projects	Budgeted FY 2017-18	7-Year Total Project Costs
A03 Fullerton Creek Channel downstream Western Avenue to downstream I-5 Freeway	\$ 25,635,000	\$ 26,855,000
B01 Carbon Creek Channel upstream Gilbert Street to Euclid Street	\$ 799,945	\$ 33,029,945
B01 Carbon Creek Channel Western Avenue to Dale Street	\$ 1,393,300	\$ 30,016,450
C05 East Garden Grove-Wintersburg Channel upstream Warner Avenue to downstream Goldenwest St.	\$ 791,250	\$ 25,999,875

Flood Control Capital Improvement Program, Projects	Budgeted FY 2017-18	7-Year Total Project Costs
Cooperative Projects	\$ 109,750	\$ 768,250
Design Services for Aliso Creek Restoration Project at Green River Golf Course Construction Documents	\$ 126,289	\$ 876,289
E01 Santa Ana River Dredging Project Pacific Coast Highway to Upstream Adams Avenue	\$ 225,000	\$ 311,000
F01 Santa Ana Delhi Channel Bay View Bridge to downstream Mesa Drive	\$ 1,915,000	\$ 20,983,800
F01S01 Airport Storm Channel Maintenance Access Flood Control	\$ 30,000	\$ 30,000
F05 San Diego Creek Sediment Removal I-405 to I-405	\$ 5,350,000	\$ 11,020,000
F08 Lane Channel upstream Jamboree Road to downstream Main Street Phase 1	\$ 10,058,750	\$ 10,133,750
F09 Barranca Channel PL84-99 Project	\$ 2,850,000	\$ 2,850,000
F14 San Joaquin Channel San Diego Creek (F05) to San Mateo Park	\$ 150,000	\$ 150,000
I-405 Widening Ocean View Segment Improvements	\$ 9,566,160	\$ 9,566,160
L01 San Juan Creek Channel, Invert Stabilization PHASE 1 L01, Ocean Outlet to I-5 Freeway and L02, L01 confluence to 2,860-ft upstream of Del Obispo	\$ 544,063	\$ 39,961,563
L01 San Juan Creek Channel, Phases 4, 5, and 6 Stonehill Drive to 2,100' upstream (both sides) and 2,100' upstream Stonehill Drive to 360' downstream BNSF-Rail Road (right side only)	\$ 23,601,000	\$ 24,901,000
L02 Trabuco Creek Channel 300' downstream Del Obispo Street to 1,600' upstream Del Obispo Street Phase 8	\$ 505,000	\$ 14,409,013
Mitigation Bank at Green River Golf Course	\$ 500,000	\$ 12,507,500
Participation in diversion projects on Peters Canyon Wash	\$ 20,000	\$ 153,249
Santa Ana River Hiking and Biking Trail	\$ 425,000	\$ 425,000
Santa Ana River Parkway Extension	\$ 412,500	\$ 20,293,250
Santa Ana River Reach 9, Green River Golf Course Access Flood Control Improvement (Knuckle Fill Extension)	\$ 820,000	\$ 820,000
Total Fiscal Year Cost for Flood Control CIP	\$ 85,828,006	\$ 384,054,665

At the June 6, 2017 Orange County Board of Supervisors meeting . . .

Two controversial issues were highlighted, continued over-site of the Orange County Human Relations Commission along with trying to resolve issues related to the homeless housing encampment along the Santa Ana River.

Controversy has arisen over the relationship between the County's official Human Relations Commission and the confusing intermingling of the Commission with the non-profit Human Relations Council. After a testy exchange between Supervisors Spitzer, Do and Chairperson Steel, the Board deadlocked on a 2-2 vote for funding a \$250,000 a year contract with the Human Relations Council to provide services for the Human Relations Commission; with Supervisor Nelson being absent. The matter is scheduled for a re-vote at the June 13th Board meeting. Some urgency to the matter is a result of a county office lease for the Human Relations Council expiring in the month of June.

The Board also voted 4-0 to provide a minimum of \$750,000 worth of services to the homeless living along the Santa Ana riverbed. In addition, they may utilize up to \$5 million to provide housing for the 50 residents with mental health issues. Supervisor Spitzer made it very clear he wants a dual track of providing assistance now but also beginning a timetable for the closure of these encampments along the riverbed. According to Spitzer it is paramount that we do not allow the banks of the Santa Ana River to become Orange County's version of a permanent "skid row".

The County Board will be holding meetings June 13 and 14 to review the County's new fiscal budget. The meetings occur after our PAL Report print deadline and will be part of an oral presentation at the June 19th PAL meeting.

Sheriff Hutchens Time in the Hot Seat??

The on-going jailhouse snitch program which has triggered federal, state and county investigations has resulted in mounds of unfavorable publicity for Orange County's District Attorney Tony Rackaukas. Now however, Superior Court Judge Thomas Goethals, who has been at the center of all the county legal proceedings, has decided he wants Sheriff Hutchens to testify in the matter.



The Sheriff has previously stated that there is no jailhouse informant program in the Orange County jails. However, Commander John Briggs, Sheriff Hutchens former executive assistant has already testified that the Special Handling Unit was "clearly cultivating and utilizing" confidential informants. Stay tuned. . .

Latest PPIC Poll



In a survey of likely voters in California conducted by PPIC - Public Policy Institute of California; in a list of top Californian concerns, drought and water has fallen to a mere 7% of those naming it as a top concern. In doing so, it tied with healthcare & insurance, but was surpassed by

Jobs/economy	19%
Immigration	10%
Government in general	10%
Housing costs	8%
State budget	8%

Governor Brown's popularity has waned to 50% approval and 40% disapproval. In January it stood at 62% approval and 31% disapproval.

The State Legislature approval rating has declined to 41% approval and 46% disapproval.

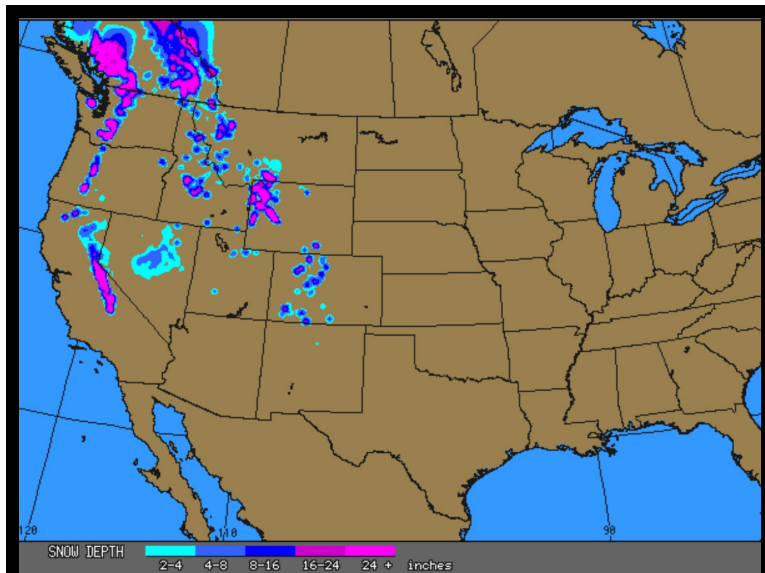
President Trump continues to receive abysmal approval ratings in California, 33% approval and 63% disapproval.

The survey was conducted May 12 - May 22, 2017.. For the 1,382 registered voters questioned, there is a margin of error of +/- 3.6%.

Will Snow Melt Be Tamed?

Tioga Pass Resort - May 31, 2017

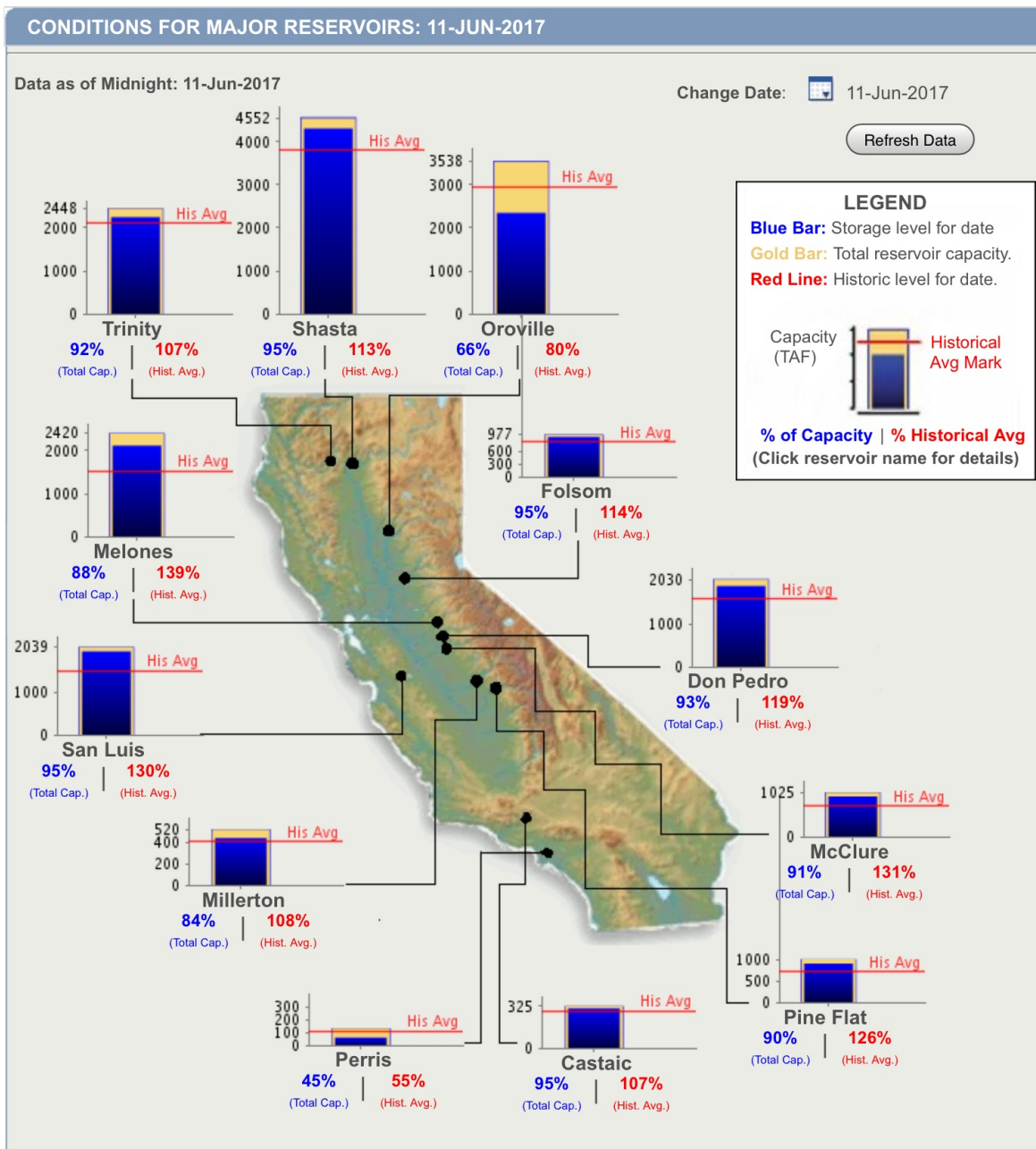




24+ inches of snow

June 12, 2017

California Data Exchange Center - Reservoirs



ACKERMAN CONSULTING

Legal and Regulatory

June 19, 2017

1. **Delta Carbon Bank:** The largest estuary, California's Delta region, in the west coast of the US is in crisis mode. Hundreds of years of farming has dried out and decomposed the soil. The ground level is much below the surrounding water level and forces on the levee walls have increased. One solution is to return the area to its original wetlands condition. Flooding and allowing nature to take its course would eventually return the area to its original self and it would accrete carbon, commonly referred to as carbon sequestration. This process would take hundreds of years as it is dependent on gradual decomposition of wetland vegetation. The Delta Conservancy recently received approval from the American Carbon Registry for carbon banking. That means the restoration effort can sell greenhouse gas credits to industries needing pollution offsets. This is important since most of the land in the Delta is privately owned and there must be a financial incentive to take the land out of farming and restore it to wetland status. It is estimated that one acre of Delta land could produce 5-6 tons of CO₂. Time will tell if this concept has viability.
2. **SDCWA vs MWD:** The battle continues between San Diego County Water Authority and MWD. While San Diego has been spending hundreds of thousands of dollars each year attacking MWD, their most recent efforts has taken a new tack. They have been doing polling in the southern California area outside of their service area. The question was whether the State should take over control of water in Southern California. The poll asks voter opinion in this matter to counteract the alleged mismanagement at MWD. It was conducted with registered voters only even though water is used by everyone including companies. The battle escalates!!
3. **Santa Barbara Desal On:** After many months, the Santa Barbara plant is running. While it is still in the startup phase, it will be at capacity (3 million gallons per day) soon. This will furnish about 1/3 of the cities need. The rest will come from groundwater, local reservoirs and state water. The plant was originally built in 1991 and then mothballed for 25 years. The drought forced a restart. Some good news, the new technology is producing water so soft that softening devices are not needed.
4. **Klamath Takings Suit Expanded:** We recently reported on a Federal lawsuit filed in the Klamath region by farmers and others against the Bureau of Reclamation for shutting off irrigation water from senior rights holders. Thus far the case has been going against the Government. Recently the Judge just allowed the addition of 3500 parcels (160,000 acres) as additional plaintiffs in the litigation. The case should be decided sometime this year. Estimates of possible recovery

exceed \$25 million. If this case goes as expected, it will be a large victory for water rights in California.

5. **Salmon v Wine:** Sonoma County is making a large push to restore salmon habitats. As a result of the drought and the now excess rainfall, the rivers and streams where salmon used to run has been seriously disrupted. Add to that the many dams that have been built throughout the County and you have an even more serious situation. Dam removal now is becoming a more common occurrence but other methods are proving even more useful. Building side channels, deep pooling, off ramps, side ponds are being used to help circulation and salmon migration. The habitat restoration is not only helping the fish and is making for better water flow and less erosion in the wine areas.
6. **Snow v Hikers:** One of the favorite hiking areas in Yosemite is Half Dome. However, as a result of our wet winter, snow has covered most of Half Dome much longer than usual making hiking too dangerous. Park officials will declare the Dome open sometime in June. The park is warning all visitors to be careful because the high water flow can be dangerous.
7. **Kings River v Visitors:** Another fatality of the excess rain and snow fall is use of the Kings River. Fresno, Tulare and Kings Counties have all restricted usage of the Kings River and other areas due to the runoff and extreme cold temperatures of the water. Boating, swimming and other activities have all been curtailed. The water temperature has been at 50 degrees and the water flow has exceeded 3.7 million gallons per minute. The river levels are high and 5 people have already died in local rivers. Erosion has increased and trees, brush and the like flowing down the river make for dangerous conditions.
8. **Climate Change at Tahoe:** Water clarity has been a measure of the condition of Lake Tahoe for many years. Historically, when the white disk was dropped into the Lake, you could see it to a depth of over 100 feet. Lately the average has been about 70 feet. Drought and rain also impacted the readings with dry years making water clearer and rainy years and runoff making it less clear. Now temperature change has been shown to be a factor in clarity but drawing a strict correlation between climate change and water clarity is difficult. While the trend has been for less clarity, there have been times in the last year where the readings almost reached 100 feet. The scientists did agree that the bottom of the lake composed of about 90% of its water is crystal clear.
9. **Groundwater Loss:** Studies from UCLA and the University of Houston have concluded that the over drafting of groundwater during our most recent drought has been substantial. The use of satellite data and other data allowed a measurement of 40 cubic kilometers of water being taken from the groundwater aquifers. This is enough to fill Shasta Lake seven times. The reduced amounts allocated to farmers from the State and Federal authorities, the lack of above ground storage, farmers drilling an additional 2500 wells in the Valley all contributed to this problem. This has created falling water tables, polluted water supplies and land subsidence.

The situation is made worse by the length of time it takes to recharge underground aquifers. It takes many more years to recharge than it does to withdraw.

10. **Toxic Invaders:** We have all read about the toxic blooms and areas formed in oceans and lakes caused by drought and rain conditions. Now we are experiencing similar issue on land. The extreme rain conditions are enabling many non-native plants to migrate and grow in the Santa Monica Mountains and other areas of California. The 'carnation spurge', a relative of the poinsettia plant, is a toxic species which can have serious impacts on animals and probably humans. Another one 'volutaria' from North Africa is a weed which can overpower native growth. Both of the plants have no natural enemies and tend to take over if not rooted out and removed. Right now the parks are using volunteers to help remove the invaders. So if you have a free Sunday drive to the Santa Monica Mountains and join the effort.
11. **Wine, Water and Weed:** The battle used to be in the wine country where new vineyards could be planted and whether there was too much agricultural use being allowed in the valley. The new battle is where new marijuana plants could be planted and how many vineyards will be converted from grapes to weed. Investors are busy buying up land, with or without vineyards existing. Farmers are brushing up on their weed farming practices. Farmers have always looked for more profitable crops in the wine country. Hops were the original crop of choice. Then came prunes and next wine grapes. Now marijuana may be the number one choice for the same reason: great soil and growing conditions. A high value crop, like marijuana, is driving land values through the roof. An acre of grapes is worth between \$55,000 and \$365,000 in the Napa and Sonoma Counties. An acre of weed is worth over \$1 million. Easy decision...There are however continuing issues with the Federal Government, the heavy water demand and local acceptance. The area is already being advertised as the Champagne region for top quality bud. Still not quite the same as going wine tasting in Napa!!

MWDOC

PAL Committee

June 19, 2017

Prepared by Best Best & Krieger LLP

A. Priority Support/Oppose

AB 574

(Quirk D) Potable reuse.

Current Text: Amended: 4/18/2017 Text

Current Analysis: 05/27/2017 Assembly Floor Analysis (text 4/18/2017)

Last Amend: 4/18/2017

Status: 6/8/2017-Referred to Coms. on EQ. and N.R. & W.

Is Urgency: N

Summary: Current law required the State Department of Public Health to develop and adopt uniform water recycling criteria for surface water augmentation, as defined, by December 31, 2016, if a specified expert panel found that the criteria would adequately protect public health health. Current law defined the terms "direct potable reuse," "indirect potable reuse for groundwater recharge," and "surface water augmentation" for these purposes. This bill would remove certain references to "direct potable reuse," "indirect potable reuse for groundwater recharge," and "surface water augmentation," and would instead specify the four different types of potable reuse projects as "groundwater augmentation," "reservoir augmentation," "raw water augmentation," and "treated drinking water augmentation."

Laws: An act to amend Sections 13560 and 13561 of, to amend the heading of Chapter 7.3 (commencing with Section 13560) of Division 7 of, and to add Sections 13560.5 and 13561.2 to, the Water Code, relating to water.

Position	Priority
Support	A. Priority Support/Oppose

AB 869

(Rubio D) Sustainable water use and demand reduction: recycled water.

Current Text: Amended: 5/15/2017 Text

Current Analysis: 05/25/2017 Assembly Floor Analysis (text 5/15/2017)

Last Amend: 5/15/2017

Status: 6/8/2017-Referred to Coms. on N.R. & W. and EQ.

Is Urgency: N

Summary: Current law imposes various water use reduction requirements that apply to urban retail water suppliers, including a requirement that the state achieve a 20% reduction in urban per capita water use by December 31, 2020. This bill would require recycled water delivered within the service area of an urban retail water supplier or its urban wholesale water supplier for either nonpotable or potable use or that replenishes a groundwater basin and supplements the groundwater supply available to an urban retail water supplier be excluded from the calculation of any urban water use target or reduction in urban per capita water use.

Laws: An act to amend Sections 10608.8 and 10608.12 of, and to add Section 13551.5 to, the Water Code, relating to water.

Position	Priority
Support	A. Priority Support/Oppose

AB 1323

(Weber D) Sustainable water use and demand reduction: stakeholder workgroup.

Current Text: Amended: 5/30/2017 Text

Current Analysis: 06/01/2017 Assembly Floor Analysis (text 5/30/2017)

Last Amend: 5/30/2017

Status: 6/1/2017-In Senate. Read first time. To Com. on RLS. for assignment.

Is Urgency: N

Summary: Would, with a specified exception, require the Department of Water Resources to convene a stakeholder workgroup with prescribed representatives invited to participate, including, among others, representatives of the department and the State Water Resources Control Board, no later than February 1, 2019. The bill would require the stakeholder workgroup to develop, evaluate, and recommend proposals for establishing new water use targets for urban water suppliers and to examine and report to the Governor and the Legislature by December 31, 2019, as specified.

Laws: An act to add and repeal Section 10608.9 of the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

Notes 1: One the three bills that will become the long-term conservation bills. Current language of the bill is not indicative of how the bill may be used.

[AB 1654](#)

([Rubio](#) D) Water shortage: urban water management planning.

Current Text: Amended: 3/28/2017 [Text](#)

Current Analysis: 05/27/2017 [Assembly Floor Analysis \(text 3/28/2017\)](#)

Last Amend: 3/28/2017

Status: 6/1/2017-In Senate. Read first time. To Com. on RLS. for assignment.

Is Urgency: N

Summary: Would require each urban retail water supplier to report annually by June 15 to the Department of Water Resources the status of its water supplies for that year and whether the supplies will be adequate to meet projected customer demand, as prescribed. The bill would require the urban retail water supplier to implement the appropriate responses as described in its water shortage contingency analysis if the urban retail water supplier reports that all available water supplies for the applicable water year will not be adequate to meet projected customer demand.

Laws: An act to amend Sections 10621, 10631, 10632, and 10635 of, to repeal Section 10631.7 of, to add Sections 10613.5 and 10658 to, and to add Part 2.56 (commencing with Section 10609) to Division 6 of, the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Support</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

[AB 1668](#)

([Friedman](#) D) Water management planning.

Current Text: Amended: 4/18/2017 [Text](#)

Current Analysis: 05/30/2017 [Assembly Floor Analysis \(text 4/18/2017\)](#)

Last Amend: 4/18/2017

Status: 6/1/2017-In Senate. Read first time. To Com. on RLS. for assignment.

Is Urgency: N

Summary: Current law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan and to update its plan once every 5 years on or before December 31 in years ending in 5 and zero, except as specified. This bill would require an urban water management plan to be updated on or before July 1, in years ending in 6 and one, incorporating updated and new information from the 5 years preceding the plan update.

Laws: An act to amend Sections 350, 10610.2, 10610.4, 10620, 10621, 10630, 10631, 10631.2, 10635, 10640, 10641, 10642, 10644, 10645, 10650, 10651, 10653, 10654, 10656, and 10814 of, to amend and renumber Sections 10612 and 10617 of, to repeal Section 10631.7 of, to repeal and add Section 10632 of, and to add Sections 10612, 10617, 10617.5, 10632.1, 10632.2, 10632.3, and 10643.5 to, the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Opposition</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

[SB 778](#)

([Hertzberg](#) D) Water systems: consolidations: administrative and managerial services.

Current Text: Amended: 5/26/2017 [Text](#)

Current Analysis: 05/27/2017 [Senate Floor Analyses \(text 4/26/2017\)](#)

Last Amend: 5/26/2017

Status: 6/1/2017-In Assembly. Read first time. Held at Desk.

Is Urgency: N

Summary: Would require, on or before March 1, 2018, the State Water Resources Control Board to track and publish on its Internet Web site an analysis of all voluntary and ordered consolidations of water systems, including publishing information on the resulting outcomes of the consolidations and whether the consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.
Laws: An act to amend Section 116682 of the Health and Safety Code, relating to drinking water.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

Notes 1: Flagged for possible vehicle for public goods charge.

SCA 4

(Hertzberg D) Water conservation.

Current Text: Introduced: 2/2/2017 [Text](#)

Status: 2/16/2017-Referred to Com. on RLS.

Is Urgency:

Summary: The California Constitution requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. This measure would declare the intent of the Legislature to amend the California Constitution to provide a program that would ensure that affordable water is available to all Californians and to ensure that water conservation is given a permanent role in California's future.

Laws: A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article X C thereto, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

Notes 1: Possible future action item depending on amendments.

B. Watch

AB 18

(Garcia, Eduardo D) California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

Current Text: Amended: 2/23/2017 [Text](#)

Current Analysis: 03/09/2017 [Assembly Floor Analysis \(text 2/23/2017\)](#)

Last Amend: 2/23/2017

Status: 3/20/2017-Read third time. Urgency clause adopted. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Is Urgency: Y

Summary: Would enact the California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,105,000,000 pursuant to the State General Obligation Bond Law to finance a clean water, climate, coastal protection, and outdoor access for all program. This bill contains other related provisions.

Laws: An act to add Chapter 14 (commencing with Section 5880) to Division 5 of the Public Resources Code, relating to a clean water, climate, coastal protection, and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>B. Watch</i>

Notes 1: More park bond than water bond. The better vehicle is SB 5 (De Leon). Nothing to oppose, but not the bill to support if MWDOC were to consider a position.

AB 196

(Bigelow R) Greenhouse Gas Reduction Fund: water supply and wastewater systems.

Current Text: Amended: 3/6/2017 [Text](#)

Current Analysis: 05/27/2017 [Assembly Floor Analysis \(text 3/6/2017\)](#)

Last Amend: 3/6/2017

Status: 6/1/2017-In Senate. Read first time. To Com. on RLS. for assignment.

