

**DESERT WATER AGENCY**  
**OCTOBER 20, 2015**



**BOARD OF DIRECTORS**  
**REGULAR MEETING AGENDA**

**REGULAR MEETING 8:00 A.M. OPERATIONS CENTER - 1200 GENE AUTRY TRAIL SOUTH – PALM SPRINGS – CALIFORNIA**

*About Desert Water Agency:*

Desert Water Agency operates independently of any other local government. Its autonomous elected board members are directly accountable to the people they serve. The Agency is one of the desert's two State Water Contractors and provides water and resource management, including recycling, for a 325-square-mile area of Western Riverside County, encompassing parts of Cathedral City, Desert Hot Springs, outlying Riverside County and Palm Springs.

1. **PLEDGE OF ALLEGIANCE**
2. **APPROVAL OF MINUTES – October 6, 2015** **EWING**
3. **GENERAL MANAGER'S REPORT** **LUKER**
4. **COMMITTEE REPORTS – Executive – October 13, 2015** **EWING**
5. **SECRETARY-TREASURER'S REPORT – September, 2015** **STUART**
6. **PUBLIC INPUT**  
Members of the public may comment on any item not listed on the agenda, but within the jurisdiction of the Agency. In addition, members of the public may speak on any item listed on the agenda as that item comes up for consideration. Speakers are requested to keep their comments to no more than three (3) minutes. As provided in the Brown Act, the Board is prohibited from acting on items not listed on the agenda.
7. **ITEMS FOR ACTION - None**
8. **ITEMS FOR DISCUSSION**
  - A. Agency Pipeline Presentation (PowerPoint Presentation) **JOHNSON**
  - B. September Water Use Reduction Figures **LUKER**
  - C. Review of Ordinance No. 63 **LUKER**
9. **DIRECTORS COMMENTS AND REQUESTS**
10. **CLOSED SESSION**
  - A. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Government Code Section 54956.9 (d) (1)  
Name of Case: Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al
  - B. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Government Code Section 54956.9 (d) (1)  
Name of Case: Agua Caliente Band of Cahuilla Indians vs. County of Riverside, et al
11. **RECONVENE INTO OPEN SESSION – REPORT FROM CLOSED SESSION**
12. **ADJOURN**

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting is asked to contact Desert Water Agency's Executive Secretary, at (760) 323-4971, at least 48 working hours prior to the meeting to enable the Agency to make reasonable arrangements. Copies of records provided to Board members which relate to any agenda item to be discussed in open session may be obtained from the Agency at the address indicated on the agenda.

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**MINUTES  
OF THE REGULAR MEETING  
OF THE  
DESERT WATER AGENCY  
BOARD OF DIRECTORS**

**October 6, 2015**

DWA Board:	Craig A. Ewing, President )	<b>Attendance</b>
	James Cioffi, Vice President )	
	Joseph K. Stuart, Secretary-Treasurer )	
	Patricia G. Oygar, Director )	
	Richard Oberhaus, Director )	

DWA Staff:	David K. Luker, General Manager )
	Mark S. Krause, Asst. General Manager )
	Martin S. Krieger, Finance Director )
	Sylvia Baca, Asst. Secretary to the Board )
	Steve Johnson, Operations Engineer )
	Ashley Hudgens, Public Information Officer )

Consultant:	Michael T. Riddell, Best Best & Krieger )
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Public:	David Freedman, PS Sustainability Comm. )
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17269. President Ewing opened the meeting at 8:00 a.m. and asked everyone to join Vice President Cioffi in the Pledge of Allegiance. **Pledge of Allegiance**

17270. President Ewing called for approval of the September 15, 2015 Regular and September 23, 2015 Special Board meeting minutes. **Approval of the 09/15/15 Regular & 09/23/15 Special Board Mtg. Minutes**

Vice President Cioffi moved for approval. After a second by Secretary-Treasurer Stuart, the minutes were approved as written. Director Oygar abstained on the September 23 minutes due to her absence at that meeting.

17271. President Ewing called upon General Manager Luker to provide an update on Agency operations. **General Manager's Report**

Mr. Luker reported on September 22 at approximately 9:00 p.m., stand-by responded to a call at 300 S. Palm Canyon Dr. (Palm Springs Art Museum). The fire service had a considerable blow out which ended up flooding the lower level. The water ran for 30-45 minutes. Repairs have been made and the fire service is back in service. He noted that Agency staff has sent a claim for damages form, per the Museum's request.

Palm Springs Art  
Museum Flooding

Mr. Luker then reported on September 23 at approximately 11:00 a.m., staff responded to a stolen two-inch backflow at 950 Williams Rd. The customer made a police report and the backflow was replaced and is now back in service.

General Manager's  
Report (Cont.)

Stolen Backflow

Mr. Luker stated on September 24 at 7:30 a.m., staff noticed a large amount of trash outside the west side door of the Agency. There was an empty FedEx box along with empty brown bags and medical marijuana boxes. Palm Springs Police responded and took an incident report; they determined it to be someone dumpster diving.

Agency Property

Continuing his report, Mr. Luker stated on September 25 at approximately 2:30 p.m., the Assistant Construction Superintendent responded to a stolen fire hydrant on the South side of Sunny Dunes Rd., East of San Luis Rey. Thieves must have turned the valve off; there was no sign of any water loss. A police report was made and the hydrant is back in service.

Stolen Fire Hydrant  
#2434

Mr. Luker noted on September 28 while crews were taking the bac-t on hydrant #2434; they noticed the hydrant across the street was also missing (Sunny Dunes Rd., East of San Luis Rey).

Stolen Fire Hydrant  
#1994

Noting another stolen hydrant, Mr. Luker stated on September 29 after staff was flushing hydrant #1994, they found another hydrant that was stolen on Sunny Dunes Rd., East of Gene Autry Trail.

Stolen Fire Hydrant  
#2439

Mr. Luker then reported on September 30, DWA, CVWD and MWD staff visited Lake Perris to tour the dam remediation work currently in progress. Construction to strengthen the dam foundation began in 2014 and is expected to continue for three years. The design concept is to remove and replace loose soils, improve the deeper foundation soils by Cement Deep Soiling Mix (CDSM) and construct a stability berm on the downstream side of the dam and include drainage features.

Lake Perris Dam  
Remediation Work

Mr. Luker stated on October 1 at approximately 3:00 a.m. stand-by was notified of a fire hydrant alarm on hydrant #2431. This hydrant is located on the South side of the intersection of Indian Springs Rd. and Rio Blanco Rd. When staff arrived, water was spraying out of the hydrant's flange. Thieves attempted to unbolt the hydrant. Staff noticed that the valve in the street was nearly off; they replaced the bolts and gasket and turned the hydrant back on. A police report was made.

Fire Hydrant #2431  
Alarm

Concluding his report, Mr. Luker reported on October 3 at approximately 11:45 a.m., staff responded to an illegal connection on a backflow device at 5400 N. Indian Cyn Dr. It was discovered that True South Renewable was using the connection to fill a tank in order to clean solar panels. Staff disassembled the illegal connection, put the backflow back together and filled out an unauthorized direct connection form.

Unauthorized Water Use

In response to Director Oberhaus, Mr. Luker stated the Agency has an “Unauthorized Water Use” charge of \$1,042. This charge is a discretionary charge approved by the General Manager.

**General Manager’s Report (Cont.)**

Unauthorized Water Use

17272. President Ewing opened the meeting for public input.

**Public Input**

There being no one from the public wishing to address the Board, President Ewing closed the public comment period.

17273. President Ewing asked Agency Counsel Riddell to provide a report on the September 16, 2015 Board of Directors of the State Water Project Contractors Authority (SWPCA) and September 17, 2015 Board of Directors of the State Water Contracts, Inc. meetings.

**Discussion Items:**  
State Water Project  
Contractors Authority  
and Board of Directors  
of the State Water  
Contracts, Inc.  
Meetings

Mr. Riddell reported on the following items: 1) SWPCA Board Meeting, 2) Energy Report, and 3) General Manager’s Report.

17274. President Ewing called upon General Manager Luker to present the Alternative Conservation Plans and Examples.

Alternative Conservation  
Plans & Examples

Mr. Luker stated that the Agency has approved and is currently reviewing a number of alternative conservation plans received by customers who are ordinarily confined to Ordinance No. 63 restrictions. The plans allow customers to propose adjusted schedules for irrigation that still achieve a 36% reduction compared to 2013 use. Plans vary in approach and duration. All plans are reviewed by staff and approved by the General Manager. He noted that five plans have been approved so far, 1) O’Donnell Golf Club, 2) Las Fuentes Inn and Gardens, 3) Canyon View Estates Golf Course, 4) San Jacinto Village, and 5) Firebird Estates.