Is Urgency: N

Summary: Current law requires moneys from the Greenhouse Gas Reduction Fund to be allocated for the purpose of reducing greenhouse gas emissions in this state and satisfying other purposes. Current law authorizes specified investments, including water use and supply, if the investment furthers the regulatory purposes of the California Global Warming Solutions Act of 2006 and is consistent with law. This bill would authorize the use of the moneys in the fund for electric pump efficiency, water and wastewater systems, pump and pump motor efficiency improvements, and drinking water transmission and distribution systems' water loss if the investment furthers the regulatory purposes of the act and is consistent with law.

Laws: An act to amend Section 39712 of the Health and Safety Code, relating to greenhouse gases.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>B. Watch</i>

[AB 277](#)

(Mathis R) Water and Wastewater Loan and Grant Program.

Current Text: Amended: 3/27/2017 [Text](#)

Current Analysis: 05/27/2017 [Assembly Floor Analysis \(text 3/27/2017\)](#)

Last Amend: 3/27/2017

Status: 6/8/2017-Referred to Com. on EQ.

Is Urgency: N

Summary: Would, to the extent funding is made available, authorize the State Water Resources Control Board to establish the Water and Wastewater Loan and Grant Program to provide funding to eligible applicants for specified purposes relating to drinking water and wastewater treatment. This bill would authorize a county or qualified nonprofit organization to apply to the board for a grant to award loans or grants, or both, to an eligible applicant. The bill would authorize the board to use a funding source that is authorized for and consistent with the purposes of the program.

Laws: An act to add Chapter 6.6 (commencing with Section 13486) to Division 7 of the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>B. Watch</i>

[AB 313](#)

(Gray D) Water.

Current Text: Amended: 4/18/2017 [Text](#)

Current Analysis: 05/27/2017 [Assembly Floor Analysis \(text 4/18/2017\)](#)

Last Amend: 4/18/2017

Status: 6/8/2017-Referred to Coms. on N.R. & W. and JUD.

Is Urgency: N

Summary: Current law authorizes the State Water Resources Control Board to adopt an order setting administrative civil liability based on the allegations set forth in the complaint without a hearing, unless a written request for a hearing signed by, or on behalf of, the party served with the complaint is delivered to or received by mail by the board within 20 days after receipt of the complaint. This bill, commencing July 1, 2018, would establish a Water Rights Division within the Office of Administrative Hearings, as prescribed.

Laws: An act to add Article 2.5 (commencing with Section 11375) to Chapter 4 of Part 1 of Division 3 of Title 2 of the Government Code, and to amend, repeal, and add Sections 1055 and 1552 of the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>B. Watch</i>

Notes 1: BB&K will continue to monitor.

[AB 464](#)

(Gallagher R) Local government reorganization.

Current Text: Amended: 3/14/2017 [Text](#)

Current Analysis: 06/08/2017 [Senate Governance And Finance \(text 3/14/2017\)](#)

Last Amend: 3/14/2017

Status: 5/24/2017-Referred to Com. on GOV. & F.

Is Urgency: N

Summary: Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, current law requires that an applicant seeking a change of organization or reorganization submit a plan for providing services within the affected territory that includes, among other requirements, an enumeration and description of the services to be extended to the affected territory and an indication of when those services can feasibly be extended. This bill would specify that the plan is required to also include specific information regarding services currently provided to the affected territory, as applicable, and make related changes.

Laws: An act to amend Sections 56653 and 56857 of the Government Code, relating to local government.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>B. Watch</i>

[AB 474](#) ([Garcia, Eduardo D](#)) *Hazardous waste: spent brine solutions.*

Current Text: Introduced: 2/13/2017 [Text](#)

Current Analysis: 05/27/2017 [Assembly Floor Analysis \(text 2/13/2017\)](#)

Status: 6/8/2017-Referred to Com. on EQ.

Is Urgency: N

Summary: Current law exempts from certain requirements of the Hazardous Waste Control Law wastes from the extraction, beneficiation, or processing of ores and minerals that are not subject to regulation under the federal Resource Conservation and Recovery Act of 1976, including spent brine solutions used to produce geothermal energy that meet specified requirements. This bill would exempt spent brine solutions that are byproducts of the treatment of groundwater to meet California drinking water standards from those same requirements if certain conditions are met, including that the spent brine solutions are transferred for dewatering via a closed piping system to lined surface impoundments regulated by the California regional water quality control boards.

Laws: An act to add Section 25143.6 to the Health and Safety Code, relating to hazardous waste.

<i>Position</i>	<i>Priority</i>
	<i>B. Watch</i>

Notes 1: Possible bill to support.

[AB 732](#) ([Frazier D](#)) *Delta levee maintenance.*

Current Text: Amended: 5/30/2017 [Text](#)

Current Analysis: 05/30/2017 [Assembly Floor Analysis \(text 5/30/2017\)](#)

Last Amend: 5/30/2017

Status: 6/1/2017-In Senate. Read first time. To Com. on RLS. for assignment.

Is Urgency: N

Summary: Current law establishes a delta levee maintenance program pursuant to which a local agency may request reimbursement for costs incurred in connection with the maintenance or improvement of project or nonproject levees in the Sacramento-San Joaquin Delta. Current law declares legislative intent to reimburse eligible local agencies under this program, until July 1, 2018, in an amount not to exceed 75% of those costs that are incurred in excess of \$1,000 per mile of levee. Current law, until July 1, 2018, authorizes the board to provide funds to an eligible local agency under this program in the form of an advance in an amount that does not exceed 75% of the estimated state share. This bill would extend until July 1, 2020, the operation of that declaration of legislative intent and the authorization to advance funds.

Laws: An act to amend Sections 12986 and 12987.5 of the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>B. Watch</i>

Notes 1: Amended to extended the sunset consistent with past practice.

[AB 885](#) ([Rubio D](#)) *Pupil health: drinking water: lead.*

Current Text: Amended: 4/27/2017 [Text](#)

Current Analysis: 05/15/2017 [Assembly Appropriations \(text 4/27/2017\)](#)

Last Amend: 4/27/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/17/2017)(May be acted upon Jan 2018)

Is Urgency: N

Summary: Would require a community water system, as defined, to test, on or before July 1, 2019, and every year thereafter, for the presence of lead at a sample of water outlets used for drinking or cooking at each school, defined to include a public elementary school, a public secondary school, a public preschool located on public school property, and a public day care facility located on public school property, constructed before January 1, 1993, within the boundaries of the community water system.

Laws: An act to add Section 32247 to the Education Code, relating to pupil health.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>B. Watch</i>

[AB 1369](#)*(Gray D) Water quality and storage.**Current Text: Introduced: 2/17/2017 [Text](#)**Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/27/2017)(May be acted upon Jan 2018)**Is Urgency: N**Summary: Current law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism relative to reduction of greenhouse gas emissions to be deposited in the Greenhouse Gas Reduction Fund. This bill would require the Department of Water Resources to increase statewide water storage capacity by 25% by January 1, 2025, and 50% by January 1, 2050, as specified.**Laws: An act to amend Section 39719 of the Health and Safety Code, and to add Section 13145.5 to, and to add Chapter 4.5 (commencing with Section 430) to Division 1 of, the Water Code, relating to water, and making an appropriation therefor.*

<i>Position</i>	<i>Priority</i>
<i>Out for Analysis</i>	<i>B. Watch</i>

[AB 1605](#)*(Caballero D) Maximum contaminant level: nitrate: replacement water.**Current Text: Amended: 4/27/2017 [Text](#)**Current Analysis: 04/26/2017 [Assembly Judiciary \(text 4/18/2017\)](#)**Last Amend: 4/27/2017**Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was JUD. on 5/1/2017)(May be acted upon Jan 2018)**Is Urgency: N**Summary: The California Safe Drinking Water Act, requires the state board to administer provisions relating to the regulation of drinking water to protect public health and vests with the state board specified responsibilities. This bill would prohibit a person or entity providing replacement water, as defined, to address drinking water that exceeds the maximum contaminant level for nitrate in groundwater from being deemed to have caused pollution or a nuisance, or from being liable for negligence or trespass, if certain conditions are met.**Laws: An act to add Chapter 5.1 (commencing with Section 13366) to Division 7 of the Water Code, relating to water quality.*

<i>Position</i>	<i>Priority</i>
<i>Out for Analysis</i>	<i>B. Watch</i>

[AB 1667](#)*(Friedman D) Agricultural water management planning.**Current Text: Amended: 5/30/2017 [Text](#)**Current Analysis: 05/30/2017 [Assembly Floor Analysis \(text 5/30/2017\)](#)**Last Amend: 5/30/2017**Status: 6/1/2017-In Senate. Read first time. To Com. on RLS. for assignment.**Is Urgency: N**Summary: Current law requires an agricultural water supplier to prepare and adopt an agricultural water management plan with specified components on or before December 31, 2012, and to update that plan on December 31, 2015, and on or before December 31 every 5 years thereafter. This bill would revise the components of the plan and additionally require the agricultural water management plan to quantify the efficiency of agricultural water use, include an annual water budget, describe the agricultural water supplier's water management strategy with specified elements, and include a drought plan describing the actions of the agricultural water supplier for drought preparedness and management of water supplies and allocations during drought conditions.**Laws: An act to amend Sections 531.10, 10608.48, 10814, 10820, 10826, 10843, and 10845 of, and to add Section 10826.2 to, the Water Code, relating to water.*

<i>Position</i>	<i>Priority</i>
	<i>B. Watch</i>

Notes 1: This bill was substantially amended following the oppose adopted by PAL. It is now limited to agricultural water management plans.[SB 5](#)*(De León D) California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.**Current Text: Amended: 5/26/2017 [Text](#)**Current Analysis: 05/27/2017 [Senate Floor Analyses \(text 5/26/2017\)](#)*

Last Amend: 5/26/2017

Status: 5/31/2017-In Assembly. Read first time. Held at Desk.

Is Urgency: Y

Summary: Would enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,500,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. This bill contains other related provisions.

Laws: An act to add Division 45 (commencing with Section 80000) to the Public Resources Code, relating to a drought, water, parks, climate, coastal protection, and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Position

Priority

Watch

B. Watch

Notes 1: Better of the two park bond bills. Possible future action item.

SB 80

(Wieckowski D) California Environmental Quality Act: notices.

Current Text: Amended: 2/14/2017 [Text](#)

Current Analysis: 04/19/2017 [Senate Floor Analyses \(text 2/14/2017\)](#)

Last Amend: 2/14/2017

Status: 5/18/2017-Referred to Com. on NAT. RES.

Is Urgency: N

Summary: The California Environmental Quality Act requires the lead agency to mail certain notices to persons who have filed a written request for notices. The act provides that if the agency offer to provide the notices by email, upon filing a written request for notices, a person may request that the notices be provided to him or her by email. This bill would require the lead agency to post those notices on the agency's Internet Web site. The bill would require the agency to offer to provide those notices by email. Because this bill would increase the level of service provided by a local agency, this bill would impose a state-mandated local program.

Laws: An act to amend Sections 21092.2, 21092.3, 21108, and 21152 of the Public Resources Code, relating to environmental quality.

Position

Priority

Watch

B. Watch

SB 146

(Wilk R) Water resources: permit to appropriate: protected species.

Current Text: Amended: 3/20/2017 [Text](#)

Current Analysis: 03/23/2017 [Senate Natural Resources And Water \(text 2/17/2017\)](#)

Last Amend: 3/20/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was N.R. & W. on 1/26/2017)(May be acted upon Jan 2018)

Is Urgency: N

Summary: Under current law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Current law prohibits the taking or possession of a fully protected fish, except as provided, and designates the unarmored threespine stickleback as a fully protected fish. This bill would prohibit the board from issuing on or after January 1, 2018, a new permit to appropriate water from any river or stream that has, or is reasonably expected to have, a population of unarmored threespine stickleback.

Laws: An act to add Section 1257.7 to the Water Code, relating to water resources.

Position

Priority

Watch

B. Watch

Notes 1: ACWA opposed

SB 210

(Leyva D) Pupil health: drinking water.

Current Text: Amended: 5/26/2017 [Text](#)

Current Analysis: 05/27/2017 [Senate Floor Analyses \(text 5/26/2017\)](#)

Last Amend: 5/26/2017

Status: 6/1/2017-In Assembly. Read first time. Held at Desk.

Is Urgency: N

Summary: The California Safe Drinking Water Act, requires the State Water Resources Control Board to establish a

grant program, in consultation with the State Department of Education, to award grants to local educational agencies for the purposes of improving access to, and the quality of, drinking water in public schools serving kindergarten or any of grades 1 to 12, inclusive, and preschools and child day care facilities located on public school property. The act requires the state board to give priority to certain projects. This bill would require priority be given to projects for schools that have tested their drinking water fixtures, and the results show that the drinking water either does not meet the United States Environmental Protection Agency drinking water standards for lead or is above the California maximum contaminant level for any other contaminant, as specified.

Laws: An act to amend Section 116276 of the Health and Safety Code, relating to public health.

Position Priority
B. Watch

SB 224

(Jackson D) California Environmental Quality Act: baseline conditions.

Current Text: Amended: 4/5/2017 [Text](#)

Current Analysis: 05/01/2017 [Senate Appropriations \(text 4/5/2017\)](#)

Last Amend: 4/5/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)

Is Urgency: N

Summary: Would require the Office of Planning and Research, on or after January 1, 2018, at the time of the next review of the guidelines, to prepare, develop, and transmit to the secretary proposed changes or amendments to determine the baseline physical conditions by which a lead agency determines whether a project has a significant effect on the environment. The bill would require the office, in developing the recommendations to limit the consideration of modifications to the environment at the project site cause by certain actions. The bill would require the secretary to certify and adopt the recommended proposed changes or amendments.

Laws: An act to add Section 21083.02 to the Public Resources Code, relating to environmental quality.

Position Priority
B. Watch

SB 231

(Hertzberg D) Local government: fees and charges.

Current Text: Amended: 4/19/2017 [Text](#)

Current Analysis: 04/28/2017 [Senate Floor Analyses \(text 4/19/2017\)](#)

Last Amend: 4/19/2017

Status: 5/22/2017-Referred to Com. on L. GOV.

Is Urgency: N

Summary: Articles XIIIC and XIID of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Current law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Articles XIIIC and XIID of the California Constitution and defines terms for these purposes. This bill would define the term "sewer" for these purposes. The bill would also make findings and declarations relating to the definition of the term "sewer" for these purposes.

Laws: An act to amend Section 53750 of, and to add Section 53751 to, the Government Code, relating to local government finance.

Position Priority
Watch B. Watch

SB 252

(Dodd D) Water wells.

Current Text: Amended: 5/2/2017 [Text](#)

Current Analysis: 05/27/2017 [Senate Floor Analyses \(text 5/2/2017\)](#)

Last Amend: 5/2/2017

Status: 6/8/2017-Referred to Coms. on W.,P., & W. and L. GOV.

Is Urgency: N

Summary: Current provisions of the California Constitution declare the policy that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of these waters is to be exercised with a view to the reasonable and beneficial use of the waters in the interest of the people and for the public welfare.

Current law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water. This bill would require, in an action alleging liability for interference with a well,

reasonableness of each party's beneficial use of water to be determined through consideration of specified factors. This bill contains other related provisions and other existing laws.

Laws: An act to amend Section 13751 of, to add Sections 106.1 and 10729.4 to, and to add Article 5 (commencing with Section 13807) to Chapter 10 of Division 7 of, the Water Code, relating to groundwater.

Position	Priority
Watch	B. Watch

SB 623

(Monning D) Safe and Affordable Drinking Water Fund.

Current Text: Amended: 4/26/2017 [Text](#)

Current Analysis: 05/27/2017 [Senate Floor Analyses \(text 4/26/2017\)](#)

Last Amend: 4/26/2017

Status: 5/31/2017-In Assembly. Read first time. Held at Desk.

Is Urgency: N

Summary: Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are available, upon appropriation, to the State Water Resources Control Board. The bill would require the board to administer the fund and authorize the board to provide for the deposit of federal contributions and voluntary contributions, gifts, grants, or bequests. The bill would require the board to expend moneys in the fund for grants, loans, contracts, or services to assist those without access to safe and affordable drinking water consistent with a fund implementation plan adopted annually by the board, as prescribed.

Laws: An act to add Chapter 4.6 (commencing with Section 116765) to Part 12 of Division 104 of the Health and Safety Code, relating to drinking water.

Position	Priority
	B. Watch

SB 740

(Wiener D) Onsite treated water.

Current Text: Amended: 4/26/2017 [Text](#)

Current Analysis: 05/15/2017 [Senate Appropriations \(text 4/26/2017\)](#)

Last Amend: 4/26/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)

Is Urgency: N

Summary: Would, on or before December 1, 2018, require the State Water Resources Control Board, in consultation with other state agencies, to adopt regulations, consistent with federal and state law in effect on January 1, 2018, to provide comprehensive risk-based standards for local jurisdictions permitting programs for onsite recycling of water in multifamily residential, commercial, and mixed-use buildings for nonpotable use. The bill would require the regulations to address specified issues and practices relating to the management, monitoring, and treatment of recycled water for nonpotable use.

Laws: An act to add Article 8 (commencing with Section 13558) to Chapter 7 of Division 7 of the Water Code, relating to water quality.

Position	Priority
	B. Watch

Total Measures: 27

Total Tracking Forms: 27

**Metropolitan Water District of Southern California
State Legislation Matrix 6/12/2017**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 472 Frazier (D) Sponsor: California Waterfowl Association	Amended 3/28/17 Senate Rules Committee	Water Transfers: Requires Department of Water Resources (DWR) to, without penalty, allow nonirrigated vegetation to remain on land that has been idled for a water transfer, unless it determines, as specified, injury to another legal user of water would result from allowing vegetation to remain. Also creates incentive program for landowners to cultivate or retain nonirrigated vegetation for wildlife habitat.	OPPOSE (4/11/17)	Would create new and significant burden on DWR to establish and implement costly habitat creation incentive program that could result in increased water transfer costs and/or redirected costs. Would also make it more difficult for DWR to ensure that purchasers of water transfer supplies and legal users of water are not impacted by water consuming vegetation on fallowed lands.
AB 574 Quirk (D) Sponsor: WaterReuse California and California Coastkeeper Alliance	Amended 4/18/17 Senate Environmental Quality Committee Date of Hearing: 6/21/17	Potable Reuse: Promotes water recycling by categorizing potable reuse alternatives and by establishing a clear regulatory pathway and time frame for raw water augmentation.	SUPPORT (3/14/17)	By continuing to advance regulatory criteria for various types of potable reuse, AB 574 may accelerate deployment of recycled water projects throughout California.

Item 1f

**Metropolitan Water District of Southern California
State Legislation Matrix 6/12/2017**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 732 Frazier (D) Sponsor: Author	Amended 5/30/17 Senate Rules Committee	Delta Levee Maintenance: Delta levee maintenance program was established for reimbursement of costs incurred in connection with maintenance or improvement of projects or non-project levees in the Sacramento-San Joaquin Delta. AB 732 extends the current 75% state reimbursement rate for Delta levee maintenance costs in excess of \$1,000 per mile, until July 1, 2020.	<p style="text-align: center;">OPPOSE UNLESS AMENDED</p> based upon prior opposition to SB 554 (Wolk) from 2016	Prior to any further legislative action to extend the state cost share beyond 2020, AB 732 should be amended to direct DWR to enlist an outside entity of sufficient independence and financial expertise to conduct an affordability and benefits assessment for the Delta Levee Subventions Program. It is simply unclear which Delta islands, if any, lack the economic standing to underwrite their own levee maintenance, and whether statewide interests merit a 75 percent public subsidy.
AB 791 Frazier (D) Sponsor: Author	Amended 3/21/17 Assembly Appropriations Committee Two-Year Bill	New Conveyance Facility: Would impose new and unnecessary requirements on “lead agency” (presumably DWR) to provide certain information about costs and benefits of new water delivery system improvements on a water-contractor-by-water-contractor basis <i>before</i> any water contractor could enter any contracts to fund design, construction and mitigation.	<p style="text-align: center;">OPPOSE</p> based upon June 2007 Board-adopted Delta Action Plan	Could delay construction of California WaterFix, with no added benefit to the public process or environment.

**Metropolitan Water District of Southern California
State Legislation Matrix 6/12/2017**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 792 Frazier (D) Sponsor: Author	Amended 3/28/17 Assembly Water, Parks and Wildlife Committee Two-Year Bill	Delta Plan: Would take unprecedented and unnecessary step of requiring Delta Stewardship Council to affirmatively “grant” a certification of consistency with the Delta Plan before construction of California WaterFix could begin. Council could not “grant” the certification until <u>after</u> State Water Resources Control Board adopts update to 2006 Bay-Delta Water Quality Control Plan.	OPPOSE based upon June 2007 Board-adopted Delta Action Plan	Delta Reform Act of 2009 recognized need for new Delta conveyance to address declines in water supply reliability and the Delta ecosystem. Likewise, the Governor’s California Water Action Plan calls for new Delta conveyance, among a suite of other measures, to further the coequal goals, and to restore water supply reliability to millions of Californians. AB 792 is at odds with both.
AB 793 Frazier (D) Sponsor: Author	Amended 3/27/17 Assembly Water, Parks and Wildlife Committee Two-Year Bill	Sacramento-San Joaquin Delta – Financing: Would declare it state policy that the <u>existing</u> Sacramento-San Joaquin Delta be recognized and defined as an integral component of California’s water infrastructure. Would state also that the maintenance and repair of Delta are eligible for same forms of financing as other water collection and treatment infrastructure and specifies that eligible maintenance and repair activities be limited to certain cleanup-and-abatement-related restoration and conservation activities.	OPPOSE based upon June 2007 Board-adopted Delta Action Plan	Ignores the fact that the Delta, in its <u>current</u> state, has not been developed as a “water collection or treatment facility.” The current configuration of levees was largely completed in the early 20th century to reclaim swamp and overflow land for farming or other uses. Thus, the declaration of intent is contrary to reality and is not a sound basis for infrastructure financing.

**Metropolitan Water District of Southern California
State Legislation Matrix 6/12/2017**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 869 Rubio (D) Sponsor: Author	Amended 5/15/17 Senate Natural Resources and Water Committee Date of Hearing: 6/27/17	Recycled Water: Excludes recycled water from the calculation of any water use or water use efficiency target established after 2020.	SUPPORT based upon Board-adopted legislative policy priorities dated 5/8/17	Metropolitan recognizes that recycled water is an efficient use and should be treated as such in any new water use efficiency targets. This will encourage continued development of recycling and potable reuse projects as called for through the State's Recycled Water Task Force recommendations to develop 1.5 million acre-feet of recycled water by 2030.
AB 968 Rubio (D) Sponsor: Regional Water Authority and Irvine Ranch Water District	Amended 4/17/17 Assembly Appropriations Committee Two-Year Bill	Water Use Efficiency Targets: Defines "water efficiency target" as a target developed by an urban retail water supplier for 2025 water efficiency in its 2020 urban water management plan. Requires each urban retail water supplier to adopt one of three methods for determining water efficiency targets. Maintains the existing exclusion of recycled water from the calculation of base daily per capita water use. Requires Dept. of Water Resources, in consultation with the State Water Resources Control Board, to, by July 1, 2018, convene a task force for the purposes of recommending appropriate performance measures for the commercial, industrial and institutional sectors.	SUPPORT based upon Board-adopted legislative policy priorities dated 5/8/17	Preserves the legislative process for setting water-use efficiency goals and recognizes the role of state agencies to implement a detailed framework consistent with the goals. Supports multiple compliance methods that includes a water-budget based target-setting approach in addition to other methods that could be customized to unique local conditions and could be equally effective in reducing water use.

**Metropolitan Water District of Southern California
State Legislation Matrix 6/12/2017**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 1323 Weber (D) Sponsor: San Diego County Water Authority	Amended 5/30/17 Senate Rules Committee	Water Efficiency Targets: Requires the Department of Water Resources (DWR) to convene a stakeholder workgroup no later than February 1, 2019, to recommend new water use targets for urban water suppliers. Does not require DWR to convene a stakeholder workgroup if a statute establishing water conservation targets and long-term drought contingency planning for urban water suppliers is chaptered in the 2017-2018 Regular Session.	SUPPORT based upon Board-adopted legislative policy priorities dated 5/8/17	Metropolitan supports state agency implementation of a framework consistent with the water use efficiency goals set by the Legislature by working through a stakeholder process to ensure the goals are met in a way that recognizes the unique challenges of agencies throughout California.
AB 1427 Eggman (D) Sponsor: Stockton-East Water District	Amended 3/21/17 Assembly Appropriations Committee Two-Year Bill	Water – Underground Storage: Amends Water Code Section 1242 to declare that storing water underground, including diverting surface water for storage, for purposes including, but not limited to, protection of water quality or recovery of groundwater levels, are beneficial uses. Also states that existing forfeiture provisions for non-use of water for a period of longer than five years would not apply.	OPPOSE UNLESS AMENDED based upon prior opposition to AB 647 (Eggman) from 2015	Must include safeguards to ensure that permanent underground storage is implemented in reasonable manner. SWRCB must confirm that flows are not already otherwise appropriated or diverted at times when federal Central Valley Project and State Water Project are required to release supplemental project water to meet water quality objectives in Delta watershed. Additional amendments are necessary to ensure alignment with Groundwater Management Sustainability Act of 2014.

**Metropolitan Water District of Southern California
State Legislation Matrix 6/12/2017**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 1654 Rubio (D) Sponsor: Regional Water Authority and Irvine Ranch Water District	Amended 3/28/17 Senate Rules Committee	Drought Contingency Planning: Would require each urban retail water supplier to conduct an annual water shortage contingency analysis and implement certain actions and reporting when a water shortage is determined. Proposes changes to the Urban Water Management Planning Act, which would require urban water suppliers, as part of their five-year water supply planning and reporting, to include a detailed description of their water shortage contingency analysis, related actions and monitoring processes.	SUPPORT based upon Board-adopted legislative policy priorities dated 5/8/17	Preserves local and regional decision-making and control in determining actions to avoid shortage or mitigate shortage impacts. Supports inclusion of all available sources of water supplies and water management actions by urban water suppliers to mitigate water shortage impacts to customers.
AB 1668 Friedman (D) Sponsor: Author	Amended 4/18/17 Senate Rules Committee	Drought Contingency Planning: Would require each urban water supplier to conduct an annual water shortage contingency analysis and implement certain actions and reporting when a water shortage is determined. Also proposes changes to the Urban Water Management Planning Act (UWMP) which would require urban water suppliers, as part of their five-year water supply planning and report, to include a detailed description of their water shortage contingency analysis, related actions and monitoring processes.	SUPPORT IF AMENDED based upon Board-adopted legislative policy priorities dated 5/8/17	AB 1668 is consistent, in part, with the policy priorities adopted by Metropolitan's board. There are specific provisions, however, that require revisions to merit full support. The bill does not preserve local and regional decision-making and control in determining actions to avoid shortage or mitigate shortage impacts. The bill also calls for creating a year-long challenge period for UWMPs and water shortage contingency plans. This is well in excess of the current 90-day period and is unnecessary considering that the state must review and certify all submitted plans.

**Metropolitan Water District of Southern California
State Legislation Matrix 6/12/2017**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 1669 Friedman (D) Sponsor: Author	Amended 4/18/17 Assembly Appropriations Committee Two-Year Bill	Water Use Efficiency Targets: Requires the State Water Resources Control Board (SWRCB), in consultation with the Department of Water Resources (DWR), to adopt long-term standards for urban water conservation and water use by May 20, 2021. Specifically, this bill requires the long-term standard to include indoor residential water use, outdoor irrigation water use, as specified, and industrial, institutional and commercial water use. Allows the SWRCB, in consultation with DWR, to adopt and update interim standards for urban water conservation and water use.	OPPOSE UNLESS AMENDED based upon Board-adopted legislative policy priorities dated 5/8/17	AB 1669, in many areas, conflicts with the policy priorities adopted by Metropolitan's board. The bill grants authority to a state agency to issue interim standards through emergency regulations outside of a Governor-declared emergency. The bill does not protect existing water rights; provides for only one compliance path; fails to recognize recycled water as an efficient use of water; and proposes water use reduction targets for the commercial, industrial and institutional sector rather than pursuing a performance-based approach.
SB 80 Wickowski (D) Sponsor: Author	Amended 2/14/17 Assembly Natural Resources Committee	California Environmental Quality Act: Provides specified notice requirements regarding posting on websites and sending notices via email pursuant to CEQA. Also makes filing a Notice of Determination mandatory for a project subject to a categorical exemption.	OPPOSE UNLESS AMENDED based upon January 2017 Board-adopted State Legislative Priorities	Would require public agencies to prepare, file and post on the internet dozens, if not hundreds, of additional Notices of Exemption every month for every discretionary action that would cause any change in the physical environment, regardless how insignificant.

**Metropolitan Water District of Southern California
State Legislation Matrix 6/12/2017**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 224 Jackson (D) Sponsor: Environmental Defense Center and the Planning and Conservation League	Amended 4/5/17 Senate Appropriations Committee Two-Year Bill	California Environmental Quality Act: Would require Office of Planning and Research to prepare, and Secretary of CA Natural Resources Agency to adopt, CEQA guidelines to make exceptions to general rule that environmental review should focus on each project's impacts on the existing physical environment. Lead agencies undertaking their own projects, and project proponents seeking permits, funding or other discretionary approvals from lead agencies, would be required to analyze every proposed project's impacts relative to an environmental condition that no longer existed at any site where unpermitted, illegal or previous emergency response actions occurred.	OPPOSE based upon January 2017 Board-adopted State Legislative Priorities	SB 224 is at odds with the fundamental precept of CEQA as a forward-looking statute. Lead agencies that undertake their own projects could be required to mitigate for environmental harms committed by others, which is inequitable and fails to deter bad actors.
SB 231 Hertzberg (D) Sponsor: Water Foundation	Amended 4/19/17 Assembly Local Government Committee Date of Hearing: 6/14/17	Local Government - Fees and Charges: Provides a definition of "sewer" that predates Proposition 218 and treats fees for stormwater like all other water and sewer fees. Seeks to clarify where stormwater and flood control systems may overlap with water and sewer systems for which Proposition 218 requires a lower approval threshold. SB 231 does not change the CA Constitution's mandate for rigorous oversight of water and sewer fees, including reports, hearings and protest votes.	SUPPORT (4/11/17)	Stormwater is an important source of local water supply and careful management is necessary to reduce pollution. Currently, property-related fees to fund stormwater and flood control programs, not associated with water supply, require a higher approval standard than property-related fees for other water services.

**ACTION ITEM**

June 21, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Tamaribuchi, Dick and Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: **H.R. 2510 (DeFazio, D-OR, Duncan, R-TN, and Napolitano, D-CA) – Water Quality Protection and Job Creation Act of 2017****STAFF RECOMMENDATION**

Staff recommends the Board of Directors vote to adopt a watch position on H.R. 2510 (DeFazio - OR, Duncan - TN, and Napolitano - CA).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined by committee)

SUMMARY

H.R. 2510 invests \$25 billion over five years in wastewater infrastructure and other efforts to improve water quality by providing technical assistance to rural, small and tribal municipalities in the planning, developing, and acquisition of financing for eligible projects, and create thousands of new jobs.

Specifically, it authorizes \$20 billion in Federal grants over five years to capitalize Clean Water State Revolving Funds; \$1.5 billion over five years for grants for state water pollution control agencies; \$600 million over five years for clean water pilot programs for watershed-based or system-wide efforts to address wet weather discharges, to promote stormwater best management practices, to undertake integrated water resource management, and to increase the resiliency of treatment works to natural or man-made disasters; \$2.5 billion over five years for grants to address combined sanitary sewer overflows and recapture and

Budgeted (Y/N): n/a	Budgeted amount: n/a	Core x	Choice __
Action Item Amount: none		Line Item:	
Fiscal Impact (explain if unbudgeted):			

reuse of municipal stormwater; and \$375 million over five years for alternative water source projects that reuse wastewater and stormwater to augment the existing sources of water.

ARGUMENTS IN SUPPORT

According to the authors, H.R. 2510, “America’s water infrastructure is in dire need of renewed Federal investment. Currently, our communities face a backlog of over \$40 billion in clean water infrastructure projects, and they need close to \$300 billion of investment over the next 20 years to protect clean water and bring their systems to a state of good repair. We cannot continue to neglect the serious needs of our aging water infrastructure systems. This legislation will help local governments repair and replace failing wastewater infrastructure, safeguard wastewater systems, and protect public health.”

ARGUMENTS IN OPPOSITION

Additional grants and loans for water and wastewater programs are always a welcome sight. However, given the high dollar amount appropriated in this measure, along with the author and all but one coauthor being in minority party, it’s unlikely to move.

MWDOC LEGISLATIVE POLICY PRINCIPLES

MWDOC’s legislative policy principles directly reflect support for water infrastructure financing. Specifically, *it is MWDOC’s policy to support legislation and regulation that: Establishes grants or other funding opportunities for local and regional water infrastructure projects. And: Would reduce the cost of financing water infrastructure planning and construction, such as tax-credit financing, tax-exempt municipal bonds, Water Resources Development Act (WRDA), Water Infrastructure Finance Innovation Act (WIFIA), the Environmental Infrastructure Accounts and other funding mechanisms.*

At this time, MWDOC staff feels that a watch position is most appropriate. This bill may be of interest to our member agencies who are looking for additional funding for projects. However, given the price tag and political climate in Washington D.C. it may not be the best use of resources to move to a full support at this time. Should the bill advance and conference with a Senate bill, we may wish to revisit our position at that time.

COMMENTS

Co-Sponsors to H.R. 2510:

Congressman John J. Duncan, (R-TN) – co-sponsor
 Congresswoman Grace Napolitano, (D-CA) – co-sponsor
 Congresswoman Eleanor Holmes Norton, (D-D.C.)
 Congressman Jerrold Nadler, (D-NY)
 Congresswoman Eddie Bernice Johnson, (D-TX)
 Congressman Elijah Cummings, (D-MD)
 Congressman Rick Larsen, (D-WA)
 Congressman Michael Capuano, (D-MA)
 Congressman Daniel Lipinski, (D-IL)
 Congressman Steve Cohen, (D-TN)

Congressman Albio Sires, (D-NJ)
Congressman John Garamendi, (D-CA)
Congressman Hank Johnson, (D-GA)
Congressman Andre Carson, (D-IN)
Congressman Richard Nolan, (D-MN)
Congresswoman Dina Titus, (D-NV)
Congressman Sean Patrick Maloney, (D-NY)
Congresswoman Elizabeth Esty, (D-CT)
Congresswoman Lois Frankel, (D-FL)
Congresswoman Cheri Bustos, (D-IL)
Congressman Jared Huffman, (D-CA)
Congresswoman Julia Brownley, (D-CA)
Congresswoman Frederica Wilson, (D-FL)
Congressman Donald Payne, (D-NJ)
Congressman Alan Lowenthal, (D-CA)
Congresswoman Brenda Lawrence, (D-MI)
Congressman Mark DeSaulnier, (D-CA)

This measure was introduced on May 18, 2017.

DETAILED REPORT

The full text of H.R. 2510 is attached for your information.

115TH CONGRESS
1ST SESSION

H. R. 2510

To amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2017

Mr. DEFAZIO (for himself, Mr. DUNCAN of Tennessee, and Mrs. NAPOLITANO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Water Quality Protection and Job Creation Act of
6 2017”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Amendment of Federal Water Pollution Control Act.

TITLE I—WATER QUALITY FINANCING

Subtitle A—Technical and Management Assistance

- Sec. 101. Technical assistance.
- Sec. 102. State management assistance.
- Sec. 103. Watershed pilot projects.
- Sec. 104. Nonpoint source management programs.

Subtitle B—State Water Pollution Control Revolving Funds

- Sec. 121. Capitalization grant agreements.
- Sec. 122. Water pollution control revolving loan funds.
- Sec. 123. State planning assistance.
- Sec. 124. Intended use plan.
- Sec. 125. Technical assistance.
- Sec. 126. Authorization of appropriations.

TITLE II—ALTERNATIVE WATER SOURCE AND SEWER OVERFLOW AND STORMWATER GRANTS

- Sec. 201. Pilot program for alternative water source projects.
- Sec. 202. Sewer overflow control grants.

1 **SEC. 2. AMENDMENT OF FEDERAL WATER POLLUTION CON-** 2 **TROL ACT.**

3 Except as otherwise expressly provided, whenever in
4 this Act an amendment or repeal is expressed in terms
5 of an amendment to, or repeal of, a section or other provi-
6 sion, the reference shall be considered to be made to a
7 section or other provision of the Federal Water Pollution
8 Control Act (33 U.S.C. 1251 et seq.).

TITLE I—WATER QUALITY FINANCING

Subtitle A—Technical and Management Assistance

SEC. 101. TECHNICAL ASSISTANCE.

(a) TECHNICAL ASSISTANCE FOR RURAL AND SMALL
TREATMENT WORKS.—Section 104(b) (33 U.S.C.
1254(b)) is amended—

(1) by striking “and” at the end of paragraph
(6);

(2) by striking the period at the end of para-
graph (7) and inserting “; and”; and

(3) by adding at the end the following:

“(8) make grants to nonprofit organizations—

“(A) to provide technical assistance to
rural, small, and tribal municipalities for the
purpose of assisting, in consultation with the
State in which the assistance is provided, such
municipalities and tribal governments in the
planning, developing, and acquisition of financ-
ing for eligible projects described in section
603(c);

“(B) to provide technical assistance and
training for rural, small, and tribal publicly
owned treatment works and decentralized

wastewater treatment systems to enable such treatment works and systems to protect water quality and achieve and maintain compliance with the requirements of this Act; and

“(C) to disseminate information to rural, small, and tribal municipalities and municipalities that meet the affordability criteria established under section 603(i)(2) by the State in which the municipality is located with respect to planning, design, construction, and operation of publicly owned treatment works and decentralized wastewater treatment systems.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section

104(u) (33 U.S.C. 1254(u)) is amended—

(1) by striking “and (6)” and inserting “(6)”; and

and

(2) by inserting before the period at the end the following: “; and (7) not to exceed \$100,000,000 for each of fiscal years 2018 through 2022 for carrying out subsections (b)(3), (b)(8), and (g), except that not less than 20 percent of the amounts appropriated pursuant to this paragraph in a fiscal year shall be used for carrying out subsection (b)(8)”.

1 **SEC. 102. STATE MANAGEMENT ASSISTANCE.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
3 106(a) (33 U.S.C. 1256(a)) is amended—

4 (1) by striking “and” at the end of paragraph
5 (1);

6 (2) by striking the semicolon at the end of
7 paragraph (2) and inserting “; and”; and

8 (3) by inserting after paragraph (2) the fol-
9 lowing:

10 “(3) such sums as may be necessary for each
11 of fiscal years 1991 through 2017, and
12 \$300,000,000 for each of fiscal years 2018 through
13 2022;”.

14 (b) TECHNICAL AMENDMENT.—Section 106(e) (33
15 U.S.C. 1256(e)) is amended by striking “Beginning in fis-
16 cal year 1974 the” and inserting “The”.

17 **SEC. 103. WATERSHED PILOT PROJECTS.**

18 Section 122(c) is amended to read as follows:

19 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
20 is authorized to be appropriated to carry out this section
21 \$120,000,000 for each of fiscal years 2018 through
22 2022.”.

23 **SEC. 104. NONPOINT SOURCE MANAGEMENT PROGRAMS.**

24 Section 319(j) (33 U.S.C. 1329(j)) is amended by
25 striking “\$70,000,000” and all that follows through “fis-

1 cal year 1991” and inserting “\$200,000,000 for each of
2 fiscal years 2018 through 2022”.

3 **Subtitle B—State Water Pollution** 4 **Control Revolving Funds**

5 **SEC. 121. CAPITALIZATION GRANT AGREEMENTS.**

6 Section 602(b) (33 U.S.C. 1382(b)) is amended—

7 (1) in paragraph (13)(B)(iii), by striking “;
8 and” and inserting a semicolon;

9 (2) in paragraph (14), by striking the period at
10 the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(15) the State will use at least 15 percent of
13 the amount of each capitalization grant received by
14 the State under this title after September 30, 2017,
15 to provide assistance to municipalities of fewer than
16 10,000 individuals that meet the affordability cri-
17 teria established by the State under section
18 603(i)(2) for projects or activities included on the
19 State’s priority list under section 603(g), to the ex-
20 tent that there are sufficient applications for such
21 assistance.”.

22 **SEC. 122. WATER POLLUTION CONTROL REVOLVING LOAN** 23 **FUNDS.**

24 Section 603(d) (33 U.S.C. 1383(d)) is amended—

1 (1) by striking “and” at the end of paragraph
2 (6);

3 (2) by striking the period at the end of para-
4 graph (7) and inserting a semicolon; and

5 (3) by adding at the end the following:

6 “(8) to provide grants to owners and operators
7 of treatment works that serve a population of
8 10,000 or fewer for obtaining technical and planning
9 assistance and assistance in financial management,
10 user fee analysis, budgeting, capital improvement
11 planning, facility operation and maintenance, equip-
12 ment replacement, and other activities to improve
13 wastewater treatment plant management and oper-
14 ations, except that the total amount provided by the
15 State in grants under this paragraph for a fiscal
16 year may not exceed one percent of the total amount
17 of assistance provided by the State from the fund in
18 the preceding fiscal year, or 2 percent of the total
19 amount received by the State in capitalization grants
20 under this title in the preceding fiscal year, which-
21 ever amount is greatest; and

22 “(9) to provide grants to owners and operators
23 of treatment works for conducting an assessment of
24 the energy and water consumption of the treatment
25 works, and evaluating potential opportunities for en-

1 ergy and water conservation through facility oper-
 2 ation and maintenance, equipment replacement, and
 3 projects or activities that promote the efficient use
 4 of energy and water by the treatment works, except
 5 that the total amount provided by the State in
 6 grants under this paragraph for a fiscal year may
 7 not exceed one percent of the total amount of assist-
 8 ance provided by the State from the fund in the pre-
 9 ceding fiscal year, or 2 percent of the total amount
 10 received by the State in capitalization grants under
 11 this title in the preceding fiscal year, whichever
 12 amount is greatest.”.

13 **SEC. 123. STATE PLANNING ASSISTANCE.**

14 Section 604(b) (33 U.S.C. 1384(b)) is amended by
 15 striking “1 percent” and inserting “2 percent”.

16 **SEC. 124. INTENDED USE PLAN.**

17 (a) INTEGRATED PRIORITY LIST.—Section 603(g)
 18 (33 U.S.C. 1383(g)) is amended to read as follows:

19 “(g) PRIORITY LIST.—

20 “(1) IN GENERAL.—For fiscal year 2019 and
 21 each fiscal year thereafter, a State shall establish or
 22 update a list of projects and activities for which as-
 23 sistance is sought from the State’s water pollution
 24 control revolving fund. Such projects and activities
 25 shall be listed in priority order based on the method-

ology established under paragraph (2). The State may provide financial assistance from the State's water pollution control revolving fund only with respect to a project or activity included on such list. In the case of projects and activities eligible for assistance under subsection (c)(2), the State may include on such list a category or subcategory of nonpoint sources of pollution to be addressed.

“(2) METHODOLOGY.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this paragraph, and after providing notice and opportunity for public comment, each State shall establish a methodology for developing a priority list under paragraph (1).

“(B) PRIORITY FOR PROJECTS AND ACTIVITIES THAT ACHIEVE GREATEST WATER QUALITY IMPROVEMENT.—In developing the methodology, the State shall seek to achieve the greatest degree of water quality improvement, taking into consideration—

“(i) the requirements of section 602(b)(5);

1 “(ii) whether such water quality im-
2 provements would be realized without as-
3 sistance under this title; and

4 “(iii) whether the proposed projects
5 and activities would address water quality
6 impairments associated with existing treat-
7 ment works.

8 “(C) CONSIDERATIONS IN SELECTING
9 PROJECTS AND ACTIVITIES.—In determining
10 which projects and activities will achieve the
11 greatest degree of water quality improvement,
12 the State shall consider—

13 “(i) information developed by the
14 State under sections 303(d) and 305(b);

15 “(ii) the State’s continuing planning
16 process developed under sections 205(j)
17 and 303(e);

18 “(iii) whether such project or activity
19 may have a beneficial impact related to the
20 purposes identified under section 302(a);

21 “(iv) the State’s management pro-
22 gram developed under section 319; and

23 “(v) conservation and management
24 plans developed under section 320 with re-

1 spect to an estuary lying in whole or in
2 part within the State.

3 “(D) NONPOINT SOURCES.—For categories
4 or subcategories of nonpoint sources of pollu-
5 tion that a State may include on its priority list
6 under paragraph (1), the State shall consider
7 the cumulative water quality improvements as-
8 sociated with projects or activities carried out
9 pursuant to the listing of such categories or
10 subcategories.

11 “(E) EXISTING METHODOLOGIES.—If a
12 State has previously developed, after providing
13 notice and an opportunity for public comment,
14 a methodology that meets the requirements of
15 this paragraph, the State may use the method-
16 ology for the purposes of this subsection.”.

17 (b) INTENDED USE PLAN.—Section 606(c) (33
18 U.S.C. 1386(c)) is amended—

19 (1) in the matter preceding paragraph (1) by
20 inserting “and publish” after “each State shall an-
21 nually prepare”;

22 (2) by striking paragraph (1) and inserting the
23 following:

24 “(1) the State’s priority list developed under
25 section 603(g);”;

1 (3) in paragraph (4), by striking “and” at the
2 end;

3 (4) by striking the period at the end of para-
4 graph (5) and inserting “; and”; and

5 (5) by adding at the end the following:

6 “(6) if the State does not fund projects and ac-
7 tivities in the order of the priority established under
8 section 603(g), an explanation of why such a change
9 in order is appropriate.”.

10 (c) TRANSITIONAL PROVISION.—Before completion
11 of a priority list based on a methodology established under
12 section 603(g) of the Federal Water Pollution Control Act
13 (as amended by this section), a State shall continue to
14 comply with the requirements of sections 603(g) and
15 606(c) of such Act, as in effect on the day before the date
16 of enactment of this Act.

17 **SEC. 125. TECHNICAL ASSISTANCE.**

18 Section 607 is amended to read as follows:

19 **“SEC. 607. TECHNICAL ASSISTANCE.**

20 “(a) SIMPLIFIED PROCEDURES.—Not later than 1
21 year after the date of enactment of this section, the Ad-
22 ministrator shall assist the States in establishing sim-
23 plified procedures for treatment works to obtain assistance
24 under this title.

1 “(b) PUBLICATION OF MANUAL.—Not later than 2
 2 years after the date of the enactment of this section, and
 3 after providing notice and opportunity for public comment,
 4 the Administrator shall publish a manual to assist treat-
 5 ment works in obtaining assistance under this title and
 6 publish in the Federal Register notice of the availability
 7 of the manual.”.

8 **SEC. 126. AUTHORIZATION OF APPROPRIATIONS.**

9 Title VI (33 U.S.C. 1381 et seq.) is amended by add-
 10 ing at the end the following:

11 **“SEC. 609. AUTHORIZATION OF APPROPRIATIONS.**

12 “There is authorized to be appropriated to carry out
 13 the purposes of this title \$4,000,000,000 for each of fiscal
 14 years fiscal year 2018 through 2022.”.

15 **TITLE II—ALTERNATIVE WATER**
 16 **SOURCE AND SEWER OVER-**
 17 **FLOW AND STORMWATER**
 18 **GRANTS**

19 **SEC. 201. PILOT PROGRAM FOR ALTERNATIVE WATER**
 20 **SOURCE PROJECTS.**

21 (a) SELECTION OF PROJECTS.—Section 220(d) (33
 22 U.S.C. 1300(d)) is amended by striking paragraph (2) and
 23 redesignating paragraph (3) as paragraph (2).

24 (b) COMMITTEE RESOLUTION PROCEDURE.—Section
 25 220 (33 U.S.C. 1300(e)) is amended by striking sub-

1 section (e) and redesignating subsections (f) through (j)
 2 as subsections (e) through (i), respectively.

3 (c) DEFINITIONS.—Section 220(h)(1) (as redesign-
 4 nated by subsection (c) of this section) is amended by
 5 striking “or wastewater or by treating wastewater” and
 6 inserting “, wastewater, or stormwater or by treating
 7 wastewater or stormwater”.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
 9 220(i) (as redesignated by subsection (c) of this section)
 10 is amended by striking “\$75,000,000 for fiscal years 2002
 11 through 2004” and inserting “\$75,000,000 for each of fis-
 12 cal years 2018 through 2022”.

13 **SEC. 202. SEWER OVERFLOW CONTROL GRANTS.**

14 Section 221 (33 U.S.C. 1301) is amended—

15 (1) by amending the section heading to read as
 16 follows: “**SEWER OVERFLOW AND STORMWATER**
 17 **REUSE MUNICIPAL GRANTS**”;

18 (2) by amending subsection (a) to read as fol-
 19 lows:

20 “(a) IN GENERAL.—

21 “(1) GRANTS TO STATES.—The Administrator
 22 may make grants to States for the purpose of pro-
 23 viding grants to a municipality or municipal entity
 24 for planning, design, and construction of treatment
 25 works to intercept, transport, control, treat, or reuse

1 municipal combined sewer overflows, sanitary sewer
2 overflows, or stormwater.

3 “(2) DIRECT MUNICIPAL GRANTS.—Subject to
4 subsection (g), the Administrator may make a direct
5 grant to a municipality or municipal entity for the
6 purposes described in paragraph (1).”;

7 (3) by amending subsection (e) to read as fol-
8 lows:

9 “(e) ADMINISTRATIVE REQUIREMENTS.—A project
10 that receives assistance under this section shall be carried
11 out subject to the same requirements as a project that
12 receives assistance from a State water pollution control
13 revolving fund under title VI, except to the extent that
14 the Governor of the State in which the project is located
15 determines that a requirement of title VI is inconsistent
16 with the purposes of this section. For the purposes of this
17 subsection, a Governor may not determine that the re-
18 quirements of title VI relating to the application of section
19 513 are inconsistent with the purposes of this section.”;

20 (4) by amending subsection (f) to read as fol-
21 lows:

22 “(f) AUTHORIZATION OF APPROPRIATIONS.—

23 “(1) IN GENERAL.—There is authorized to be
24 appropriated to carry out this section \$500,000,000
25 for each of fiscal years 2018 through 2022.