Director Oberhaus requested that the Board bring back Ordinance No. 63 for a future meeting for review and revision (specifically Section 6 “Exceptions”. His opinion is that this section does not grant the General Manager authority as outlined in Resolution No. 1108, and it should. He then requested delaying review of existing plans until the ordinance is reviewed.

President Ewing stated although he feels the authority is in Ordinance No. 63, he suggested further review by the Board. He expressed opposition in delaying plan reviews.

Vice President Cioffi expressed appreciation to staff and his opposition to delaying plan reviews.

Secretary-Treasurer Stuart noted the past letter received from The O’Donnell Golf Club requesting the Agency’s help in conservation efforts.

President Ewing requested that an approval form letter with follow up requirements be sent rather than an email.

**Discussion Items**  
(Cont.)  
Alternative Conservation  
Plans & Examples

17275. Secretary-Treasurer Stuart noted his attendance at the September 18 event at the Inland Empire Utilities Agency. He stated it was well attended with excellent speakers and presentations. He noted presentations from the City Manager of Coachella, CVWD and the City of Palm Springs.

Directors Report on  
ACWA Region 9 Event

President Ewing also noted his attendance stating it was a sold out event with positive feedback.

17276. President Ewing noted his attendance at the September 24 ACWA Board Budget Workshop and September 25 ACWA Board Meeting in Sacramento. He stated the following key items were discussed: 1) The Nomination Committee's recommendation for President is Kathy Tiegs and for Vice President is Brett Hastings, 2) ACWA is closely following the potential Public Goods Charge, 3) ACWA is working with the LOCC, CSAC and CWF on potential amendments to Article X of the California Constitution (Prop. 218 Update), 4) SWRCB is looking at permanent conservation regulations that would extend beyond its current regulations (expiring in Feb. 2016).

Director's Report on  
ACWA Board Budget  
Workshop & Board  
Meeting

17277. President Ewing noted that Board packets include media and public information reports for September 2015.

**Public Information –  
September 2015**

17278. Vice President Cioffi asked staff if the Agency has a Drought Action Plan.

**Directors'  
Comments/Requests**

Public Information Officer Hudgens responded that the Agency does not have one; it does have a Water Shortage Contingency Plan.

Director Oberhaus commented that a concerned citizen has notified him about The Parker Hotel and its green grass, along with one of the surrounding auto dealerships. He then asked about the Agency's policy on political signs on its property.

Mr. Luker stated the Agency's policy is to pick up signs on its property and contact the candidate for them to pick up.

17279. Agency Counsel Riddell stated that Closed Session discussions would not be needed due to there being no current updates.

**Closed Session:  
Not Held**

A. Existing Litigation –  
ACBCI vs. CVWD, et al  
B. Existing Litigation –  
ACBCI vs. Riverside  
County

17280. In the absence of any further business, President Ewing adjourned the meeting at 9:22 a.m.

**Adjournment**

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Craig A. Ewing, President

ATTEST:

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Joseph K. Stuart, Secretary-Treasurer

## GENERAL MANAGER'S REPORT OCTOBER 20, 2015

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On October 5 at 7:30 p.m. stand-by responded to a hit fire hydrant at 2465 East Palm Canyon Drive. Staff was able to reinstall the fire hydrant and put it back into service. A police report was made. The water loss was a 6-inch fully open for approximately 25 minutes.