1 “(2) MINIMUM ALLOCATIONS.—To the extent
 2 there are sufficient eligible project applications, the
 3 Administrator shall ensure that a State uses not less
 4 than 20 percent of the amount of the grants made
 5 to the State under subsection (a) in a fiscal year to
 6 carry out projects to intercept, transport, control,
 7 treat, or reuse municipal combined sewer overflows,
 8 sanitary sewer overflows, or stormwater through the
 9 use of green infrastructure, water and energy effi-
 10 ciency improvements, and other environmentally in-
 11 novative activities.”; and

12 (5) by amending subsection (g) to read as fol-
 13 lows:

14 “(g) ALLOCATION OF FUNDS.—

15 “(1) FISCAL YEAR 2018.—Subject to subsection
 16 (h), the Administrator shall use the amounts appro-
 17 priated to carry out this section for fiscal year 2018
 18 for making grants to municipalities and municipal
 19 entities under subsection (a)(2) in accordance with
 20 the criteria set forth in subsection (b).

21 “(2) FISCAL YEAR 2019 AND THEREAFTER.—

22 Subject to subsection (h), the Administrator shall
 23 use the amounts appropriated to carry out this sec-
 24 tion for fiscal year 2019 and each fiscal year there-
 25 after for making grants to States under subsection

1 (a)(1) in accordance with a formula to be established
2 by the Administrator, after providing notice and an
3 opportunity for public comment, that allocates to
4 each State a proportional share of such amounts
5 based on the total needs of the State for municipal
6 combined sewer overflow controls, sanitary sewer
7 overflow controls, and stormwater identified in the
8 most recent survey conducted pursuant to section
9 516 and any other information the Administrator
10 considers appropriate.”.

○

**ACTION ITEM**

June 21, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Tamaribuchi, Dick and Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: SB 623 (Monning) – Funding for Safe Drinking Water**STAFF RECOMMENDATION**

Staff recommends the Board of Directors vote to adopt a watch position, but move to an oppose position if public goods charge, water tax or rate payer assessment language is added to SB 623 (Monning).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined by committee)

SUMMARY

SB 623 would require the State Water Board to administer the Fund, created by this measure, and authorize the State Water Board to provide for the deposit of federal contributions and voluntary contributions, gifts, grants, or bequests. The bill would authorize the State Water Board to enter into agreements for contributions to the fund from the federal government, local or state agencies, and private corporations or nonprofit organizations.

The bill would require the State Water Board to expend moneys in the Fund for grants, loans, contracts, or services to assist those without access to safe and affordable drinking water consistent with a fund implementation plan adopted annually by the State Water Board. The bill would require the State Water Board to annually prepare and make available a report of expenditures of the Fund and to adopt annually, after a public hearing, an assessment of funding needed to ensure all Californians have access to safe drinking

Budgeted (Y/N): n/a	Budgeted amount: n/a	Core x	Choice __
Action Item Amount: none		Line Item:	
Fiscal Impact (explain if unbudgeted):			

water. Moneys in the fund at the close of the fiscal year would remain in the fund and not revert to the General Fund.

The bill would specify that the funding could be used for the following types of assistance:

- 1) Interim provision of replacement water;
- 2) Planning costs for the development of long-term solutions;
- 3) Capital costs of implementing long-term solutions;
- 4) Operation and maintenance costs for interim and long-term solutions;
- 5) Outreach and technical assistance.

BACKGROUND

Since Governor Brown came into office in 2011, safe drinking water for all communities has been a priority for the Brown Administration. Since 2011, there has been significant focus on nitrate contamination in disadvantaged communities (DACs) in some unincorporated areas of the Tulare Lake Basin and the Salinas Valley. (Part of the Salinas Valley is in Senator Monning's district.) The focus has broadened to include other contaminants in drinking water in some DACs, such as naturally-occurring arsenic and chromium VI. The Brown Administration's California Water Action Plan states that "The administration will work with the Legislature to establish a stable, long-term funding source for provision of safe drinking water and secure wastewater systems for disadvantaged communities."

Proposition 1 included \$520 million for drinking water and wastewater projects, with priority for projects in DACs. Generally, bond funds may be used for capital investments – not for costs associated with long-term operations and maintenance (O&M).

The Brown Administration, State Water Board, and environmental justice community are now focused on creating a funding stream(s) to cover the costs listed above, and in particular the O&M costs for drinking water treatment in DACs that do not have safe drinking water. The environmental justice organizations that are behind SB 623 are interested in having multiple sources of funding. For example, they are interested in a tax on fertilizer materials or a regulatory fee on fertilizer materials to provide funding for where the problem is nitrate contamination. They are also interested in a tax on water (a public goods charge) as another potential funding stream for O&M costs.

ARGUMENTS IN SUPPORT

According to the author, "recent SWRCB data identified 292 California public water systems serving communities and schools that are currently out of compliance with drinking water standards, some of which have been unable to provide safe drinking water for years or even over a decade. These systems serve 692,807 people, or almost 1.8% of the California population. Small water systems are often unable to meet drinking water standards because they are unable to afford the cost of drinking water treatment, as there is no existing source of funding to support critical needs like ongoing operations and maintenance (O&M).

"This data does not include the nearly 2 million Californians not served by a public water system. These state small systems and domestic wells have few regulatory requirements and are not eligible for most assistance programs, leaving them particularly vulnerable to unsafe drinking water. In addition to water safety challenges, increasing numbers of low-

income California households struggle to pay their water bills, often due to the high cost of drinking water.”

“Drinking water safety and affordability issues affect California communities across the state, with low-income communities and communities of color feeling the greatest impact. SB 623 will take necessary steps to ensure that Californians will have access to safe and affordable drinking water, free from contaminants, that they should be able to trust is what they receive.”

ARGUMENTS IN OPPOSITION

The bill in its current form is reasonable, but not without problems. SB 623 sets up a fund without a funding source. That in itself is cause for concern. However, the lack of safe drinking water in certain DACs in California is not only a public health issue, but a social issue and needs to be addressed. The bill in its current form has sailed through the Senate, but in recent weeks, the bill’s author has indicated this measure is likely to be amended to add in an ongoing funding source to address these issues. While Senator Monning has indicated that all funding options are on the table for discussion, one that was specifically mentioned was a “ratepayer assessment” (i.e. a tax or fee) on water as one of two funding sources for the measure. The other funding source would be ag-related such as a fertilizer tax.

ACWA, in a letter to the bill’s author, outlined a number of issues with the measure such as: the inclusion of private wells and small state water systems as eligible funding categories; the inclusion of capital costs of implementing long-term solutions as an eligible category for funding even though other funding sources have proven effective for funding capital needs; funding is not limited to DACs; and the bill would authorize the SWRCB to take incidental action as may be appropriate for adequate administration and operation of the fund. ACWA is seeking amendments to address these concerns, in addition to their opposition of the inclusion of a public goods charge. Their letter is attached for your review.

AB 685 from 2012 established the “Human Right to Water.” AB 685 aims to ensure universal access to safe water by declaring that “every human being has the right to safe, clean, affordable, and accessible water.” This is a statewide policy and therefore should be funded with General Fund monies, not a monthly tax on individual ratepayers. If SB 623 is amended with a “ratepayer assessment” MWDOC should move to immediately oppose. However, if the funding source is from the General Fund, a watch position would be more appropriate.

MWDOC’S POLICY PRINCIPLES

MWDOC’s adopted policy principles directly reflect a position regarding a public goods charge or a tax on water. *It is MWDOC’s policy to oppose legislation or regulation that: Imposes a “public goods charge” or “water tax” on public water agencies or their ratepayers.*

COMMENTS

Support on file:

Alliance of Child and Family Services
 American Heart Association
 American Rivers
 American Stroke Association
 Asian Pacific Environmental Network
 Asociación de Gente Unida por el Agua
 Association of People United for Water
 Audubon California
 Better Watts Initiative
 California Alliance
 California Environmental Justice Alliance
 California Food Policy Advocates
 California Housing Partnership Corporation
 California League of Conservation Voters
 California Rice Commission
 California Rural Legal Assistance Foundation
 Carbon Cycle Institute
 Central California Asthma Collaborative
 Central California Environmental Justice Association
 Centro La Familia Advocacy Services
 Clean Water Action
 Comité Cívico del Valle
 Community Alliance for Agroecology
 Community Water Center
 Council for a Strong America
 Cultiva la Salud
 Defenders of Wildlife
 El Quinto Sol de America
 Environmental Defense Fund
 Environmental Justice Coalition for Water
 Faith in the Valley
 Fresno Barrios Unidos
 Friends Committee on Legislation of CA
 Heal the Bay
 Latino Coalition for a Healthy America
 Leadership Counsel
 Lutheran Office of Public Policy
 Mi Familia Vota
 Mission Readiness: Council for a Strong America
 Natural Resources Defense Council
 Pesticide Action Network
 Physicians for Social Responsibility Los Angeles
 Policy Link
 Public Health Advocates
 Public Interest Law Project
 Pueblo Unido

Rural Community Assistance Corporation
Self Help Enterprises
Sierra Club California
Sunflower Alliance
Watts Labor Community Action Committee
Western Center on Law & Poverty
Western Growers
Wholly H2O

Opposition on File:
Association of California Water Agencies

This measure was unanimously approved on 5/30/17 by the Senate by a vote of 39-0, with Senator Hertzberg abstaining.

DETAILED REPORT

The full text of SB 623 and ACWA's opposition letter are attached for your information.

AMENDED IN SENATE APRIL 26, 2017

AMENDED IN SENATE MARCH 30, 2017

SENATE BILL

No. 623

Introduced by Senator Monning
(Principal coauthor: Senator De León)
(Coauthor: Senator Stone)

February 17, 2017

An act to add Chapter 4.6 (commencing with Section 116765) to Part 12 of Division 104 of the Health and Safety Code, relating to drinking water, and making an appropriation therefor: *water*.

LEGISLATIVE COUNSEL'S DIGEST

SB 623, as amended, Monning. Safe and Affordable Drinking Water Fund.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law establishes the Office of Sustainable Water Solutions within the State Water Resources Control Board with the purpose of promoting permanent and sustainable drinking water and wastewater treatment solutions to ensure the effective and efficient provision of safe, clean, affordable, and reliable drinking water and wastewater treatment services.

This bill would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are ~~continuously appropriated to the office~~: *available, upon appropriation, to the board*. The bill would require the board to administer the fund and authorize the board to provide for the deposit of federal contributions and voluntary contributions, gifts, grants, or

bequests. The bill would require the board to expend moneys in the fund for grants, loans, contracts, or services to assist those without access to safe and affordable drinking water consistent with a fund implementation plan adopted annually by the board, as prescribed. The bill would require the board annually to prepare and make available a report of expenditures of the fund and to adopt annually, after a public hearing, an assessment of funding needed to ensure all Californians have access to safe drinking water. ~~By creating a new continuously appropriated fund, this bill would make an appropriation.~~

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

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

1 SECTION 1. Chapter 4.6 (commencing with Section 116765)
2 is added to Part 12 of Division 104 of the Health and Safety Code,
3 to read:

4
5 CHAPTER 4.6. SAFE AND AFFORDABLE DRINKING WATER

6
7 116765. For the purposes of this chapter:

8 (a) "Board" means the State Water Resources Control Board.
9 (b) "Community water system" has the same meaning as defined
10 in Section 116275.

11 (c) "Fund" means the Safe and Affordable Drinking Water Fund
12 established pursuant to Section 116766.

13 (d) "Nontransient noncommunity water system" has the same
14 meaning as defined in Section 116275.

15 (e) "Public water system" has the same meaning as defined in
16 Section 116275.

17 116766. The Safe and Affordable Drinking Water Fund is
18 hereby established in the State Treasury. ~~Notwithstanding Section~~
19 ~~13340 of the Government Code, all moneys in the fund are~~
20 ~~continuously appropriated to the Office of Sustainable Water~~
21 ~~Solutions within the board without regard to fiscal years, in~~
22 ~~accordance with this chapter. Moneys in the fund at the close of~~
23 ~~the fiscal year shall remain in the fund and shall not revert to the~~
24 ~~General Fund. Moneys in the fund are available, upon~~
25 ~~appropriation by the Legislature, to the board for the purposes of~~
26 *this chapter.*

1 116767. (a) The board shall administer the fund for auditing
2 purposes and for the purposes of this chapter.

3 (b) The board may expend up to 5 percent of the annual
4 expenditures from the fund for reasonable costs associated with
5 administration of the fund.

6 (c) The board may undertake any of the following actions to
7 implement the fund:

8 (1) Provide for the deposit of any of the following available and
9 necessary moneys into the fund:

10 (A) Federal contributions.

11 (B) Voluntary contributions, gifts, grants, or bequests.

12 (2) Enter into agreements for contributions to the fund from the
13 federal government, local or state agencies, and private
14 corporations or nonprofit organizations.

15 (3) Provide for appropriate audit, accounting, and fiscal
16 management services, plans, and reports relative to the fund.

17 (4) Take additional incidental action as may be appropriate for
18 adequate administration and operation of the fund.

19 116768. The board shall expend moneys in the fund for grants,
20 loans, contracts, or services to assist those without access to safe
21 and affordable drinking water consistent with the annual fund
22 implementation plan developed pursuant to Section 116769. To
23 the extent that funding is available, the assistance shall include the
24 following:

25 (a) The provision of replacement water on an interim basis
26 pending implementation of long-term solutions.

27 (b) Planning costs for the development of long-term solutions.

28 (c) Capital costs of implementing long-term solutions.

29 (d) Costs associated with maintaining and operating interim
30 solutions and long-term solutions.

31 (e) Outreach and technical assistance to those without access
32 to safe and affordable drinking water.

33 116769. Annually, the board shall do all of the following:

34 (a) Prepare and make available a report of expenditures from
35 the fund.

36 (b) Adopt, after a public hearing, an assessment of funding
37 needed to ensure all Californians have access to safe drinking
38 water. This annual assessment shall include a list of community
39 water systems and nontransient noncommunity water systems
40 without access to safe drinking water, as well as identification of

1 small communities and rural populations not served by public
2 water systems that do not have access to safe drinking water.
3 (c) Adopt, after a public hearing, a fund implementation plan
4 with priorities and guidelines for expenditures of the fund. The
5 board shall work with a multistakeholder advisory group that shall
6 be open to participation by representatives of entities paying into
7 the fund, public water systems, technical assistance providers,
8 local agencies, affected persons, nongovernmental organizations,
9 and the public, to establish priorities for the plan.

O

May 30, 2017

The Honorable William W. Monning
Senate Majority Floor Leader
California State Senate
State Capitol, Room 313
Sacramento, CA 95814

Re: SB 623 (Monning): Funding for Safe Drinking Water
Position: OPPOSE UNLESS AMENDED

Dear Senator Monning:

On behalf of the Association of California Water Agencies (ACWA), I am writing to express ACWA's "Oppose Unless Amended" position on SB 623 (Monning). ACWA represents about 430 public water systems across the state. Together, they provide approximately 90 percent of the water that is delivered in California for the public, agriculture and the business community. ACWA agrees with the intent of the bill which is to help fund solutions for disadvantaged communities (DACs) that do not have safe drinking water. The lack of safe drinking water in certain DACs in California is a public health issue and a social issue that needs to be addressed. SB 623 would provide needed funding for replacement water and for the funding of operation and maintenance (O&M) costs. However, as currently drafted, **SB 623 has fundamental flaws:**

1) SB 623 would include private wells and "state small water systems"¹ as eligible funding categories even though data is lacking to support a credible needs assessment.

As noted by the State Water Resources Control Board (SWRCB), the state does not require owners of private wells to sample their wells, and "consequently a comprehensive database for these groundwater sources does not exist."² The SWRCB also notes that state small systems "are typically regulated at the local or county level; therefore, a comprehensive database for these groundwater sources does not exist."³ Where data does exist, it may not include an overlay of household income data. Some

¹ Subdivision (n) of California Health and Safety Code Section 116275 defines a "state small water system" as a system for the provision of piped water to the public for human consumption that serves at least five, but no more than 14, service connections and does not regularly serve drinking water to more than an average of 25 individuals daily for more than 60 days out of the year.

² *Communities that Rely on a Contaminated Groundwater Source for Drinking Water*, SWRCB, January 2013, at Page 5.

³ *Id.*, at page 31.

well-intended organizations are attempting to create very rough statewide estimates using limited data for some counties and then making extrapolations. This is not a credible approach to estimating the needs for these categories. **ACWA suggests that these categories be deleted from the eligible categories in the bill, and the bill instead require the SWRCB, in consultation with the counties and relevant stakeholders, to develop a report to the Legislature with recommendations for how the drinking water data could be collected and evaluated for private wells and state smalls systems in rural, unincorporated areas.**

2) The bill would include capital costs of implementing long-term solutions as a category eligible for funding even though other funding sources have proven effective for funding capital needs. General Obligation (G.O.) bond funding is an effective way to fund capital for safe drinking water projects. In 2014, ACWA supported and the voters approved Proposition 1 with \$260 million for safe drinking water projects and \$260 million for wastewater projects with focus on projects in disadvantaged communities. SB 5 by Senate President pro Tempore Kevin de León proposes another \$250 million for safe drinking water projects with focus on projects in disadvantaged communities. The federally-funded Safe Drinking Water State Revolving Fund (SRF) also provides funding for capital. (The President's proposed budget would increase current SRF funding.) ACWA suggests that the proposed eligibility for capital costs be deleted. Then the bill would focus on replacement water and the category which has been the most challenging – O&M funding. (Bonds generally cannot fund O&M, and the SRF cannot fund O&M.)

3) The bill would not limit the funding to disadvantaged communities. The current version would have the SWRCB make the funding available to those without access to safe and affordable drinking water. To be clear about eligibility, ACWA suggests that the funding be limited to disadvantaged communities in rural, unincorporated areas that do not have safe drinking water.

4) The bill would authorize the SWRCB to take incidental action as may be appropriate for adequate administration and operation of the fund (at Page 3, Line 17). Instead of simply including this rather vague provision, the bill should be specific as to what this proposed provision is intended to cover.

I very much appreciate the May 26, 2017 meeting to discuss the need for the bill and your intentions for the bill. ACWA understands that future amendments will add funding sources. As I noted in the meeting, ACWA opposes a public goods charge/tax on water. ACWA will be glad to work with you on the amendments suggested above and on the development of amendments for a mutually-agreeable funding source(s).

In the meantime, however, and for the reasons stated above, ACWA has an "Oppose-Unless-Amended" position on the bill in its current form. I am available to answer questions at (916) 441-4545 or at cindy@acwa.com.

Sincerely,

Cindy Tuck

Cindy Tuck
Deputy Executive Director for Government Relations

cc: Ms. Kathy Smith, Senior Legislative Consultant, Office of Senator Monning
Mr. Rob Egel, Legislative Director, SWRCB

**ACTION ITEM**

June 21, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Tamaribuchi, Dick, Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Laura Loewen

SUBJECT: **Independent Special Districts of Orange County (ISDOC) Proposed Bylaw Amendments****STAFF RECOMMENDATION**

Staff recommends the Board of Directors consider voting to approve the proposed amendments to the ISDOC bylaws.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

ISDOC is conducting a vote of regular special district members on proposed changes to the bylaws. These proposed bylaw amendments were drafted by Joseph Byrne and Glen Price, BB&K, upon the request of the ISDOC Executive Committee. They were discussed at the February, March, April and May Executive Committee meetings. Upon a motion and a second, the Executive Committee has unanimously approved the revisions and authorized a vote of the membership.

One of the primary purposes to the bylaw amendments is to add language to protect the liability of MWDOC and the ISDOC members. Because MWDOC is named as the holder of ISDOC records, MWDOC is requesting that it be stated in the bylaws that MWDOC is not liable if something happens to the records. Also, ISDOC is currently in the process of applying for a "nonprofit incorporated association" status with California, therefore, the proposed added language is pursuant to State requirements when filing for this status.

Budgeted (Y/N): No	Budgeted amount:	Core __	Choice __
Action item amount: \$0	Line item: TBA		
Fiscal Impact (explain if unbudgeted):			

Also, ISDOC President has requested that the ISDOC secretary not send correspondence without the President's consent so that he has the opportunity to review and approve it.

Each regular member in good standing is entitled to one vote. The ballot must be signed by the presiding officer of the special district or an alternate designated by official action of the district. Ballots must be received by 5:00 p.m. on Tuesday, June 27, 2017; the results will be announced on Thursday, June 29, 2017 at the ISDOC Quarterly Luncheon.

The proposed amendments are as follows:

Addition to Section II of Article 1

This Organization will not engage in activities for the pecuniary gain or profit of the members.

Addition of Section IV to Article I

This new section specifies that the Independent Special Districts of Orange County is an unincorporated association.

Addition of Section V to Article I

This new section specifies that association members may assume responsibilities for certain association duties, but that they will not be compensated or assume any obligations.

Addition of Section VI to Article II

This new section specifies that ISDOC's limitation is to only engage in activities and exercise its authority for the furtherance of the organization's purpose.

Addition of Section VI to Article III

This new section specifies that member agencies will not be liable for the obligations, debts or liabilities of the association unless they have expressly assumed such liability in writing. Further, no member will have the authority to enter into any obligation, debt or liability on behalf of the association unless first approved in by the Board of Directors.

Addition to Section III of Article III

Secretary: All official correspondence to the members will be approved in advance by the President or the President's designee.



DATE: May 16, 2017

TO: ISDOC Members

FROM: James R. Fisler, President, ISDOC Executive Committee

SUBJECT: Proposed Amendments to ISDOC Bylaws

ISDOC is conducting a vote of regular special district members on proposed changes to the bylaws. The primary purpose to the bylaw amendments is to add language pursuant to State requirements and to protect the liability of ISDOC members. They were discussed at the February, March, April and May Executive Committee meetings. Upon a motion and a second, the Executive Committee has unanimously approved the revisions and authorized a vote of the membership.

A ballot has been included with this memo, as well as a copy of the proposed amended bylaws. Each regular member in good standing is entitled to one vote. **The ballot must be signed by the presiding officer of the special district or an alternate designated by official action of the district. Ballots must be received by 5:00 p.m. on Tuesday, June 27, 2017; the results will be announced on Thursday, June 29, 2017 at the ISDOC Quarterly Luncheon.**

The proposed amendments are as follows:

1. Addition to Section II of Article 1
This Organization will not engage in activities for the pecuniary gain or profit of the members.
2. Addition of Section IV to Article I
This new section specifies that the Independent Special Districts of Orange County is an unincorporated association.
3. Addition of Section V to Article I
This new section specifies that association members may assume responsibilities for certain association duties, but that they will not be compensated or assume any obligations.

4. Addition of Section VI to Article II

This new section specifies that ISDOC's limitation is to only engage in activities and exercise its authority for the furtherance of the organization's purpose.

5. Addition of Section VI to Article III

This new section specifies that member agencies will not be liable for the obligations, debts or liabilities of the association unless they have expressly assumed such liability in writing. Further, no member will have the authority to enter into any obligation, debt or liability on behalf of the association unless first approved in by the Board of Directors.

6. Addition to Section III of Article III

Secretary: All official correspondence to the members will be approved in advance by the President or the President's designee.

Thank you in advance for your consideration of this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. R. Fisler". The signature is stylized with a large, looping initial "J" and a cursive "Fisler".

James R. Fisler, President
ISDOC Executive Committee

INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY

Amended and Restated Bylaws

The Question

Does your special district, as member in good standing, approve or disapprove of the amended and restated bylaws recommended by the Executive Committee on May 2, 2017.

CAST YOUR VOTE

Please cast your vote by checking the box, or printing the name, of the nominee for who you wish to vote.

_____ **Yes, we approve the amended and restate ISDOC bylaws, as recommended by the Executive Committee**

_____ **No, we do not approve the proposed amended and restated bylaws**

DISTRICT NAME

NAME AND TITLE OF VOTONG DELEGATE*

SIGNATURE OF VOTING REPRESENTATIVE

* If not the presiding officer, please provide written authorization documenting your ability to vote on behalf of your district.

Please send you completed and executed ballot to Laura Loewen at either:

- **lloewen@mwdoc.com**
- **MWDOC, P.O. Box 20895, Fountain Valley, CA 92728**

All ballots must be received no later than by 5 p.m., Tuesday, June 27, 2017.

INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY

AMENDED AND RESTATED BYLAWS

Proposed ~~June~~May 2, ~~2015~~2017

INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY

BYLAWS

ARTICLE I GENERAL

SECTION I. NAME

The name of the organization shall be **INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY**, herein referred to as **the Organization**.

SECTION II. PURPOSE

The purpose of the Organization is to advance the interests of Orange County special districts through its advocacy of sound public policy, its facilitation of educational opportunities to enhance special district governance and the services provided, and its collaboration with others to elevate awareness of the role special districts play as the form of government closest and most directly accountable to the people. The purpose of the Organization shall not include any duties or responsibilities held by the Orange County Special Districts Selection Committee, which is a separate and unrelated entity from the Organization. Furthermore, these Bylaws shall have no effect on, and are independent and distinct from, the Bylaws of the Orange County Special District Selection Committee. [This Organization will not engage in activities for the pecuniary gain or profit of the members.](#)

SECTION III. ADMINISTRATIVE OFFICE

The administrative office for the transaction of the business of the Organization is located at the Municipal Water District of Orange County. All official documents (agendas, minutes, voted ballots, voting authorization and financial records) of the Organization shall be maintained and stored at the administrative office. The Board of Directors is granted full power and authority to change the administrative office from one location to any place within the County of Orange, State of California, and such change shall not be considered an amendment of these bylaws.

SECTION IV. UNINCORPORATED ASSOCIATION

The Organization is an unincorporated association within the meaning of Part 1 of Title 3 of the California Corporations Code and shall have all of the powers and authority of an unincorporated association as set forth therein.

SECTION V. ADMINISTRATIVE SERVICES

One or more members may agree to provide administrative services on behalf of Organization, but except as expressly set forth in writing, such member or members will not be entitled to compensation for such services, nor will such member or members be deemed to have assumed any obligation of the Organization.

SECTION VI. LIMITATION

Notwithstanding any of powers enumerated herein or in the California Corporations Code, this Organization shall not, except to an insubstantial degree engage in any activities or exercise any powers that are not in furtherance of the specific purpose of this organization as set forth in Section II.

ARTICLE II MEMBERSHIP

SECTION I. QUALIFICATION FOR MEMBERSHIP

A. There shall be two categories of membership in the Organization:

1. REGULAR MEMBERS: Shall be INDEPENDENT SPECIAL DISTRICTS that are public agencies within the County of Orange, State of California, for the local performance of governmental proprietary functions within limited boundaries, governed by a publicly elected Board of Directors or those officials appointed, in whole or in part, by another governmental body. Independent

Special Districts do not include the State, the county, cities, or school districts.

Independent Special Districts shall be further defined in accordance with California Government Code Section 56044: *“Independent district” or “independent special district” includes any special district having a legislative body all of whose members are elected by registered voters or landowners within the district, or whose members are appointed to fixed terms, and excludes any special district having a legislative body consisting, in whole or in part, of ex officio members who are officers of a county or another local agency or who are appointees of those officers other than those who are appointed to fixed terms. “Independent special district” does not include any district excluded from the definition of district contained in Sections 56036 and 56036.6.*

2. ASSOCIATE MEMBERS: Shall be those persons, organizations, or governmental entities that have evidenced interest in the purposes and goals of the Organization, but are not Independent Special Districts. Officers or members of an Independent Special District are ineligible to be an Associate Member.

B. APPROVAL OF MEMBERSHIP: The Executive Committee shall review and approve all applications for membership, provided that the applicant meets the established membership criteria.

SECTION II. VOTING RIGHTS

A. Each Regular Member district, in good standing, shall be entitled to one vote on all matters brought before the membership for a vote. The presiding officer of the governing body of each Regular Member district shall be recognized by the Organization as the voting representative for his/her district. Each district shall designate in writing and submit to the Organization’s Secretary one alternate governing board member who shall have the right to vote in the absence of the presiding officer.

B. The Executive Committee may, at its discretion, authorize the voting upon any issue by written ballot which shall be sent via U.S. mail

and email to each Regular Member district or by electronic distribution/email. Such authorization shall specify the time, date and method by which the completed written ballots must be received by the Organization.

C. A majority vote of all members present at a meeting or of all written ballots received by the submission deadline shall be necessary to carry any matter voted upon.

D. Associate Members shall not have the right to vote on any matter before the Organization.

SECTION III. ANNUAL DUES

A. Annual dues shall be due and payable on or before the first day of January of each year. New members shall pay their annual dues at the time they are approved for membership in the Organization. New member dues for the initial year shall not be ~~pro-rated~~pro-rated.

B. The dues of the Organization shall be reviewed and set by the Executive Committee for Regular Members and Associate Members. Associate Member dues need not be the same as dues for Regular Members. A minimum of two months' notice of changes in dues will be provided to the membership.

C. No assessments, other than annual dues, shall be levied on the members of the association without an affirmative majority vote of the membership.

SECTION IV. TERMINATION OF MEMBERSHIP

A. Any member in arrears in the payment of dues for a period of thirty (30) days after said dues are due and payable shall be notified in writing by the Treasurer of such arrearage, and, if such dues shall continue unpaid for a period of another thirty (30) days, such member shall automatically cease to be a member of the Organization.

B. Any member that voluntarily terminates membership in the Organization shall not be eligible for a refund of membership dues or other assessment already paid to the Organization.

SECTION V. REINSTATEMENT OF MEMBERSHIP

Regular and Associate memberships that were previously terminated may be reinstated after the Executive Committee receives a written petition for reinstatement and payment of the petitioners annual membership dues and other assessments for the current calendar year have been received by the Organization.

SECTION VI. LIABILITY OF MEMBERS; NO AUTHORITY

No member will be liable for the obligations, debts or liabilities of the Organization unless such member has expressly assumed such liability in writing. No member will have the authority to enter into any obligation, debt or liability on behalf of the Organization unless approved in by the Board of Directors.

ARTICLE III BOARD OF DIRECTORS

SECTION I. NUMBER AND TERM OF OFFICE

A. The Board of Directors shall consist of the presiding officer from each Regular Member district, in good standing. If the presiding officer is not present, then that district's alternate representative shall act in his/her stead.

B. The members of the Board of Directors shall serve until replaced by another governing board member as the presiding officer of his/her district. Any vacancy on the Board of Directors shall be filled by the new presiding officer of the District from which the vacancy occurred.

SECTION II. DUTIES OF THE BOARD OF DIRECTORS

A. The Board of Directors shall set policy for the Organization.

B. The Board of Directors shall elect, at or before its final meeting in even years, a President, a First Vice President, a Second Vice President, a Third Vice President, a Secretary, and a Treasurer, who shall serve for two-year terms.

C. These officers, along with the Immediate Past President, shall be designated as the Executive Committee.

D. The Executive Committee shall be elected following a notice of position availability and solicitation for nominations. At the end of the nominating period, if only one candidate is nominated for a vacant seat, that candidate shall be deemed selected. If two or more candidates are nominated, the Secretary shall prepare and deliver one ballot and voting instructions to each eligible district. The ballot shall include the names of all nominees and the office for which each was nominated. Each presiding officer, or his or her alternate as designated by the governing body, shall return the ballot to the Secretary by the date specified in the voting instructions.

E. With the exception of the immediate past president, if a vacancy occurs on the Executive Committee, the Committee shall, within 60 days from the commencement of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy. A person appointed or elected to fill a vacancy shall hold office for the unexpired term of the former incumbent.

F. If the vacancy is in the offices of President or Vice President, the Executive Committee may, prior to an election to fill the vacancy, move current officers into vacant positions, and proceed then to fill the resulting vacant position in accordance with Section E above.

SECTION III OFFICERS AND DUTIES

A. The Executive Committee shall assist the Board of Directors in setting and implementing policy, and conducting the business of the Organization, as noted in the bylaws or approved at a General Membership Meeting or a Special Meeting of the membership. The members of the Executive Committee shall consist of:

1. **PRESIDENT:** The President shall be the chief executive officer of the Organization. The President shall preside at all meetings of the Board of Directors, the Executive Committee and the general membership.

The President shall appoint all committees.

The President shall represent the Organization as its official spokesperson and he/she shall also have the authority to delegate such responsibility, with approval of the Executive Committee.

The President shall be an ex-officio member of all Committees.

2. FIRST VICE PRESIDENT: The First Vice President, in the absence or disability of the President, shall perform all the duties of the President, and when so acting, he/she shall have the powers of and be subject to all the restrictions upon the President.

The First Vice President shall be the Chair of the Program Committee.

3. SECOND VICE PRESIDENT: The Second Vice President, in the absence or disability of the President and First Vice President, shall perform all the duties of the President and when so acting, shall have all the powers of and be subject to all the restrictions upon the President.

The Second Vice President shall be Chair of the Membership Committee.

4. THIRD VICE PRESIDENT: The Third Vice President, in the absence or disability of the President, First Vice President, and Second Vice President, shall perform all the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President.

The Third Vice President shall be Chair of the Legislative Committee.

5. SECRETARY: The Secretary or his/her designee shall be responsible for all correspondence and the dissemination of information to members. [All official correspondence to the](#)

members will be approved in advance by the President or the President's designee.

6. TREASURER: The Treasurer shall maintain the complete financial records and, establish and maintain bank accounts in the name of the Organization, and pay all bills duly approved by the Executive Committee in accordance with the yearly budget.

There shall be an annual audit of the books of the Treasurer by a competent accountant or accounting agency, designated by the Executive Committee, with a report to be presented to the membership at the Organization's next membership meeting.

7. IMMEDIATE PAST PRESIDENT: The Immediate Past President shall serve as a voting, ex-officio member of the Executive Committee.

B. All officers of the Organization shall be elected or appointed officials of a Regular Member district.

C. Officials who wish to seek election or appointment as an officer of the Organization shall first secure from his/her district an official endorsement of his/her candidacy in the form of a board resolution.

D. The Executive Committee may consider removing Officers who miss three consecutive meetings. Prior to removing an Officer, the Committee shall consider the reasons for absence and the potential for continued absence. A unanimous vote of the Executive Committee shall be required to remove an officer.

ARTICLE IV MEETINGS

SECTION I BOARD OF DIRECTORS

A. The Board of Directors shall meet quarterly or no less than three times per calendar year. The last meeting of the calendar year shall be designated as the ANNUAL MEETING of the Organization.

B. The Organization shall disseminate notices of Board Meetings at least thirty (30) days prior to the Meeting. Said notices shall be disseminated via email to all Regular and Associate Members. The Notice shall give the date, time, location and any action items for the meeting.

C. Special Meetings of the Board of Directors may be called at any time by the President, any ten (10) Members of the Board of Directors or by a majority of the Executive Committee. The Organization shall disseminate notices of the Special Meeting at least five (5) business days prior to the meeting. Said notice shall give the date, time, location, and the subject matter of the Special Meeting. Action may only be taken on matters listed on the Special Meeting notice.

D. All meetings of the Board of Directors shall be held in Orange County.

E. No action shall be taken unless a quorum has first been established. A quorum shall be established when the designated representatives of fifty percent (50%) of the Regular Members are present at a duly noticed Regular or Special Meeting of the Organization, or, if a vote has been authorized by written ballot, a quorum shall be established only when the designated representatives of fifty percent (50%) of the Regular Members have submitted a ballot in the manner and by the deadline authorized by the Executive Committee.

SECTION II. EXECUTIVE COMMITTEE

A. The Executive Committee shall meet monthly at the Municipal Water District of Orange County, at a time specified by the President and announced in the meeting notice. The monthly meeting may be cancelled by the President if he/she determines that there is not sufficient business to justify a meeting.

B. A Special Meeting of the Executive Committee may be called by the President or a majority of the Executive Committee, with five (5) business days advance notice given in writing via email by the Organization. Such notice shall state the date, time, location and agenda for the Special Meeting.

C. All meetings of the Executive Committee shall take place in Orange County.

D. A quorum shall be established by 50% of the then-filled Executive Committee.

ARTICLE V AMENDMENTS

These Bylaws may be amended by a majority of the Board of Directors present at a duly noticed membership meeting or, if a vote has been authorized by written ballot, by the combined majority vote of the designated representatives present and submitting a written ballot. All proposed amendments shall be disseminated via U.S. Mail and email to each Regular Member district no less than thirty (30) days prior to the membership meeting.

ARTICLE VI ENACTMENT OF AMENDMENTS

These Amended and Restated Bylaws are to take effect immediately upon approval of the Board of Directors.

ARTICLE VII PARLIAMENTARY AUTHORITY

All matters not covered under these Bylaws shall be governed by Roberts' Rules of Order.

Summary report: Litéra® Change-Pro 7.5.0.135 Document comparison done on 5/1/2017 3:55:04 PM	
Style name: Default Style	
Intelligent Table Comparison: Active	
Original filename: ISDOC Bylaws - Proposed Revisions - Original.DOC	
Modified filename: ISDOC Bylaws - Final Proposed Revision - 5-2-17.DOC	
Changes:	
Add	13
Delete	3
Move From	0
Move To	0
Table Insert	0
Table Delete	0
Table moves to	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	16

**ACTION ITEM**

June 21, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Tamaribuchi, Dick and Yoo Schneider)

Robert Hunter, General Manager

Staff Contact: Heather Baez

SUBJECT: EXTENSION OF CONSULTING CONTRACT WITH DICK ACKERMAN**STAFF RECOMMENDATION**

Staff recommends the Board of Directors to consider extending the contract with Ackerman Consulting for specialized services.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

DETAILED REPORT

Dick Ackerman of Ackerman Consulting provides specialized, professional services to MWDOC Board of Directors and staff in the areas of CEQA reform/exemption, desalination, legal and regulatory matters and others on an as requested basis.

Specifically:

Legal and Regulatory Matters – Mr. Ackerman will advise the District on current legal, regulatory, or other events bearing on water issues.

CEQA Reform and Public Works – Mr. Ackerman will monitor and advise the District on CEQA reform initiatives and work with Public Works Coalition re: CEQA and other water related issues.

Member Agency Relations – Mr. Ackerman will monitor and advise the District on issues of concern to Member Agencies and work with the District and Member Agencies in JPA/regional ventures in Orange County.

Mr. Ackerman will continue working within the scope of services helping MWDOC identify priorities and opportunities in the outlined areas as needed. Compensation is to be on a “time and material” basis, not to exceed \$36,000 on an annual basis.

Budgeted (Y/N): Yes	Budgeted amount: \$36,000; 2017-2018 Fiscal year expenditure	Core X	Choice __
Action item amount: \$36,000	Line item:		
Fiscal Impact (explain if unbudgeted):			

STANDARD AGREEMENT FOR CONSULTANT SERVICES

Legal Consulting on Water Policy Issues

This **AGREEMENT** for consulting services, which includes all exhibits and attachments hereto, "**AGREEMENT**" is made on the last day executed below by and between **MUNICIPAL WATER DISTRICT OF ORANGE COUNTY**, hereinafter referred to as "**DISTRICT**," and, Ackerman Consulting hereinafter referred to as "**CONSULTANT**" for legal consulting hereinafter referred to as "**SERVICES**."¹ **DISTRICT** and **CONSULTANT** are also referred to collectively herein as the "**PARTIES**" and individually as "**PARTY**", dated July 1, 2017. The **PARTIES** agree as follows:

I **PURPOSE AND SCOPE OF WORK**

A. Consulting Work.

DISTRICT hereby contracts with **CONSULTANT** to provide general or special **SERVICES** as more specifically set forth in **Exhibit "B"** attached hereto and incorporated herein. Tasks other than those specifically described therein shall not be performed without prior written approval of **DISTRICT's** General Manager.

B. Independent Contractor.

CONSULTANT is retained as an independent contractor for the sole purpose of rendering professional and/or special **SERVICES** described herein and is not an agent or employee of **DISTRICT**. **CONSULTANT** shall be solely responsible for the payment of all federal, state and local income tax, social security tax, Workers' Compensation insurance, state disability insurance, and any other taxes or insurance **CONSULTANT**, as an independent contractor, is responsible for paying under federal, state or local law. **CONSULTANT** is thus not eligible to receive workers' compensation, medical, indemnity or retirement benefits, including but not limited to enrollment in CalPERS. Unless, expressly provided herein, **CONSULTANT** is not eligible to receive overtime, vacation or sick pay. **CONSULTANT** shall not represent or otherwise hold out itself or any of its directors, officers, partners, employees, or agents to be an agent or employee of **DISTRICT**. **CONSULTANT** shall have the sole and absolute discretion in determining the methods, details and means of performing the **SERVICES** required by **DISTRICT**. **CONSULTANT** shall furnish, at his/her own expense, all labor, materials, equipment and transportation necessary for the successful completion of the **SERVICES** to be performed under this **AGREEMENT**. **DISTRICT** shall not have any right to direct the methods, details and means of the **SERVICES**; however, **CONSULTANT** must receive prior written approval from **DISTRICT** before using any sub-consultants for **SERVICES** under this **AGREEMENT**.

C. Changes in Scope of Work

If **DISTRICT** requires changes in the tasks or scope of work shown in **Exhibit "B"** or additional work not specified therein, **DISTRICT** shall prepare a written change order. If **CONSULTANT** believes work or materials are required outside the tasks or scope of work described in **Exhibit "B,"** it shall submit a written request for a change order to the **DISTRICT**. A change order must be approved and signed by the **PARTIES** before **CONSULTANT** performs any work outside the scope of work shown in **Exhibit "B."** **DISTRICT** shall have no responsibility to compensate **CONSULTANT** for such work without an approved and signed change order. Change orders shall specify the change in the budgeted amount for **SERVICES**.

II **TERM**

¹ Pursuant to Section 8002 of the District's Administrative Code, the District's "Ethics Policy" set forth at sections 7100-7111 of the Administrative Code is attached hereto as Exhibit "A" and incorporated herein by this reference.

This **AGREEMENT** shall commence upon the date of its execution and shall extend thereafter for the period specified in **Exhibit "B"** or, if no time is specified, until terminated on thirty (30) days notice as provided herein.

III BUDGET, FEES, COSTS, BILLING, PAYMENT AND RECORDS

A. Budgeted Amount for SERVICES

CONSULTANT is expected to complete all **SERVICES** within the Budgeted Amount set forth on **Exhibit "B."** The total compensation for the **SERVICES** to be performed under this **AGREEMENT** shall not exceed the Budgeted Amount unless modified as provided herein. Upon invoicing the **DISTRICT** 80% of the Budgeted Amount, **CONSULTANT** shall prepare and provide to **DISTRICT** a "cost to complete" estimate for the remaining **SERVICES**. The **PARTIES** shall work together to complete the project within the agreed-upon Budgeted Amount, but the obligation to complete the **SERVICES** within the Budgeted Amount lies with the **CONSULTANT**.

B. Fees

Fees shall be billed per the terms and conditions and at the rates set forth on **Exhibit "B"** for the term of the **AGREEMENT**. Should the term of the **AGREEMENT** extend beyond the period for which the rates are effective, the rates specified in **Exhibit "B"** shall continue to apply unless and until modified by consent of the **PARTIES**.

C. Notification Clause

Formal notices, demands and communications to be given hereunder by either **PARTY** shall be made in writing and may be effected by personal delivery or by registered or certified mail, postage prepaid, return receipt requested and shall be deemed communicated as of the date of mailing. If the name or address of the person to whom notices, demands or communication shall be given changes, written notice of such change shall be given, in accordance with this section, within five(5) working days.

Notices shall be made as follows:

Municipal Water District of Orange County
Robert J. Hunter, General Manager
18700 Ward Street, P.O.Box 20895
Fountain Valley, CA 92708

Ackerman Consulting
Dick Ackerman, President
2 Mineral King
Irvine, CA 92602-1075

D. Billing and Payment

CONSULTANT's fees shall be billed by the 10th day of the month and paid by **DISTRICT** on or before the 10th of the following month. Invoices shall reference the Purchase Order number from the **DISTRICT**.

DISTRICT shall review and approve all invoices prior to payment. **CONSULTANT** agrees to submit additional supporting documentation to support the invoice if requested by **DISTRICT**. If **DISTRICT** does not approve an invoice, **DISTRICT** shall send a notice to **CONSULTANT** setting forth the reason(s) the invoice was not approved. **CONSULTANT** may re-invoice **DISTRICT** to cure the defects identified in the **DISTRICT** notice. The revised invoice will be treated as a new submittal. If **DISTRICT** contests all or any portion of an invoice, **DISTRICT** and **CONSULTANT** shall use their best efforts to resolve the contested portion of the invoice.

E. Billing Records

CONSULTANT shall keep records of all **SERVICES** and costs billed pursuant to this **AGREEMENT** for at least a period of seven (7) years and shall make them available for review and audit if requested by **DISTRICT**.

IV DOCUMENTS

All **MATERIALS** as defined in Paragraph XI below, related to **SERVICES** performed under this **AGREEMENT** shall be furnished to **DISTRICT** upon completion or termination of this **AGREEMENT**, or upon request by **DISTRICT**, and are the property of **DISTRICT**.

V TERMINATION

Each **PARTY** may terminate this **AGREEMENT** at any time upon thirty (30) days written notice to the other **PARTY**, except as provided otherwise in **Exhibit "B."** In the event of termination: (1) all work product prepared by or in custody of **CONSULTANT** shall be promptly delivered to **DISTRICT**; (2) **DISTRICT** shall pay **CONSULTANT** all payments due under this **AGREEMENT** at the effective date of termination; (3) **CONSULTANT** shall promptly submit a final invoice to the **DISTRICT**, which shall include any and all non-cancelable obligations owed by **CONSULTANT** at the time of termination, (4) neither **PARTY** waives any claim of any nature whatsoever against the other for any breach of this **AGREEMENT**; (5) **DISTRICT** may withhold 125 percent of the estimated value of any disputed amount pending resolution of the dispute, consistent with the provisions of section III D above, and; (6) **DISTRICT** and **CONSULTANT** agree to exert their best efforts to expeditiously resolve any dispute between the **PARTIES**.

VI INSURANCE REQUIREMENTS

CONSULTANT shall obtain prior to commencing work and maintain in force and effect throughout the term of this **AGREEMENT**, all insurance set forth below.

A. Workers' Compensation Insurance

By his/her signature hereunder, **CONSULTANT** certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and that **CONSULTANT** will comply with such provisions before commencing the performance of the **SERVICES** under this **AGREEMENT**.

CONSULTANT and sub-consultant will keep workers' compensation insurance for their employees in effect during all work covered by this **AGREEMENT** in accordance with applicable law. An ACORD certificate of insurance or other certificate of insurance satisfactory to **DISTRICT**, evidencing such coverage must be provided (1) by **CONSULTANT** and (2) by sub-consultant's upon request by **DISTRICT**.

B. Professional Liability Insurance

CONSULTANT shall file with **DISTRICT**, before beginning professional **SERVICES**, an ACORD certificate of insurance, or any other certificate of insurance satisfactory to **DISTRICT**, evidencing professional liability coverage of not less than \$1,000,000 per claim and \$1,000,000 aggregate, requiring 30 days notice of cancellation (10 days for non-payment of premium) to **DISTRICT**.

Such coverage shall be placed with a carrier with an A.M. Best rating of no less than A: VII, or equivalent. The retroactive date (if any) of such insurance coverage shall be no later than the effective date of this **AGREEMENT**. In the event that the **CONSULTANT** employs sub-consultants as part of the **SERVICES** covered by this **AGREEMENT**, **CONSULTANT** shall be responsible for requiring and confirming that each sub-consultant meets the minimum insurance requirements specified herein.

C. Other Insurance

CONSULTANT will file with **DISTRICT**, before beginning professional **SERVICES**, ACORD certificates of insurance, or other certificates of insurance satisfactory to **DISTRICT**, evidencing general liability coverage of not less than \$1,000,000 per occurrence for bodily injury, personal injury and property damage; automobile liability (owned, scheduled, non-owned or hired) of at least \$1,000,000 for bodily injury and property damage each accident limit; workers' compensation (statutory limits) and employer's liability (\$1,000,000) (if applicable); requiring 30 days (10 days for non payment of premium) notice of cancellation to **DISTRICT**. For the coverage required under this paragraph, the insurer(s) shall waive all rights of subrogation against **DISTRICT**, and its directors, officers, agents, employees, attorneys, consultants or volunteers. **CONSULTANT's** insurance coverage shall be primary insurance as respects **DISTRICT**, its directors, officers, agents, employees, attorneys, consultants and volunteers for all liability arising out of the activities performed by or on behalf of the **CONSULTANT**. Any insurance pool coverage, or self-insurance maintained by **DISTRICT**, and its directors, officers, agents, employees, attorneys, consultants or volunteers shall be excess of the **CONSULTANT's** insurance and shall not contribute to it.

The general liability coverage shall give **DISTRICT**, its directors, officers, agents, employees, attorneys, consultants and authorized volunteers additional insured status using ISO endorsement CG2010, CG2033, or equivalent. Coverage shall be placed with a carrier with an A.M. Best rating of no less than A: VII, or equivalents. In the event that the **CONSULTANT** employs sub-consultant as part of the work covered by the **AGREEMENT**, it shall be the **CONSULTANT's** responsibility to require and confirm that each sub-consultant meets the minimum insurance requirements specified herein.

D. Expiration of Coverage

If any of the required coverages expire during the term of the **AGREEMENT**, **CONSULTANT** shall deliver the renewal certificate(s) including the general liability additional insured endorsement to **DISTRICT** at least ten (10) days prior to the expiration date.

INDEMNIFICATION

To the fullest extent permitted by applicable law, **CONSULTANT** shall indemnify, defend and hold harmless **DISTRICT**, its officers, Directors and employees and authorized volunteers, and each of them from and against:

- a. When the law establishes a professional standard of care for the **CONSULTANT's** services, all claims and demands of all persons that arise out of, pertain to, or relate to the **CONSULTANT's** negligence, recklessness or willful misconduct in the performance (or actual or alleged non-performance) of the work under this agreement. **CONSULTANT** shall defend itself against any and all liabilities, claims, losses, damages, and costs arising out of or alleged to arise out of **CONSULTANT's** performance or non-performance of the work hereunder, and shall not tender such claims to **DISTRICT** nor its directors, officers, employees, or authorized volunteers, for defense or indemnity.
- b. Any and all actions, proceedings, damages, costs, expenses, penalties or liabilities, in law or equity, of every kind or nature whatsoever, arising out of, resulting from, or on account of the violation of any governmental law or regulation, compliance with which is the responsibility of **CONSULTANT**.
- c. Any and all losses, expenses, damages (including damages to the work itself), attorney's fees and other costs, including all costs of defense, which any of them may incur with respect to the failure, neglect, or refusal of **CONSULTANT** to faithfully perform the work and all of the **CONSULTANT's** obligations under the agreement. Such costs, expenses, and damages shall include all costs, including attorneys' fees, incurred by the indemnified parties in any lawsuit to which they are a party.