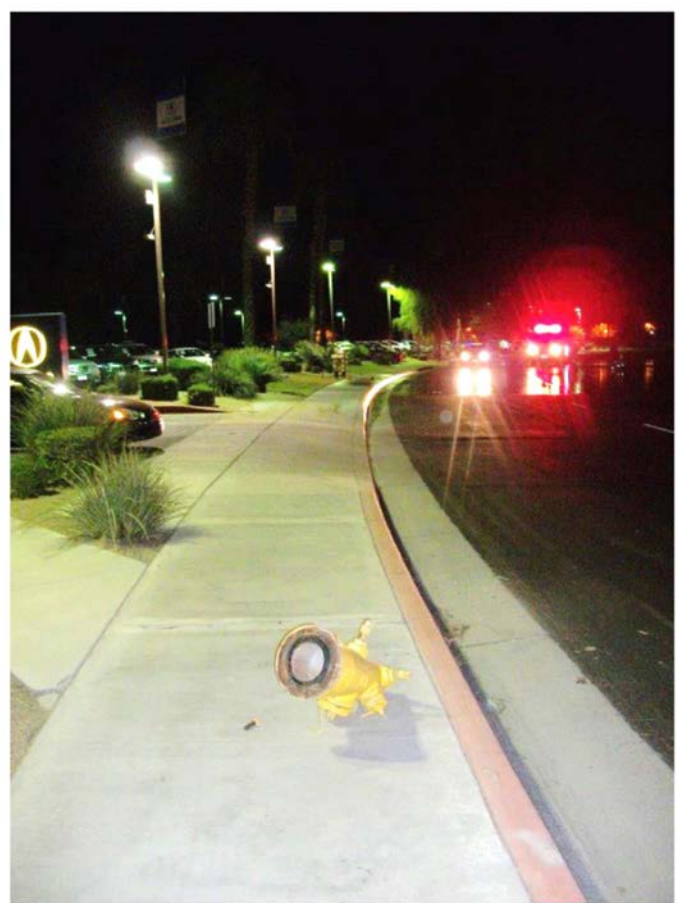


On October 7 at approximately 11:30 a.m., construction responded to a hit air vac by a contractor working at the Fashion Plaza (Palm Canyon Drive, South of Andreas Rd.). Staff made the necessary repairs, put the air vac back in service and filled out a damage report. The water ran from a fully open 2-inch riser for about 20 minutes.





On October 10 at approximately 7:30 p.m., stand by responded to a hit fire hydrant on Perez Rd., east of Palm Canyon Drive. Staff replaced and put the hydrant back in service. The water loss was from a 6-inch fully open riser, which ran for approximately 30 minutes. A police report was made.



On October 12 at approximately 5:00 a.m., the Construction Superintendent received a call from our Information Systems department about a hydrant that had been stolen (located on the south east corner of Indian Springs Road and Rio Blanco). Palm Springs Police Department was dispatched and arrested the 2 suspects in possession of stolen brass hydrant materials. The police returned eight 2 1/2-inch brass caps, five 4-inch brass caps, and two brass commercial hydrants. After leaving the first location, Construction Superintendent found the second hydrant location on Sarah Street. There was one complete hydrant missing and one that was half missing. All three hydrants were replaced and put back into service. The valves were off in the street and there was no water loss. There were 2 police reports made. One with PSPD for the hydrant on Indian Springs Road and one for Sarah Street with CCPD.



## **Sustainable Groundwater Management Act**

The Indio Sub-basin (Whitewater River Sub-basin) and the Mission Creek Sub-basin have both been classified by the Department of Water Resources as medium priority groundwater basins. Because they are medium priority basins they are required to be managed by a Groundwater Sustainability Agency(s) (GSA's) or Local Agency's having the powers to comply with SGMA. Desert Water Agency is the only Agency overlying the Sub-basins that already has the power to comply with SGMA in its formation language.

The basins must be covered in their entirety by a GSA (s). DWA Staff have had several preliminary meetings with the Coachella Valley Water Agency (CVWD), Coachella Water Authority (CWA) and Indio Water Authority (IWA) to discuss how the Sub-basins will be covered. The IWA and CWA have decided to form GSA's within their own statutory boundaries. Even though CVWD overlies CWA and IWA, CVWD has elected to form their GSA excluding the boundaries of IWA and CWA to facilitate the formation of their GSA's. Together with DWA covering its statutory boundaries these four agencies will effectively cover both Sub-basins.

A small portion of the Indio Sub-basin is located in Imperial County and San Diego County. CVWD boundaries include these areas. Imperial County has filed a notice of intent to be the GSA over all the Sub-basins located within its boundaries including the area overlying the Indio Sub-basin. CVWD wishes to be the GSA over the portions of the Indio Sub-basin within Imperial and San Diego Counties. CVWD must file a notice of intent to be a GSA over these areas and all others it covers within 90 days of the date the Imperial County filed its notice of intent in order to block Imperial County. Ultimately Imperial County and CVWD will have to come to an agreement over how this area will be managed. CVWD has scheduled a hearing to become a GSA for its board meeting on October 13, 2015. CVWD intends to file its notice of intent shortly afterward. IWA and CWA are expected to follow with their notices in the near future.