CONSULTANT shall defend, at **CONSULTANT's** own cost, expense and risk, any and all such aforesaid suits, actions, or other legal proceedings of every kind that may be brought or instituted against **DISTRICT** or its directors, officers, employees, or authorized volunteers with legal counsel reasonably acceptable to **DISTRICT**.

CONSULTANT shall pay and satisfy any judgment, award or decree that may be rendered against **DISTRICT** or its directors, officers, employees, or authorized volunteers, in any and all such suits, actions, or other legal proceedings.

CONSULTANT shall reimburse **DISTRICT** or its directors, officers, employees, or authorized volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing indemnity herein provided.

CONSULTANT's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by **DISTRICT**, or its directors, officers, employees, or authorized volunteers.

VII FINANCIAL DISCLOSURE AND CONFLICTS OF INTEREST

Although **CONSULTANT** is retained as an independent contractor, **CONSULTANT** may still be required, under the California Political Reform Act and **DISTRICT's** Administrative Code, to file annual disclosure reports. **CONSULTANT** agrees to file such financial disclosure reports upon request by **DISTRICT**. Further, **CONSULTANT** shall file the annual summary of gifts required by Section 7105 of the **DISTRICT's** Ethics Policy, attached hereto as **Exhibit "A."**

Failure to file financial disclosure reports upon request and failure to file the required gift summary are grounds for termination of this **AGREEMENT**. Any action by **CONSULTANT** that is inconsistent with **DISTRICT's** Ethics Policy current at the time of the action is grounds for termination of this **AGREEMENT**. The Ethics Policy as of the date of this **AGREEMENT** is attached hereto as **Exhibit "A."**

In addition to the disclosures required above, **CONSULTANT** is responsible for filing any applicable local, state or federal statements, reports, forms, or documents required as a result of the provision of the **SERVICES**, including any applicable local, state or federal lobbying statements, reports, forms, or documents. Failure to file any such required statements, reports, forms, or documents is grounds for termination of this **AGREEMENT**.

CONSULTANT shall immediately notify **DISTRICT** of any existing contractual arrangement(s) **CONSULTANT** may have to provide services to a third party that involve or may involve local or state water policy issues, or that may involve issues related to the Metropolitan Water District of Southern California ("MET"), or any member agency of **DISTRICT**. In addition, **CONSULTANT** may not enter into any contractual arrangement to provide services to a third party that involves or may involve local or state water policy issues, or that may involve issues related to MET or any member agency of **DISTRICT**, without the prior written consent of **DISTRICT**, which shall not be unreasonably withheld.

VIII **PERMITS AND LICENSES**

CONSULTANT shall procure and maintain all permits, licenses and other government-required certification necessary for the performance of its **SERVICES**, all at the sole cost of **CONSULTANT**. None of the items referenced in this section shall be reimbursable to **CONSULTANT** under the **AGREEMENT**. **CONSULTANT** shall comply with any and all applicable local, state, and federal regulations and statutes including Cal/OSHA requirements.

IX **LABOR AND MATERIALS**

CONSULTANT shall furnish, at its own expense, all labor, materials, equipment, tools, transportation and other items or services necessary for the successful completion of the **SERVICES** to be performed under this **AGREEMENT**. **CONSULTANT** shall give its full attention and supervision to the fulfillment of the provisions of this **AGREEMENT** by its employees and sub-consultant and shall be responsible for the timely performance of the **SERVICES** required by this **AGREEMENT**. All compensation for **CONSULTANT's** **SERVICES** under this **AGREEMENT** shall be pursuant to **Exhibit "B"** to the **AGREEMENT**.

Only those **SERVICES**, materials, administrative, overhead and travel expenses specifically listed in **Exhibit "B"** will be charged and paid. No other costs will be paid. **CONSULTANT** agrees not to invoice **DISTRICT** for any administrative expenses, overhead or travel time in connection with the **SERVICES**, unless agreed upon and listed in **Exhibit "B"**.

X **CONFIDENTIALITY AND RESTRICTIONS ON DISCLOSURE**

A. Confidential Nature of Materials

CONSULTANT understands that all documents, records, reports, data, or other materials (collectively "**MATERIALS**") provided by **DISTRICT** to **CONSULTANT** pursuant to the **AGREEMENT**, including but not limited to draft reports, final report(s) and all data, information, documents, graphic displays and other items that are not proprietary to **CONSULTANT** and that are utilized or produced by **CONSULTANT** pursuant to the **AGREEMENT** are to be considered confidential for all purposes.

B. No Disclosure of Confidential Materials

CONSULTANT shall be responsible for protecting the confidentiality and maintaining the security of **DISTRICT MATERIALS** and records in its possession. All **MATERIALS** shall be deemed confidential and shall remain the property of **DISTRICT**. **CONSULTANT** understands the sensitive nature of the above and agrees that neither its officers, partners, employees, agents or sub-consultants will release, disseminate, or otherwise publish said reports or other such data, information, documents, graphic displays, or other materials except as provided herein or as authorized, in writing, by **DISTRICT's** representative. **CONSULTANT** agrees not to make use of such **MATERIALS** for any purpose not related to the performance of the **SERVICES** under the **AGREEMENT**. **CONSULTANT** shall not make written or oral disclosures thereof, other than as necessary for its performance of the **SERVICES** hereunder, without the prior written approval of **DISTRICT**. Disclosure of confidential **MATERIALS** shall not be made to any individual, agency, or organization except as provided for in the **AGREEMENT** or as provided for by law.

C. Protections to Ensure Control Over Materials

All confidential **MATERIALS** saved or stored by **CONSULTANT** in an electronic form shall be protected by adequate security measures to ensure that such confidential **MATERIALS** are safe from theft, loss, destruction, erasure, alteration, and any unauthorized viewing, duplication, or use. Such security measures shall include, but not be limited to, the use of current virus protection software, firewalls, data backup, passwords, and internet controls.

The provisions of this section survive the termination or completion of the **AGREEMENT**.

XI OWNERSHIP OF DOCUMENTS AND DISPLAYS

All original written or recorded data, documents, graphic displays, reports or other **MATERIALS** which contain information relating to **CONSULTANT's** performance hereunder and which are originated and prepared for **DISTRICT** pursuant to the **AGREEMENT** are instruments of service and shall become the property of **DISTRICT** upon completion or termination of the Project. **CONSULTANT** hereby assigns all of its right, title and interest therein to **DISTRICT**, including but not limited to any copyright interest. In addition, **DISTRICT** reserves the right to use, duplicate and disclose in whole, or in part, in any manner and for any purpose whatsoever all such data, documents, graphic displays, reports or other **MATERIALS** delivered to **DISTRICT** pursuant to this **AGREEMENT** and to authorize others to do so.

To the extent that **CONSULTANT** utilizes any of its property (including, without limitation, any hardware or software of **CONSULTANT** or any proprietary or confidential information of **CONSULTANT** or any trade secrets of **CONSULTANT**) in performing **SERVICES** hereunder, such property shall remain the property of **CONSULTANT**, and **DISTRICT** shall acquire no right or interest in such property.

XII EQUAL OPPORTUNITY

DISTRICT is committed to a policy of equal opportunity for all and to providing a work environment that is free of unlawful discrimination and harassment. In keeping with this commitment, **DISTRICT** maintains a policy prohibiting unlawful discrimination and harassment in any form based on race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, pregnancy or childbirth, marital status, gender, sex, sexual orientation, veteran status or age by officials, employees and non-employees (vendors, contractors, etc.).

This policy applies to all employees, consultants and contractors of the **DISTRICT** whom the **DISTRICT** knows or has reason to know are violating this policy. Appropriate corrective action will be taken against all offenders, up to and including immediate discharge or termination of this **AGREEMENT**. During, and in conjunction with, the performance of this **AGREEMENT**, **CONSULTANT** shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, marital status or national origin.

XIII INTEGRATION OF ALL OTHER AGREEMENTS

This **AGREEMENT**, including any Exhibits and Addenda, contains the entire understanding of the **PARTIES**, and there are no further or other agreements or understandings, written or oral, in effect between the **PARTIES** hereto relating to the subject matter hereof. Any prior understanding or agreement of the **PARTIES** shall not be binding unless expressly set forth herein and, except to the extent expressly provided for herein, no changes of this **AGREEMENT** may be made without the written consent of both **PARTIES**.

XIV ATTORNEYS' FEES

In any action at law or in equity to enforce any of the provisions or rights under this **AGREEMENT**, the prevailing **PARTY** shall be entitled to recover from the unsuccessful **PARTY** all costs, expenses and reasonable attorney's fees incurred therein by the prevailing **PARTY** (including, without limitations, such costs, expense and fees on any appeals), and if such prevailing **PARTY** shall recover judgment in any such action or proceeding, such costs, expenses, including those of expert witnesses and attorneys' fees, shall be included as part of this judgment.

XV JURISDICTION AND VENUE SELECTION

In all matters concerning the validity, interpretation, performance, or effect of this **AGREEMENT**, the laws of the State of California shall govern and be applicable. The **PARTIES** hereby agree and consent to the exclusive jurisdiction of the courts of the State of California and that venue of any action brought hereunder shall be in Orange County, California.

IN WITNESS WHEREOF, the **PARTIES** have hereunto affixed their names as of the day and year thereafter, which shall be and is the effective date of this **AGREEMENT**.

APPROVED BY:

CONSULTANT ACCEPTANCE:

Date _____

Date _____

Robert J. Hunter, General Manager
Municipal Water District of Orange County
18700 Ward Street
Fountain Valley, CA 92708
(714) 963-3058

Dick Ackerman
Ackerman Consulting
2 Mineral King
Irvine, CA 92602-1075
Phone: (714) 322-2710
Tax I.D. #

EXHIBIT "A"

ETHICS POLICY	§7100-§7111
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§7100 PURPOSE

The policy of MWDOC is to maintain the highest standards of ethics from its Board members, officers and employees (all shall be referred to as employees for the purposes of this section). The proper operation of MWDOC requires decisions and policy to be made in the proper manner, that public office not be used for personal gain, and that all individuals associated with MWDOC remain impartial and responsible toward the public. Accordingly, all employees are expected to abide by the highest ethical standards and integrity when dealing on behalf of MWDOC with fellow Board members or employees, vendors, contractors, customers, and other members of the public.

§7101 RESPONSIBILITIES OF BOARD MEMBERS

Board members are obliged to uphold the Constitution of the United States and the Constitution of the State of California and shall comply with all applicable laws regulating Board member conduct, including conflicts of interest and financial disclosure laws. No Board member or officer shall grant any special consideration, treatment, or advantage to any person or group beyond that which is available to every other person or group in the same circumstances.

§7102 PROPER USE OF MWDOC PROPERTY AND RESOURCES

Except as specifically authorized, no employee shall use or remove or permit the use or removal of MWDOC property, including MWDOC vehicles, equipment, telephones, office supplies, and materials for personal convenience or profit. No employee shall require another MWDOC employee to perform services for the personal convenience or profit of another employee. Each employee must protect and properly use any MWDOC asset within his/her control, including information recorded on paper or in electronic form. Employees shall safeguard MWDOC property, equipment, monies, and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust.

Employees are responsible for maintaining written records, including expense reports, in sufficient detail to reflect accurately and completely all transactions and expenditures made on MWDOC's behalf. Creating a document with misleading for false information is prohibited.

Motion - 1/17/96;

§7103 CONFLICT OF INTEREST

All MWDOC Directors, officers, and employees at every level shall comply with the requirements of Section 1090 of the California Government Code which prohibits such persons from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members, or from being a purchaser at any sale or a vendor at any purchase made by them in their official capacity.

All Directors and employees designated under MWDOC's Conflict of Interest Code ("designated employees") and employees required to report under Chapter 7, Article 2 of the Political Reform Act (Government Code Section 7300 et seq.) shall promptly and fully comply with all requirements thereof.

MWDOC employees who are not designated employees under MWDOC's Conflict of Interest Code shall refrain from participating in, making a recommendation, or otherwise attempting to influence MWDOC's selection of a contractor, consultant, product, or source of supply if the non-

designated employee, or an immediate family member, has a direct or indirect financial interest in the outcome of the selection process. No employee shall use his/her position with MWDOC in any manner for the purpose of obtaining personal favors, advantages or benefits for him/herself or an immediate family member from a person or entity doing business or seeking to do business with MWDOC. Such favors, advantages, or benefits would include, but are not limited to: 1) offers of employment; 2) free or discounted goods or services; or 3) gifts.

§7104 GIFTS

No employee shall accept, directly or indirectly, any compensation, reward or gift from any source except from MWDOC, for any action related to the conduct of MWDOC business, except as set forth below:

1. Acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a breakfast, luncheon or dinner meeting or other meeting or on an inspection tour where the arrangements are consistent with the transaction of official business.*
2. Acceptance of transportation, lodging, meals or refreshments, in connection with attendance at widely attended gatherings sponsored by industrial, technical or professional organizations; or in connection with attendance at public ceremonies or similar activities financed by nongovernmental sources where the employee's participation on behalf of MWDOC is the result of an invitation addressed to him or her in his/her official capacity, and the transportation, lodging, meals or refreshment accepted is related to, and is in keeping with, his/her official participation.*
3. Acceptance of unsolicited advertising or promotional materials such as pens, pencils, note pads, calendars, or other items of nominal value.*
4. Acceptance of plaques and commemorative mementoes, of nominal value, or of value only to the recipient, such as service pins, recognition awards, retirement mementoes.
5. Acceptance of incidental transportation from a private organization provided it is furnished in connection with an employee's official duties and is of the type customarily provided by the private organization.

* Nothing herein shall be deemed to relieve any Director or designated employee from reporting the value of such meals, transportation, lodging or gifts and abstaining from participation in any decision of MWDOC which could foreseeably have a material financial effect on the donor when the value of such gifts reaches the limits set forth in MWDOC's Conflict of Interest Code and the Political Reform Act.

In no event shall any employee accept gifts from any single source, the cumulative value of which exceeds the applicable gift limit under California law.

A gift or gratuity, the receipt of which is prohibited under this section, shall be returned to the donor. If return is not possible, the gift or gratuity shall be turned over to a public or charitable institution without being claimed as a charitable deduction and a report of such action and the reasons why return was not feasible shall be made on MWDOC records. When possible, the donor also shall be informed of this action.

Motion - 1/17/96;

§7105 PERSONS OR COMPANIES REPORTING GIFTS

All persons and companies doing business with MWDOC, with the exception of public agencies, shall submit a summary, by January 31 of each calendar year, of all gifts claimed for internal vendor audits (including meals) made to, or on behalf of, employees or Directors of MWDOC, or their immediate family members, that have occurred in the normal course of business during the previous calendar year. Failure to provide this information to MWDOC may result in the termination of MWDOC business with that person or company.

Motion - 7/21/93; Motion - 8/18/93;

§7106 USE OF CONFIDENTIAL INFORMATION

Confidential information (i.e., information which is exempt from disclosure under the California Public Records Act) shall not be released to unauthorized persons unless the disclosure is approved by the Board, President of the Board, or General Manager. Employees are prohibited from using any confidential information for personal advantage or profit.

§7107 POLITICAL ACTIVITIES

Employees are free to endorse, advocate, contribute to, or otherwise support any political party, candidate, or cause they may choose; however, employees are prohibited from soliciting political funds or contributions at MWDOC facilities. In any personal political activity an employee may be involved in, it shall be made clear that the employee is acting personally and not for MWDOC.

§7108 IMPROPER ACTIVITIES

Employees shall not interfere with the proper performance of the official duties of others, but are strongly encouraged to fulfill their own moral obligations to the public, MWDOC, and its member agencies by disclosing, to the extent not expressly prohibited by law, improper activities within their knowledge. No employee shall directly or indirectly use or attempt to use the authority or influence of his/her position for the purpose of intimidating, threatening, coercing, commanding, or influencing any person with the intent of interfering with that person's duty to disclose improper activity.

§7109 VIOLATION OF POLICY – STAFF AND STAFF OFFICERS

If an employee is reported to have violated MWDOC's Ethics Policy, the matter shall be referred to the General Manager for investigation and consideration of any appropriate action warranted which may include employment action such as demotion, reduction in salary, or termination. If a Board appointed officer (Secretary, Treasurer or General Manager) is reported to have violated MWDOC's Ethics Policy, the matter shall be referred to the Executive Committee for investigation and consideration of any appropriate action.

Motion - 1/17/96;

§7110 VIOLATION OF POLICY -- DIRECTORS

A perceived violation of this policy by a Director should be referred to the President of the Board or the full Board of Directors for investigation, and consideration of any appropriate action warranted. A violation of this policy may be addressed by the use of such remedies as are available by law to MWDOC, including, but not limited to: (a) adoption of a resolution expressing disapproval of the conduct of the Director who has violated this policy, (b) injunctive relief, or (c) referral of the violation to MWDOC Legal Counsel and/or the Grand Jury.

§7111 PERIODIC REVIEW OF CONFLICT OF INTEREST AND ADMINISTRATIVE GUIDELINES

During the first quarter of the year immediately following an election (every two years), the Board shall meet to review and/or receive a presentation that addresses principles relating to reporting guidelines on compensation, conflict of interest issues, and standards for rules of conduct.

EXHIBIT "B"

SCOPE OF WORK, TERMS OF AGREEMENT AND TERMS AND CONDITIONS FOR BILLING

Dick Ackerman Ackerman Consulting 2 Mineral King Irvine, CA 92602-1075 Phone: (714) 322-2710 Tax I.D. #
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1. **Term** – Commencement: July 1, 2017 Termination: June 30, 2018
2. **Fees/Rates** to be billed - \$250/hour
3. **Budgeted Amount** – Compensation is to be on a “time and material” basis, not to exceed \$36,000.00. **CONSULTANT’s** fees shall be billed by the 25th day of the month and paid by the **DISTRICT** on or before the 15th of the following month. Invoices shall reference the Purchase Order number from the **DISTRICT**.
4. Upon invoicing **DISTRICT** 80% of the contract amount, **CONSULTANT** shall prepare and provide to **DISTRICT** a “cost to complete” estimate for the remaining work.
5. **Scope of Work/Services** –

Task 1 - Legal and Regulatory Matters
Advise District on current legal, regulatory, or other events bearing on water issues.
Task 2 - CEQA Reform & Public Works
Monitor and keep MWDOC informed on opportunities to participate in strategic CEQA Reform and public works initiatives.
Task 3 - Member Agency Relations
Monitor and advise District on issues of concern to Member Agencies. Work with District and Member Agencies in JPA/regional ventures in OC
6. **Consultant Representative:** Dick Ackerman

**ACTION ITEM**

June 21, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Tamaribuchi, Dick, Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Damon Micalizzi

SUBJECT: **Authorization to Join Californians for Water Security Coalition to Support the California WaterFix****STAFF RECOMMENDATION**

Staff recommends the Board of Directors consider authorizing MWDOC to join Californians for Water Security (CWS). CWS is a coalition of entities both public and private supporting the California WaterFix. Joining the coalition is as simple as signing up via an internet form, additionally; there is an opportunity to submit a statement and logo, featured on the coalition's website, www.watersecurityca.com.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

Californians for Water Security (CWS) is a 501(c)(3) non-profit which aims to garner support for the California WaterFix (WaterFix). CWS is a growing coalition of residents, business leaders, labor, family farmers, local governments, public safety groups, water experts, environmentalists, infrastructure experts and others that have come together to mount a comprehensive, multi-year campaign in support of the plan to fix California's aging water distribution system, through implementation of the WaterFix. In addition to several MET Member Agencies, several of MWDOC's community partners including ACCOC and OCBC have joined the CWS coalition likely as a result of staff's outreach efforts. Enlisting with CWS requires **zero** financial obligation or commitment, and further underscores MWDOC's support for the WaterFix. Joining simply requires completion of a web-based online form.

Budgeted (Y/N): No	Budgeted amount:	Core __	Choice __
Action item amount: \$0	Line item: TBA		
Fiscal Impact (explain if unbudgeted):			

**INFORMATION ITEM**

June 19, 2017

TO: Board of Directors**FROM:** **Public Affairs Legislative Committee**
(Directors Tamaribuchi, Dick and Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Jonathan Volzke/Laura Loewen

SUBJECT: Education Report**STAFF RECOMMENDATION**

Staff recommends the Board of Directors receive and file report.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

DETAILED REPORT

Staff from Inside the Outdoors (ITO) has completed the "What About Water" first and second visits in 18 of the selected schools.

The "What About Water" high school program consists of two in class visits with a traveling scientist and a school wide Expo. The first visit covers topics including where our water comes from and water use efficiency practices. The second visit focuses on the California WaterFix. The Expo features topics as the Water Trivia Wheel, water foot printing, and water conservation pledges. The funding Agency also participates with a booth at the Expo.

To date, staff and elected officials from the City of Anaheim, City of Brea, City of San Clemente, East Orange County Water District, El Toro Water District, Golden State, Mesa Water District, Moulton Niguel Water District, Santa Margarita Water District, and South Coast Water District have attended the program at their respective high school. Staff from member agencies is invited to address the students during the first visit, discussing careers

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

in the water industry or other agency-specific topics. MWDOC staff has also supported the member agencies' staff at these visits.

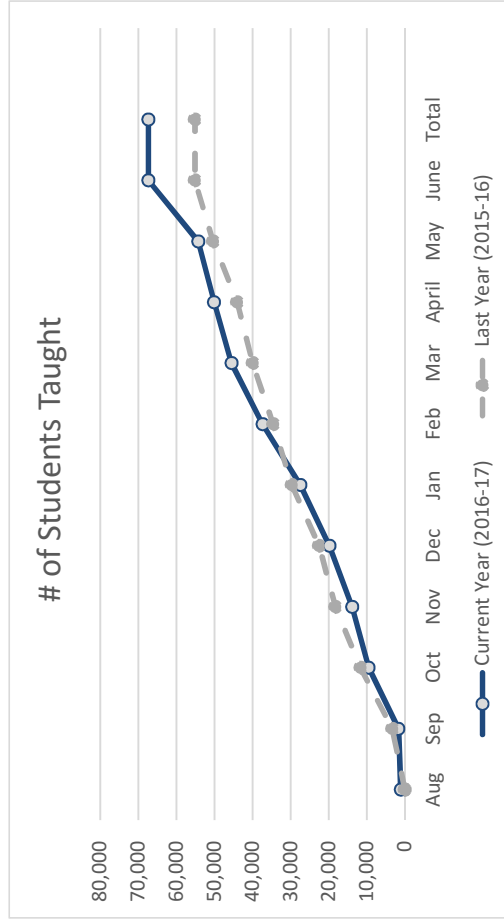
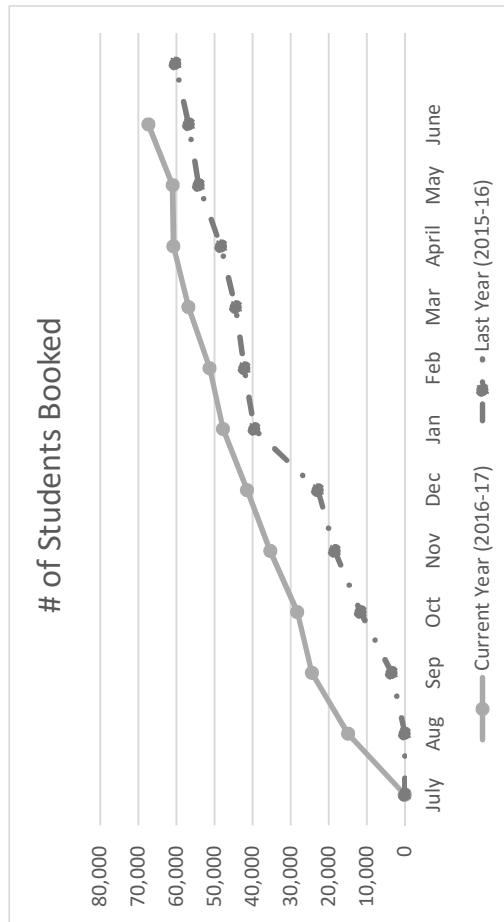
To date, 15 school-wide Expos have been taken place. Most recently, public affairs staff attended the Expos at Brea Olinda High School, Dana Hill High School and Tesoro High School. Member agency staff also attended these Expos to speak with the students and pass out agency-branded promotional items.

ITO conducted three teacher training sessions this year. In addition, ITO hosted four Student Summits. At these workshops, Orange County teachers and students learn about local OC habitat and why native plants survive during drought conditions. They participated in hands-on activities to learn about native plants and how their personal direct and indirect water use impacts their water footprint.

ITO hosted students at the non-profit's ranch in Santiago Canyon for an outdoor-education day. MWDOC Director Yoo Schneider attended that event, along with MWDOC staff.

2016-17 Water Education School Program

# of Students Booked		July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Target
Last Year (2015-16)		0	0	3,446	11,640	18,417	22,873	39,556	42,137	44,405	48,304	54,149	56,782	60,274
Current Year (2016-17)		0	14,904	24,401	28,237	35,348	41,436	47,748	51,291	56,836	60,749	60,975	67,361	67,361
# of Students Taught		July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Total
Last Year (2015-16)		0	0	3,304	11,641	18,247	22,534	29,725	34,583	39,950	44,063	50,397	55,122	55,122
Current Year (2016-17)		0	1,080	1,681	9,521	13,856	19,810	27,441	37,371	45,530	50,083	54,241	67,361	67,361



WHAT ABOUT WATER?

Monthly Report
Presented by



May 2017

What About Water? - Inside the Outdoors School Visits									
Year 2 - 2016/2017									
Agency	High School	1st Visit - student	1st Visit Enrollment	2nd Visit - student	2nd Visit Enrollment	School Expo	Expo School Enrollment	Total Students	Notes
Anaheim	Anaheim High School	1/9/17	57	2/6/17	59	3/8/17	2,850	2,966	Lunchtime Expo
City of Brea	Brea Olinda High School	5/15/17	93	5/22/17	88	6/6/17	1,900	2,081	Confirmed
City of Buena Park	Buena Park High School	4/3/17	162	5/9/17	160	5/12/17	1,902	2,224	Lunchtime Expo
City of Fountain Valley	Harbor Learning Center	3/16/17	22	5/4/17	45			67	Confirmed
City of Huntington Beach	Talbert Middle School	1/11/17	241	2/24/17	242	4/7/17	717	1,200	Lunchtime Expo
City of San Clemente	San Clemente High School	4/10/17	146	4/24/17	126	5/3/17	2,957	3,229	Confirmed
City of San Juan Capistrano	San Juan Hills High School								Jonathan working with teacher
City of Tustin	Columbus Middle School	12/9/16	187	1/13/17	130	tbd		317	Confirmed
East Orange WD	Tustin High School								
East Orange WD	Foothill High School	12/12/16	50	2/9/17	44	3/17/17	2,400	2,494	Lunchtime Expo
El Toro	El Toro High School	2/24/17	157	3/17/17	153	4/6/17	1,200	1,510	School Open House Expo
El Toro	Los Alisos Junior High								New administration, Sherri is assisting
Garden Grove	Pacifica High School								Sent correspondence to Principal
Golden State	Valencia High School	2/2/17	162	2/14/17	162	2/28/17	2,732	3,056	Lunchtime Expo
Golden State	Los Alamitos High School	1/31/17	29	3/22/17	28	5/19/17	3,210	3,267	Lunchtime Expo
Mesa Water	Costa Mesa High School	11/9/16	53	11/18 & 1/25	72	4/24/17	1,750	1,875	Lunchtime Expo
Moulton Niguel	Aliso Niguel High School								possible Eco Club
Moulton Niguel	Laguna Hills High School	2/21/17	20	2/28/17	20	tbd		40	Confirmed
Moulton Niguel	Capistrano Valley High School	2/27/17	80	3/20/17	79	4/17/17	2,134	2,293	Lunchtime Expo
Moulton Niguel /Santa Margarita WD	Mission Viejo High School	1/18/17	69	2/1/17	70	2/23/17	102	241	AP Student Project Expo
Santa Ana	Santa Ana High School	3/22/17	56	4/13/17	51	5/11/17	2,711	2,818	Confirmed
Santa Margarita WD	Tesoro High School	4/18/17	31	5/2/17	17	5/16/17	2,486	2,534	Confirmed
South Coast WD	Dana Hills High School	12/1/16	66	3/27/17	59	5/18/17	2,682	2,807	Confirmed
Total		1,681		1605		31,733		35,019	
Teacher Workshops	MET @ OCDE	12/10/16	22						
	Teachers on Trails	3/11/2017	17					Total	
	OCDE Teacher Workshop	4/5/2017	63					102	
Student Summits	Friday Night Live HS students @ ITO	4/7/17	119						
	Foothill and local HS	4/15/17	10						
	Friday Night Live middle school students @ ITO	4/29/17	51					Total	
	Girl Scout - High School	6/2/17	47					227	
tbd = verbal confirmation, pending calendar dates									

Agency	School Name	Presentation Date
Mesa Water	Paularino Elementary	6/5/2017
Mesa Water	Adams Elementary	6/6/2017
Santa Ana, City of	Newhope Elementary	6/5/2017, 6/6/2017
Santa Margarita	Trabuco Mesa Elementary	6/6/2017
Santa Ana, City of	Fairhaven Elementary	6/7/2017
Santa Ana, City of	Saint Barbara Elementary	6/7/2017
Huntington Beach, City of	College View Elementary	6/8/2017
Santa Ana, City of	Jackson Elementary	6/8/2017
Santa Ana, City of	Thorpe Fundamental	6/8/2017, 6/9/2017
Garden Gove, City of	Warren Elementary	6/8/2017
Yorba Linda	Travis Ranch	6/9/2017
Santa Ana, City of	Adams Elementary	6/12/2017
Santa Ana, City of	Russell Elementary	6/12/2017
Moulton Niguel	De Portola	6/12/2017
Westminster	Sequoia Elementary	6/12/2017, 6/13/2017
Santa Ana, City of	Carver Elementary School	6/13/2017, 6/14/2017
Brea, City of	Fanning Elementary	6/14/2017, 6/15/2017
Santa Ana, City of	Magnolia Science Academy	6/15/2017
Huntington Beach, City of	Golden View Elementary	6/15/2017
Santa Ana, City of	Edison Elementary	6/15/2017
Santa Ana, City of	Franklin Elementary School	6/16/2017
Mesa Water	Pomona Elementary	6/20/2017



INFORMATION ITEM

June 19, 2017

TO: Board of Directors

FROM: **Public Affairs Legislative Committee**
(Directors Dick, Tamaribuchi, and Yoo Schneider)

Robert Hunter
General Manager

Staff Contact: Jonathan Volzke

SUBJECT: UPDATE ON WATER SUMMIT PLANNING

STAFF RECOMMENDATION

Staff recommends the Board of Directors receive and file.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT

The 10th Annual OC Water Summit was held June 16 at the Disneyland Grand Californian Hotel. Because of deadlines for submitting staff reports, a detailed accounting of the event will be provided at an upcoming PAL meeting.

A final piece to the panels was added when David Gutierrez, the recently retired head of the Division of the Safety of Dams for the Department of Water Resources, agreed to speak about the ongoing issues at Oroville.

Seth M. Siegel, author of the New York Times best-seller "Let There Be Water," was the scheduled luncheon speaker, while other confirmed speakers included Jeffrey Kightlinger, the General Manager of the Metropolitan Water District of Southern California, Marcie Edwards, the former General Manager of the Los Angeles Department of Water and Power, Rich Nagel, the General Manager of West Basin Municipal Water District, the Honorable Helene Schneider, Mayor of Santa Barbara, David J. Stoldt, General Manager of Monterey Peninsula Water Management District and Col. Kirk E. Gibbs, the Commander of the Los Angeles District U.S. Army Corps of Engineers.

Budgeted (Y/N): n/a	Budgeted amount: n/a	Core X	Choice
Action item amount: None	Line item:		
Fiscal Impact (explain if unbudgeted):			

NBC4 weathercaster Fritz Coleman was set to emcee the event.

Staff continues to reach out to sponsors to underwrite the cost of the Summit. The preliminary budget for the 2017 event is \$75,950. The 2016 actuals were \$68,193. The committee intends to underwrite the entire cost of the event through sponsorships.

As of the report deadline, attendance and sponsorships were tracking with previous years.

President Osborne, Vice President Barbre and Director Thomas represented MWDOC at monthly Summit planning meetings with directors and staff at OCWD, which is the lead agency for the 2017 event.



June 16, 2017

7:30AM - 1:30PM

Grand Californian Hotel at the
Disneyland Resort, Anaheim, California



PRESENTED BY





Welcome to the 10th Annual OC Water Summit

When we set out to create this event 10 years ago, our goals were to enhance the community's understanding of current and future water supplies and seek public participation in developing and implementing mid- and long-term solutions to avoid an otherwise inevitable Orange County water crisis.

Mission accomplished! Over the past decade, we have brought leading experts from around the world to the Summit to draw attention to local, state, national, and global water problems and solutions. This greater awareness of water has resulted in successful advocacy for funding and policies that have made the region more resilient to droughts.

This year's Summit theme is "Finding Water." While California's emergency drought was recently declared to be over, we still have to make up for a five-year rain and snowmelt deficit and also prepare for the next 20 years that will inevitably include more droughts and increases in water demand.

How are we going to do this? Where are we going to find this water?

Today, we will hear from panelists who have first-hand insights on how to manage our water, find more of it and make due with less of it. To moderate our discussions, we have none other than Fritz Coleman, one of Southern California's most iconic weathercasters, from NBC4.

In addition to our moderator and speakers, we would like to thank our sponsors, especially Mesa Water District, luncheon sponsor; Irvine Ranch Water District, program sponsor; Geoscience, opening session sponsor; and, all of our table, associate, breakfast, and chamber sponsors listed in the program. This event would not have been possible without your support.

Lastly, thank you for your participation. We hope you enjoy today's program and are inspired to engage in important water decisions being considered in your community, Sacramento and Washington, D.C. With an open mind to explore and implement new technologies and greater efficiencies, our region managed to get through one of California's driest periods on record. We must continue to keep pushing the envelope to innovate and find water so our region continues to thrive and be prepared for what Mother Nature may have in store for us the next 10 years.

Sincerely,

Stephen R. Sheldon
Director
Orange County Water District
OC Water Summit Co-Chairman

Jeffery M. Thomas
Director
Municipal Water District of Orange County
OC Water Summit Co-Chairman



OCWD Directors

Philip L. Anthony
Denis R. Bilodeau, P.E. *
Shawn Dewane
Cathy Green *
Dina Nguyen, Esq.
Vicente Sarmiento, Esq.
Stephen R. Sheldon *
James Vanderbilt
Bruce Whitaker
Roger C. Yoh, P.E.

MWDOC Directors

Brett R. Barbre *
Larry D. Dick
Joan C. Finnegan
Wayne S. Osborne
Megan Yoo Schneider
Sat Tamaribuchi *
Jeffery M. Thomas *



** OC Water Summit Committee Member*

JOIN THE CONVERSATION

Thank you for participating in the *10th annual OC Water Summit!* We hope you will join in the conversation today by sharing your experience on social media. We encourage you to share what you are seeing, hearing and learning with your friends and followers on Facebook, Twitter, Instagram, YouTube, and other social media platforms using the hashtags **#ocwatersummit** and **#findingwater**.

Speaker social media handles and websites are included at the end of their bios, if available. We encourage you to follow them on social media and tag them in your posts and photos.

Complimentary WiFi from our friends at the Disneyland Resort:
network ID: **DLRConventionWiFi** then, select **connect to AT&T**

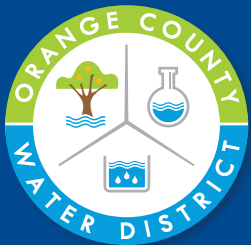
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PRESENTING



SINCE 1933

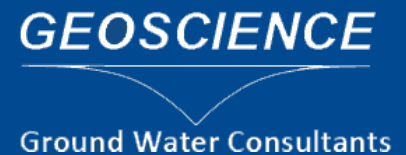
Disneyland
RESORT



LUNCHEON

PROGRAM

SESSION



ASSOCIATE



SPONSORS



TABLE

Aleshire & Wynder, LLP

Moulton Niguel Water District

Black & Veatch Corporation

**Pacific Advanced
Civil Engineering Inc. (PACE)**

Brown and Caldwell

**Metropolitan Water
District of Southern California**

Eastern Municipal Water District

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Orange County Sanitation District

Irvine Ranch Water District

Poseidon Water

Santa Margarita Water District

BREAKFAST

Best Best & Krieger; Cadiz Water Project; Lewis Consulting Group;
Orange County Farm Bureau; Rutan & Tucker, LLP; Tetra Tech

TRANSPORTATION

Anaheim Public Utilities

CHAMBER

**ANAHEIM
CHAMBER
OF COMMERCE**



greater irvine
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nocc
NORTH ORANGE COUNTY CHAMBER





7:30 - 8:00 a.m. Registration & Continental Breakfast

8:00 - 8:10 a.m. Welcome, Pledge of Allegiance and Introduction of Emcee

STEPHEN R. SHELDON, Director, *Orange County Water District*

JEFFERY M. THOMAS, Director, *Municipal Water District of Orange County*

Master of Ceremonies: FRITZ COLEMAN, Weathercaster, *NBC4*

8:10 - 8:50 a.m. SESSION 1: On the Waterfront

— Local Water Forecast and the Four Water Revolutions

NBC4 weathercaster Fritz Coleman will give the Orange County and California water forecast. Then, a bestselling author and TEDTalk alumnus will discuss four water revolutions and if the water industry will reinvent how it manages water after our historic drought, or if it will just fall back into the same old routine.

Master of Ceremonies: FRITZ COLEMAN, Weathercaster, *NBC4*

DAVID SEDLAK, PH.D., University of California, Berkeley;

Author of *"Water 4.0: The Past, Present, and Future of the World's Most Vital Resource"*

8:50 - 9:50 a.m. SESSION 2: Mine! Mine! Mine!

— Finding Solutions to Address Aging Infrastructure

We found water in Northern California, but how bad are the conditions of the aging infrastructure that stores and conveys this water, like the State Water Project, Oroville Dam and other dams and reservoirs? And, will the new presidential administration fast-track funding and authorizations for California water infrastructure projects?

THE HONORABLE MIKE GATTO, Member, *Delta Stewardship Council*

JEFFREY KIGHTLINGER, General Manager, *Metropolitan Water District of Southern California*

DAVID GUTIERREZ, Former Chief, *Division of Safety of Dams, Department of Water Resources*

SCOTT D. MASON, Senior Policy Advisor, *Holland & Knight*

9:50 - 10:05 a.m. BREAK

10:05 - 10:50 a.m. SESSION 3: Under the Sea

— Desalination in California

With nearly 900 miles of coastline, why aren't more California communities tapping into the sea as a reliable water source? Hear about a community that built a desalination plant, mothballed it and then decided to bring it back online, as well as from two agencies trying to get desalination plants built in their communities.

CEDELLA BEAZLEY, Regional Commercial Director, Americas, *DOW Water & Process Solutions*

THE HONORABLE HELENE SCHNEIDER, Mayor of the City of Santa Barbara

DAVID J. STOLDT, General Manager, *Monterey Peninsula Water Management District*

RICH NAGEL, General Manager, *West Basin Municipal Water District*

PROGRAM



10:50 - 11:30 a.m. **SESSION 4: The One That Almost Got Away**

— Stormwater Capture in Southern California

Flood control measures put in place decades ago changed the landscape of the Los Angeles and Santa Ana rivers and also allowed for precious stormwater to be lost to the ocean. Learn about the U.S. Army Corps of Engineers' efforts to increase stormwater capture and revitalize local rivers.

COLONEL KIRK E. GIBBS, Commander, *Los Angeles District U.S. Army Corps of Engineers*

11:30 - 12:00 p.m. **SESSION 5: Casting a Wider Net** — California Water Game Changers

Mother Nature can no longer meet current or future water demands. Agencies must cast a wider net and, if feasible, make water reuse part of their portfolios. Hear from exceptional female game changers who have been instrumental in reshaping California's water.

THE HONORABLE LAURA FRIEDMAN, California State Assembly, *District 43*

MARCIE EDWARDS, Former General Manager, *the Los Angeles Department of Water and Power and the City of Anaheim*

JENNIFER WEST, Managing Director, *WaterReuse California*

BREAK

12:00 - 12:20 p.m. *Please leave the room temporarily to allow catering staff to serve*

12:20 - 1:25 p.m. **LUNCHEON and SESSION 6: Let There Be Water**

SETH M. SIEGEL, N.Y. Times Bestselling Author of *"Let There Be Water: Israel's Solution for a Water Starved World"*

1:25 p.m. **Closing Remarks**

WELCOME — and Pledge of Allegiance

OFFICIALS

Stephen R. Sheldon, *Director, Orange County Water District*
Jeffery M. Thomas, *Director, Municipal Water District of Orange County*



STEPHEN R. SHELDON Steve Sheldon is an elected member of the Orange County Water District (OCWD) Board of Directors representing division five, which includes parts of Newport Beach and Irvine. He has served on the board since 2005 and was president of the board in 2008 and 2009. A representative on behalf of OCWD for the League of Cities, he also sits on the University of California, Irvine Urban Water Research Institute Advisory Committee.

Director Sheldon brings more than 25 years of experience in public policy and real estate development. As a past consultant and attorney, his work has included managing hundreds of land-use entitlement efforts before cities, counties and special districts. He is currently the CEO of Sheldon Development, LLC. His company has developed over 2,500 housing units ranging from luxury apartments, townhomes,

single-family homes, and estate lots; along with park land, open space, trails, and other public amenities and benefits. He was a recent successful bidder of a surplus elementary school site from a public school district and developed 63 homes and a two acre public park.

 www.ocwd.com

 [@OCWDWaterNews](https://twitter.com/OCWDWaterNews)



JEFFERY M. THOMAS was appointed to the Municipal Water District of Orange County (MWDOC) Board of Directors in August of 2009. He represents division six, which includes the cities of Tustin and Rancho Santa Margarita as well as portions of the cities of Irvine, Lake Forest, Mission Viejo, San Juan Capistrano, and San Clemente. Director Thomas has served as mayor and city councilman for the city of Tustin from 1992 - 2004. He is credited for having saved the city of Tustin over \$1 million by recommending the removal of city funds from the Orange County Investment Pool.

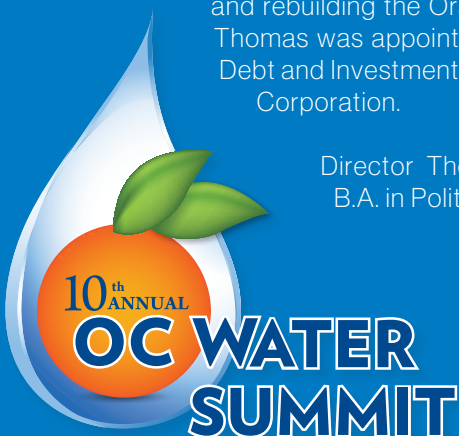
For over 25 years, Director Thomas has been in the investment management industry, from industry leaders like Morgan Stanley and Citigroup, to his current firm Sage Advisory Services. He currently advises a broad range of clients, including municipalities, corporations, hospitals, endowments, foundations, insurance companies, and high net worth individuals.

His financial expertise has led to several key appointments, including chairman of the Orange County Oversight Committee and chairman of the Treasurer's Advisory Committee. These committees have largely been credited with restructuring and rebuilding the Orange County Investment Pool after the county bankruptcy in 1994. Additionally, Director Thomas was appointed by State Treasurer Matt Fong to the Technical Advisory Committee for the California Debt and Investment Advisory Commission, and by Governor Pete Wilson to the California Housing Partnership Corporation.

Director Thomas holds a Juris Doctorate from Western State University, College of Law, and a B.A. in Political Science from California State University, Fullerton.

 www.mwdoc.com

 [@MWDOC](https://twitter.com/MWDOC)



8:10 a.m. - 8:50 a.m.

Session Presented By
GEOSCIENCE

Ground Water Consultants

SESSION 1: On the Waterfront — Local Water Forecast and the Four Water Revolutions

NBC4 weathercaster Fritz Coleman will give the Orange County and California water forecast. Then, a bestselling author and TEDTalk alumnus will discuss four water revolutions and if the water industry will reinvent how it manages water after our historic drought or if it will just fall back into the same old routine.

Fritz Coleman, NBC4 Weathercaster

David Sedlak, Ph.D., University of California, Berkeley;

Author of "Water 4.0: The Past, Present, and Future of the World's Most Vital Resource"



DAVID SEDLAK is the Malozemoff Professor in the Department of Civil & Environmental Engineering at UC Berkeley, co-director of the Berkeley Water Center and deputy director of the NSF engineering research center for Reinventing the Nation's Urban Water Infrastructure (ReNUWIt). Professor Sedlak's research addresses the use of natural and engineered systems to improve water quality and new approaches for increasing the sustainability and resiliency of urban water systems. He is a member of the National Academy of Engineering and recipient of numerous awards, including the NSF CAREER Award, the Paul Busch Award for Innovation in Applied Water Quality Research and the Clarke Prize for Excellence in Water Research. Sedlak is the author of *Water 4.0: The Past, Present and Future of the World's Most Vital Resource* and serves as editor-in-chief of the ACS journal, *Environmental Science & Technology*.



www.ce.berkeley.edu/people/faculty/sedlak



@water4point0



Fritz Coleman, one of Southern California's most well-known broadcasters, has been with NBC4 since 1982. He began as a weekend weathercaster and after two years was moved to weekdays. Fritz has been recognized by many newspapers as "Best Weathercaster." He was named "Treasure of Los Angeles" by the city of Los Angeles and also holds the title as its honorary mayor.

Fritz attended Salem College in West Virginia and Temple University in Philadelphia where he studied radio, television and film. He worked as a comedian and disc jockey for several years and as a radio personality at WBEN and later WKBW in Buffalo, New York. He left Buffalo for Los Angeles in 1980 to pursue standup comedy.

As Fritz is well known for his humor, it comes as no surprise that he is a long-time standup comic. He has performed at multiple Southern California comedy clubs including The Improvisation as well as The Icehouse. He has received four Los Angeles area Emmy award for his work on NBC4 comedy series and specials.

Fritz also dedicates much of his time to charitable activities and has been honored by many organizations for his service. In 2004, Shelter Partnership and California Hospital Medical Care both awarded him Humanitarian of the Year awards. He also received a Humanitarian of the Year award from The House of Representatives in 1999 for his efforts in fundraising. He regularly hosts local events to help give a voice to different causes and communities. He is heavily involved in NBC4's goodwill initiatives as well as its signature program, "I am A Volunteer."

Fritz has written, produced and starred in three one-man plays. "It's Me! Dad!" won the 1997 Artistic Directors Award and aired successfully on public television. The production depicts a "baby boomer" attempting to act out his life for his children. "The Reception" is an insightful comedy taking a look into relationships at a wedding reception. "Tonight at 11!" is an inside look at a typical newscast.

When Fritz is not delivering the news, he can be found running, roller-blading or skiing. He lives in the San Fernando Valley and has two sons and a daughter.



www.nbclosangeles.com



@NBCLA



8:50 a.m. - 9:50 a.m.

SESSION 2:

Mine! Mine! Mine! — Finding Solutions to Address Aging Infrastructure

We found water in Northern California, but how bad are the conditions of the aging infrastructure that stores and conveys this water, like the State Water Project, Oroville Dam and other dams and reservoirs? And, will the new presidential administration fast track funding and authorizations for California water infrastructure projects?

SPEAKERS

The Honorable Mike Gatto, *Member, Delta Stewardship Council*
Jeffrey Kightlinger, *General Manager, Metropolitan Water District of Southern California*
David Guitierrez, P.E., G.E., *Former Chief, Division of Safety of Dams,
Department of Water Resources*
Scott Mason, *Senior Policy Advisor, Holland & Knight*



THE HONORABLE MIKE GATTO formally served in the California State Assembly from June 2010 through November 2016 representing Assembly District 43, which includes Burbank, Glendale, La Crescenta, La Cañada Flintridge; and the Los Angeles communities of Atwater Village, Franklin Hills, Los Feliz, Silver Lake, the Hollywood Hills, and part of Hollywood.

During his time in the state legislature, Mr. Gatto chaired several committees including Appropriations, Consumer Protection & Privacy, and Utilities & Commerce. He authored and passed several pieces of landmark legislation during his tenure, measures often requiring supermajority votes to become law. In addition, he served on the Water, Parks & Wildlife Committee and was the co-author and a principle negotiator of the California Water Bond of 2014. In his second term, Mr. Gatto was named assistant speaker pro tempore, presiding over meetings of the assembly.

Mr. Gatto's grandfather was an immigrant coal miner who instilled in his family a strong work ethic. Mr. Gatto graduated from the University of California, Los Angeles with a degree in history and then put himself through Loyola Law School at night, graduating magna cum laude, while working full-time as chief of staff to United States Representative Brad Sherman.

Along with his duties as a member of the Delta Stewardship Council, Mr. Gatto serves on the boards of several entities, and is the legislator in residence at the University of Southern California's Unruh Institute of Politics. He is an attorney, and lives in Los Angeles' Silver Lake neighborhood with his wife and children.

 www.deltacouncil.ca.gov

 [@MikeGatto](https://twitter.com/MikeGatto)



JEFFREY KIGHTLINGER is general manager and chief executive officer for the Metropolitan Water District of Southern California. The Metropolitan Water District is the largest municipal water provider in the nation delivering an average of over two billion gallons of water a day to 19 million customers across Southern California.

Metropolitan serves one out of every two Californians in the six counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura.

Mr. Kightlinger was appointed general manager in February 2006. As general manager, he oversees the District's \$1.8 billion annual budget and 1,800 employees to ensure the safe and reliable delivery of high-quality water every day throughout Southern California. He reports to a board of 38 members representing 26 member agencies.



Mr. Kightlinger has an undergraduate degree from the University of California, Berkeley and a law degree from Santa Clara University. He serves on a number of boards including the Coro Foundation; the University of Southern California Price School of Public Policy; the University of California, Los Angeles Sustainability Advisory Board; the Climate Action Reserve; the California Foundation on the Environment and the Economy; the Los Angeles Economic Development Council; and the Los Angeles Area Chamber of Commerce, among others.

 www.mwdh2o.com

 [@8thGenCa](https://twitter.com/8thGenCa)



DAVID GUTIERREZ, P.E., G.E. is a California-registered civil and geotechnical engineer in GEI's Sacramento, California office. During his 37-year career, David has established himself as an expert in water management and dam safety, and has created and led some of the most complex water management programs within the state of California for its Department of Water Resources.

David has worked with cities, counties, public works agencies, water and flood control agencies, attorneys, the California Legislature, United States Congress, state of California's Governor's Office, federal agencies, and other entities on a variety of water resources-related projects. David was formerly the chief of Division of Safety of Dams and program manager for the Groundwater Sustainability Program within the Department of Water Resources.

He has worked for the department in several capacities over the past 35 years including chief of the Division of Safety of Dams (DSOD), deputy director for public safety, and deputy director for business operations. As chief of DSOD he oversaw the regulation of over 1,250 dams in California and as deputy director of public safety, he oversaw the development of the FloodSAFE California Program. David has served on the Board of Directors for the Association of State Dam Safety Officials and served as president of the organization. He is a member of the National Dam Safety Review Board and the Strong Motion Instrumentation Advisory Committee of the California Division of Mines and Geology. David is also currently assisting the state of California on addressing potential solutions for the Oroville Dam.

 www.WEBSITE.gov

 [@twitter NEEDED](https://twitter.com/NEEDED)



SCOTT D. MASON is a senior policy advisor with the Public Policy & Regulation Group in Holland & Knight's Washington, D.C., office. Mr. Mason focuses on the intersection between Capitol Hill and the Trump Administration on major policy initiatives, including tax reform, healthcare reform, infrastructure initiatives, immigration, and other key priorities.

Most recently, Mr. Mason served on President Donald J. Trump's transition team. Prior to the transition team, he was the director of Congressional Relations for Donald J. Trump for President, Inc. Mr. Mason was one of the original members of Trump's Washington campaign team, joining the effort in April 2016.

From 2005 to 2015, Mr. Mason served as vice president of government affairs for home improvement retailer Lowe's Companies, Inc., leading the local, state and federal government affairs program. In this role, he represented the Fortune 500 company on issues involving trade, tax, healthcare, energy, labor, and financial services.

Mr. Mason has served in senior public and government affairs roles in Washington, D.C., and Texas for more than 25 years. He also has grassroots, government affairs and public affairs experience with several major trade associations and other large corporations, including Anheuser-Busch, Samsung North America, the United Services Automobile Association (USAA), the Beer Institute, and the American Medical Association.

Additionally, Mr. Mason spent two years in Sofia, Bulgaria, where he developed democratic opposition parties in preparation for free elections following the fall of communism.

 www.hklaw.com

 [@Holland_Knight](https://twitter.com/Holland_Knight)
Page 123 of 137

10:05 a.m. - 10:50 a.m.

SESSION 3:

Under the Sea — Desalination in California

With nearly 900 miles of coastline, why aren't more California communities tapping into the sea as a reliable water source? Hear about a community that built a desalination plant, mothballed it and then decided to bring it back online, as well as from two agencies trying to get desalination plants built in their communities.

MODERATOR and SPEAKERS

Cedella Beazley, Regional Commercial Director, Americas Dow Water & Process Solutions

The Honorable Helene Schneider, Mayor, City of Santa Barbara

David J. Stoldt, General Manager, Monterey Peninsula Water Management District

Rich Nagel, General Manager, West Basin Municipal Water District



CEDELLA BEAZLEY is the regional commercial director of the Americas for Dow Water & Process Solutions (DW&PS). Ms. Beazley is responsible for leading all business activities in the region, including market plan implementation, sales deployment and technical sales/service support, and strategic partnerships. In addition, Ms. Beazley is general manager for Clean Filtration Technologies LLC (CFT), a subsidiary of The Dow Chemical Company. This includes directing the core management team of sales, marketing, product development and operations to establish the TEQUATIC™ Filter as a breakthrough solution to treat difficult, high-solids wastewaters.

Previously, Ms. Beazley was business unit director for Filtration, a business group within (DW&PS) where she was responsible for developing and driving business strategy to establish Dow as a leading producer of ultrafiltration modules globally.

Ms. Beazley has more than 20 years of experience in the water industry. She joined Dow Liquid Separations, now DW&PS, in 1994, and has held various roles in sales and marketing, including technical sales engineer, account executive, North America sales manager and global product marketing manager, where she was responsible for developing and implementing the global marketing strategy for FILMTEC™ reverse osmosis (RO) and nanofiltration (NF) elements. In 2009, she was named associate product director for FILMTEC™ RO/NF products. She became the general manager for CFT in early 2012 following Dow's acquisition of the company and had her responsibilities expanded in 2014 to include leading the ultrafiltration value center and DW&PS commercial director for the Americas.

Ms. Beazley holds a B.S. degree in chemical engineering from Dalhousie University in Halifax, NS. and is Six Sigma Green Belt certified in both MAIC and DFSS.



www.dow.com/en-us/water-and-process-solutions



@CedellaBeazley





THE HONORABLE HELENE SCHNEIDER was elected to her second term as Santa Barbara's mayor in November 2013. She has served at Santa Barbara City Hall since January 2004, winning her first election as city council member in 2003 and first election as mayor in 2009.



During this recent six-year exceptional drought, Mayor Schneider and the Santa Barbara City Council led a process that resulted in a 40 percent water conservation goal; upgraded its tertiary water treatment facility, which provides recycled water to parks and other major landscaping areas throughout the city; added a fuel cell at El Estero Wastewater Treatment Facility, transforming methane gas into the electricity needed to power the plant; reconstructed numerous city parking areas and streets with permeable pavers, thus recharging the ground water basin and preventing flooding; initiated a study toward new indirect potable reuse capital projects; and re-commissioned the city's 25-year-old desalination plant. Mayor Schneider has been interviewed by several dozen local, national and international media outlets about the drought and the role of desalinated water as part of the city's overall Water Supply Management Plan.

Mayor Schneider represents the city of Santa Barbara on a variety of regional boards that focus on issues such as transportation, air quality, solid waste, public education, youth violence prevention, and homelessness. She serves on the Statewide Board of the League of California Cities and is chair of the U.S. Conference of Mayors Hunger and Homelessness Task Force.

In the private sector, Mayor Schneider is a human resources management consultant with HRxpress. She earned her B.A. degree from Skidmore College and her Professional Designation in Human Resources Management from UCSB Extension.



www.santabarbaraca.gov



@MayorHelene



DAVID J. STOLDT joined the Monterey Peninsula Water Management District as general manager in 2011. He has over 28 years of experience in the public infrastructure sector, including investment banking and consulting to public agencies. He has also served as chief executive and chief financial officer for early stage start-up companies. His roles have included cross-functional experience in strategic planning, finance, marketing, logistics, and management. Mr. Stoldt has also served in various positions in the public sector, both appointed and elected, leading to an understanding of how to achieve results amidst the delicate balance of public and political interests. Mr. Stoldt has an M.B.A. and Certificate in Public Management from Stanford, an M.S. in energy and resources from UC Berkeley, and a B.S. in civil and environmental engineering from the University of Illinois.



www.mpwmd.org



@myrh2odistrict



RICH NAGEL was named general manager of the West Basin Municipal Water District in May 2006. Prior to his appointment as general manager, he served as co-general manager of West Basin and Central Basin Municipal Water Districts. He is a registered engineer with over 30 years of experience in the water supply and recycled water arena.

Prior to being its general manager, Mr. Nagel was West Basin's manager of water quality responsible for all aspects of the District's water quality and research programs.

Mr. Nagel graduated from San Diego State University with a B.S. in civil engineering. Mr. Nagel was named WateReuse's 2009 Water Advocate of the Year, the 2011 WateReuse Person of the Year and, in 2013, received the WateReuse President's Award.

Mr. Nagel is the current vice president of WateReuse California and past chair of the WateReuse Research Foundation. He is the alternate board member for the Santa Monica Bay Restoration Commission, as well as Cal Desal, and is the past alternate board member of the National Water Research Institute. Mr. Nagel also sits on the board of the Multi-State Salinity Coalition, and serves as chair of the Greater Los Angeles Integrated Regional Water Management Plan's South Bay Steering Committee and is a board member and past vice-chair of the Urban Water Institute.



www.westbasin.org



@WestBasin



OCWaterSummit



@OCWaterSummit



10:50 a.m. - 11:30 a.m.

SESSION 4:

The One that Almost Got Away — Stormwater Capture in Southern California

Flood control measures put in place decades ago changed the landscape of the Los Angeles and Santa Ana rivers and also allowed for precious stormwater to be lost to the ocean. Learn about the U.S. Army Corps of Engineers' efforts to increase stormwater capture and revitalize local rivers.

SPEAKER

Colonel Kirk E. Gibbs, *Commander, Los Angeles District U.S. Army Corps of Engineers*



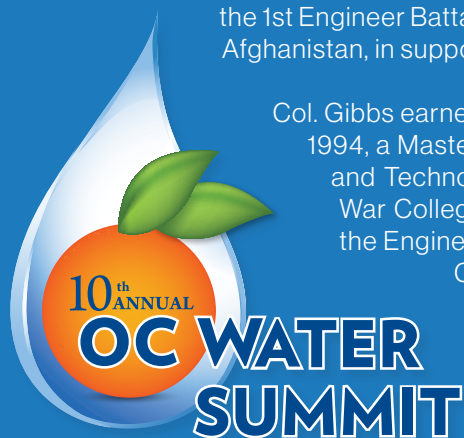
COLONEL KIRK E. GIBBS is the 61st Commander of the Los Angeles District. With over 23 years of active service, he leads 746 military and civilian personnel operating in a 226,000 square mile area of California, Arizona, Nevada and Utah. He is responsible for a \$900 million annual budget for planning, engineering, construction, asset management, regulatory, emergency management and environmental services for three Army and eight Air Force installations, interagency and international customers, and the nation's civil water resources infrastructure in the Southwest, and a current value of assets worth \$70 million.

Col. Gibbs graduated in June 2013 from the National War College of the National Defense University in Washington, D.C. His most recent assignment was as assistant deputy director for operations on Operations Team 2, National Military Command Center, from July 2013 until June 2015.

Col. Gibbs is a native of Davisville, Missouri. In 1994, he graduated from the U.S. Military Academy at West Point and was commissioned in the U.S. Army Corps of Engineers as a second lieutenant.

His previous assignments include: platoon leader and executive officer in the 91st Engineer Battalion, Fort Hood, Texas; assistant operations officer, adjutant, and company commander in the 1st Engineer Battalion, Fort Riley, Kansas (including deployments to Bosnia-Herzegovina for SFOR-6 and to Kuwait for Intrinsic Action 01-03); staff and company trainer for the Sidewinder Team at the National Training Center, Fort Irwin, California; C7 senior engineer operations officer as part of the 3rd Army CFLCC Staff, Camp Arifjan, Kuwait; operations officer and executive officer in the 70th Engineer Battalion, Fort Riley, Kansas (including a deployment to Operation Enduring Freedom 06-08 in Afghanistan); the secretary of the general staff, Headquarters, U.S. Army Corps of Engineers, Washington, D.C.; commander of the 1st Engineer Battalion, Fort Riley, Kansas; and finally, C7 engineer for CJTF-1, 1st Infantry Division, RC-East, Afghanistan, in support of Operation Enduring Freedom.

Col. Gibbs earned a Bachelor of Science in Environmental Engineering from the U.S. Military Academy in 1994, a Master of Science in Engineering Management in 1998 from the Missouri Institute of Science and Technology in Rolla, Missouri, and a master's in National Security Strategy from the National War College in 2013. He is also a graduate of Air Assault School in 1992, Airborne School in 1994, the Engineer Officer Basic Course in 1995, the Engineer Officer Advanced Course in 1998, and the Command and General Staff College in 2005.





Col. Gibbs' military awards include the Bronze Star Medal; the Defense Meritorious Service Medal; the Army Meritorious Service Medal; the Army Commendation Medal; the Army Achievement Medal; the National Defense Service Medal; the Armed Forces Expeditionary Medal; the Global War on Terror Expeditionary Medal; and the NATO Medal.

 www.usace.army.mil

 [@USACEHQ](https://twitter.com/USACEHQ)



11:30 a.m. - 12:00 p.m.

SESSION 5:

Casting a Wider Net — California Water Game Changers

Mother Nature can no longer meet current or future water demands. Agencies must cast a wider net and, if feasible, make water reuse and conservation part of their portfolios. Hear from exceptional female game changers who have been instrumental in reshaping California's water.

SPEAKERS

The Honorable Laura Friedman, *California State Assembly, District 43*

Marcie Edwards, *Former General Manager, Los Angeles*

Department of Water and Power and Former City Manager, City of Anaheim

Jennifer West, *Managing Director, WateReuse California*



THE HONORABLE LAURA FRIEDMAN was elected to the California State Assembly in November 2016 to represent the 43rd Assembly District which encompasses Los Angeles, Glendale and Burbank.

Assemblymember Friedman has been a prominent figure in the community and has taken on leadership in a breadth of areas; as a small business owner, film and television producer, mayor and city councilmember, and on several boards and advocacy committees.

Assemblymember Friedman got her start in the private sector after receiving her B.A. from the University of Rochester, New York and founded a web-based small business in 2001. She later worked as a sought-after producer in the entertainment industry.

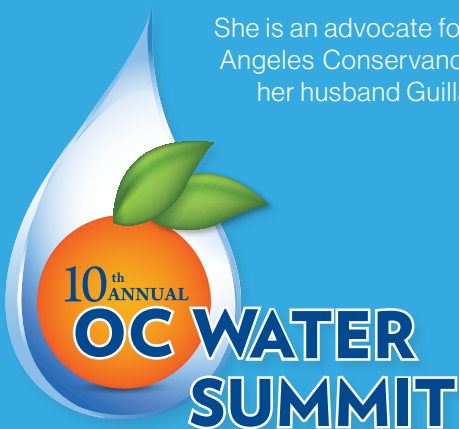
In 2009, Assemblymember Friedman was elected to the Glendale City Council, served as mayor from 2011-2012 and was re-elected in 2013.

Assemblymember Friedman is the immediate past-president of the Independent Cities Association and current board member of the Southern California Association of Governments where she sits on the Energy and Environment Committee. She also served five years on the Glendale Design Review Board and sits on the current board of directors for the Metropolitan Water District of Southern California.

She is an advocate for the arts community and is active with the Society of Architectural Historians and the Los Angeles Conservancy Modern Committee. Assemblymember Friedman is a Glendale resident and lives with her husband Guillaume Lemoine, a landscape designer, and their daughter Rachel.

 <https://a43.asmdc.org>

 [@LauraFriedman43](https://twitter.com/LauraFriedman43)





MARCIE EDWARDS is the former general manager of the Los Angeles Department of Water and Power (LADWP) and was the first woman to lead the nation's largest municipal utility.

Coming home to the utility where she previously worked for 24 years, Marcie brought decades of experience in the utility industry to the LADWP top job. She previously ran Anaheim Public Utilities for 13 years then was tapped to serve as Anaheim city manager in July 2013. A past governor on the California Independent System Operator Board, Marcie also served as interim CEO of that agency in 2004, and, in that role, assisted in avoiding statewide power outages during the energy crisis.



JENNIFER WEST joined WateReuse California as managing director in 2014. Previously she worked for almost 20 years advancing water and recycled water policy in the California Legislature and before California's regulatory agencies. During this time, she served as the director for water for the California Municipal Utilities Association. In the 1990s and early 2000s, she was a legislative and regulatory advocate representing a variety of water clients.

Jennifer lives and works in Sacramento and loves to play tennis and the piano.



www.watereuse.org/california



[@watereuseca](https://twitter.com/watereuseca)

12:20 p.m. - 1:25 p.m.

LUNCHEON SESSION: Let There Be Water

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SPEAKER

Seth M. Siegel, New York Times Bestselling Author of
"Let There Be Water: Israel's Solution for a Water Starved World"



SETH M. SIEGEL is a writer, lawyer, activist, and serial entrepreneur.

Mr. Siegel is the author of the New York Times bestseller *"Let There Be Water: Israel's Solution for a Water-Starved World,"* which is now in print or production in 13 foreign languages. His essays on water and other issues have appeared in The New York Times, The Wall Street Journal, the Los Angeles Times, and in leading publications in Europe and Asia.

Mr. Siegel is the Daniel M. Soref Senior Water Policy Fellow at the University of Wisconsin-Milwaukee School of Freshwater Sciences. He is also senior advisor to Start-Up Nation Central, an Israeli non-profit that connects government, non-governmental organizations (NGO) and business leaders to the relevant people, companies and technologies in Israel. In addition, he is a member of the Council on Foreign Relations.

A widely sought-out speaker, Mr. Siegel has presented on water issues around the world and at more than 200 venues in 60 cities, including the U.S. Congress; the United Nations; the World Bank, Davos; Google's headquarters; and at about 30 major college campuses, including Harvard, MIT, Princeton, Yale, and Stanford.

Mr. Siegel is the co-founder of several companies, including Beanstalk, the world's leading trademark brand extension company, which he sold to Ford Motor Company. He was also a producer of the Tony Award-nominated Broadway revival of *Man of La Mancha*. Mr. Siegel sits on the board of several not-for-profit organizations.

All of the profits from sales of *"Let There Be Water"* are being donated to charity.

 www.SethMSiegel.com

 [@SethMSiegel](https://twitter.com/SethMSiegel)



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50 YEARS OF RECYCLED WATER

BECAUSE WATER IS TOO VALUABLE TO USE ONLY ONCE.

Since its start in 1967, Irvine Ranch Water District's recycled water infrastructure has evolved from a small operation focused on supplying agriculture customers to one of the most technologically advanced and comprehensive recycled water systems in the nation.

Today, nearly 30 percent of the District's water demands are met through recycled water. Its current uses include:

- **Parks**
- **Golf courses**
- **School playing fields**
- **HOA common areas and front yards**
- **Manufacturing processes**
- **Dual-plumbed buildings**
- **Cooling towers**

By making a long-term investment in this valuable and drought-proof source of water, IRWD avoids having to purchase costly, less reliable imported water. In doing so, local water supply reliability is improved, benefiting all of IRWD's customers.



**INFORMATION ITEM**

June 19, 2017

TO: Board of Directors**FROM:** **Public Affairs Legislative Committee**
(Directors Tamaribuchi, Dick, and Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Damon Micalizzi

SUBJECT: UPDATE WATER POLICY DINNER**STAFF RECOMMENDATION**

Staff recommends the Board of Directors receive and file.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT

Staff is planning the next Water Policy Dinner for August, after learning that targeted speakers are unavailable in July.

An invitation was originally extended to William Croyle, Acting Director of the California Department of Water Resources. Initially, his staff indicated he had a willingness to speak and that his schedule was favorable. Unfortunately, he later declined.

An invitation was also extended to Governor Brown, who has yet to confirm. While staff holds hope the Governor will appear to rally Southern California in support of the California WaterFix, with the original July 27th date drawing closer, we are looking at options in August to better accommodate the Governor, and/or secure another keynote for the event.

Budgeted (Y/N): n/a	Budgeted amount: n/a	Core X	Choice
Action item amount: None	Line item:		
Fiscal Impact (explain if unbudgeted):			



INFORMATION ITEM

June 19, 2017

TO: Board of Directors

FROM: **Public Affairs Legislative Committee**
(Directors Tamaribuchi, Dick, and Yoo Schneider)

Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: OC LAFCO UPDATE

STAFF RECOMMENDATION

Staff recommends the Board of Directors receive and file the report.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT

The June meeting of OC LAFCO is scheduled for Wednesday, June 14. Due to timing and meeting the Brown Act requirements for this item, a written report could not be submitted. Instead, an oral report will be provided to the committee.

Budgeted (Y/N): n/a	Budgeted amount: n/a	Core X	Choice
Action item amount: None	Line item:		
Fiscal Impact (explain if unbudgeted):			

Member Agency Relations	<p>Heather and Public Affairs staff worked at SMWD's annual Water Awareness Day.</p> <p>Heather prepared materials and gave a legislative update at the Leg/PAW meeting.</p> <p>Heather met with Mark Sprague from the City of Fountain Valley Public Works.</p> <p>Public Affairs Staff:</p> <ul style="list-style-type: none">• Hosted a Legislative update and Public Affairs Workgroup meeting at Santa Margarita Water District.• Designed a bill insert for commercial customers, and coordinated the order with the Member Agencies.• Sent out the AMWA Monday Morning Briefing and the Congressional Report.• Coordinated a Public Affairs Workgroup (PAW) meeting, held offsite at Santa Margarita Water District.• Met with San Juan Capistrano staff to discuss support for the California WaterFix and contacted other member agencies who have not passed resolutions of support for the project.• Met with the new Public Affairs Manager at Mesa Water to brief him on MWDOC, OC water operations and choice programs.
Community Relations	<p>Heather attended the ACC-OC Water Committee meeting.</p> <p>Public Affairs Staff:</p> <ul style="list-style-type: none">• Hosted the Water Awareness Poster Contest Award Ceremony at the Discovery Science Center.<ul style="list-style-type: none">○ Over 100 individuals in attendance○ 40 winners were selected from over 1000 submissions○ Over 1600 people voted on the Grand Prize Winners• Sent out the weekly California Sprinkler Adjustment Notification System (CSNAS) emails B.

Education	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Met with Inside the Outdoors staff and Lindsey Stuvick and Medha Patel, Moulton Niguel Water District staff, to discuss the “What About Water” program B. • Met with Inside the Outdoors staff to review the 2016-17 high school program and to discuss the new countywide high school water education program • Attended the “What About Water” Expos at Tesoro High School, Dana Hills High School and Brea Olinda High School with Agency staff. • Joined Director Yoo Schneider at an Inside the Outdoors water/environment clinic at its Santiago Canyon Nature Center.
Media Relations	<p>Public Affairs staff:</p> <ul style="list-style-type: none"> • Posted to social media as appropriate with water related messages that further MWDOC goals and objectives. • Issued geographically targeted news releases regarding the winners of the poster contest, at least one of which was picked up in the OC Register.
Special Projects	<p>Heather attended CSDA’s Legislative Days in Sacramento. Speakers included Senator Ed Hernandez, Member of Governance and Finance Committee, Senator Mark Stone, and Pedro Nava, Chair of the Little Hoover Commission.</p> <p>Heather coordinated Certificates of Recognition from the Orange County Assembly and Senate offices for MWDOC’s poster contest winners.</p> <p>Public Affairs staff:</p> <ul style="list-style-type: none"> • Met with consultants on multiple occasions regarding the design and construction of the MWDOC hallway displays. • Are working on the design and materials for the MWDOC entryway display. • Met with a consultant regarding promotional items for Water Policy Dinners, OC Water Summit, inspection trips, MWDOC community events and other executive events. • Are currently working on itineraries, trip logistics, guest and Director requirements for the following inspection trip: <ul style="list-style-type: none"> ◦ June 23-24, Director Ackerman, CRA/Hoover • Continue to work with MWDOC department representatives and LA Design Studio on developing material and providing direction and content for the new MWDOC website. • Staffed the monthly ISDOC Executive Committee Meeting. Also, staff sent out the invitation for the ISDOC Quarterly Luncheon, and assisted in the coordination of the program.

	<ul style="list-style-type: none"> • Met with Coastkeeper's Ellen Orange-Brown to discuss upcoming community events, tours and outreach materials. • Prepared and sent a news release announcing the winner of the MWDOC/Wyland Foundation water-wise pocket park award. • Held a conference call with Executive Director Steve Creech with the Wyland Foundation regarding the Mayors Challenge pocket park next steps. • Coordinated a kickoff meeting with the Wyland Foundation, MWDOC, Laguna Beach County Water District and the City of Laguna Beach for the Mayors Challenge pocket park award. • Worked with a photographer to secure dates and details for professional Board and staff photos. • Created a logo and a web banner for the WUE Free Landscape Design Assistance Program. • Wrote, printed and had framed a resolution for retiring MET Assistant GM Debra C. Man. • Volunteered to operate a "safety boat" on Saturday at Sunday at the MET Solar Cup competition.
Legislative Affairs	<p>Heather met with Steve McCarthy, Director of Policy for the Assembly Republican Caucus.</p> <p>Heather attended the Water Alliance Now meeting on the conservation framework. Speakers included: Peter Brostrom (CWR), Max Gomberg (SWRCB), Sue Mosburg, Chair, California Water Loss Control Collaborative (CA-NV AWWA & Sweetwater Authority), and Joone Lopez (MNWD).</p> <p>Heather and Melissa participated in the Southern California Water Committee Conference Calls.</p> <p>Heather and Melissa participated in the Met Member Agency Legislative Coordinators' conference call.</p> <p>Heather met with Senator Pat Bates' District Director, Erik Weigand.</p> <p>Heather participated in the ACWA Region 10, State Legislative Committee pre-meeting briefing.</p>
Water Summit	<p>Public Affairs staff:</p> <ul style="list-style-type: none"> • Represented MWDOC at a Water Summit Committee meeting. • Continued working to enlist speakers to round out panels