DWA has the option to remain a Local Agency with the powers to comply with SGMA or become a GSA in which case we would retain our original powers regarding groundwater management but also have the authorities granted to GSA's. In either case the Agency must file a notice of intent. If it is decided to become a GSA we will need to adopt a resolution and hold a public hearing forming a new agency, create a GIS map of our boundaries, if necessary adopt new bylaws and ordinances (not necessary) and provide a list of interested parties and an explanation of how their interests will be considered (integrated water management planning and updates, preparation of monitoring and measurement reports, preparation of water management plan and updates). Staff is evaluating the alternatives and will have a recommendation soon.

**Minutes**  
**Executive Committee Meeting**  
October 13, 2015

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**Directors Present:** Craig Ewing, Jim Cioffi

**Staff Present:** Dave Luker, Mark Krause, Martin Krieger

**1. Discussion Items**

- A. Review Agenda for October 20, 2015 Regular Board Meeting  
The proposed agenda for the October 20, 2015 Regular Board meeting was reviewed.
- B. Review Ordinance No. 63  
The Committee reviewed Ordinance No. 63 and requested further discussion at the October 20, 2015 Regular Board meeting.
- C. Expense Reports  
The September expense reports were reviewed.

**2. Other – None.**

**3. Adjourn**

DESERT WATER AGENCY  
STATEMENT OF CASH RECEIPTS AND EXPENDITURES

OPERATING ACCOUNT

SEPTEMBER 2015

INVESTED  
RESERVE FUNDS  
\$14,303,417.45

BALANCE	SEPTEMBER 1, 2015	(\$195,698.17)	
WATER SALES		\$2,042,758.11	
RECLAMATION SALES		210,422.72	
WASTEWATER RECEIPTS		65,097.02	
POWER SALES		424.88	
METERS, SERVICES, ETC.		23,585.00	
REIMBURSEMENT – GENERAL FUND		56,345.26	
REIMBURSEMENT – WASTEWATER FUND		5,201.99	
ACCOUNTS RECEIVABLE – OTHER		18,697.43	
CUSTOMER DEPOSITS – SURETY		8,683.00	
CUSTOMER DEPOSITS – CONST.		324,700.00	
LEASE REVENUE		3,343.72	
INTEREST RECEIVED ON INV. FDS.		3,000.00	
FRONT FOOTAGE FEES		0.00	
BOND SERVICE & RESERVE FUND INT		0.00	
MISCELLANEOUS		44,188.19	
TOTAL RECEIPTS		\$2,806,447.32	
PAYMENTS			
PAYROLL CHECKS		\$338,053.87	
PAYROLL TAXES		236,402.28	
ELECTRONIC TRANSFERS		107,790.89	
CHECKS UNDER \$10,000.00		344,743.32	
CHECKS OVER \$10,000.00 – SCH. #1		2,162,744.32	
CANCELLED CHECKS AND FEES		2,218.70	
TOTAL PAYMENTS		\$3,191,953.38	
NET INCOME		(\$385,506.06)	
BOND SERVICE ACCOUNT			
MONTHLY WATER SALES		\$0.00	
EXCESS RETURNED BY B/A		\$0.00	
BOND SERVICE FUND			\$0.00
INVESTED RESERVE FUNDS			
FUNDS MATURED		\$100,000.00	
FUNDS INVESTED – SCH. #3		931,500.00	
NET TRANSFER		(\$831,500.00)	\$831,500.00
BALANCE	SEPTEMBER 30, 2015	(\$1,412,704.23)	\$15,134,917.45

DESERT WATER AGENCY  
OPERATING ACCOUNT  
SCHEDULE #1-CHECKS OVER \$10,000

CHECK #	NAME	DESCRIPTION	AMOUNT
109312	SUNRISE HOMEOWNERS ASSOCIATION	TURF BUY BACK PROGRAM	\$42,264.00
109398	SAM'S FENCE INC	REMOVE & REPLACE FENCE - TRAMWAY RD (W/O 14-404-M)	\$19,110.00
109410	KHOV 4 SEASONS @ PS COMM ASSOC	TURF BUY BACK PROGRAM	\$46,098.00
109414	JONES BROS CONSTRUCTION CO.	CONTRACT PAYMENT - DESERT PALISADES 16" MAIN (W/O 05-570--16)	\$61,987.66
109423	FAR WEST INDUSTRIES	REFUND CONSTRUCTION DEPOSIT (W/O #13-703-M)	\$11,864.05
109443	ACWA-JPIA	HEALTH,DENTAL & VISION INSURANCE PREMIUMS - OCTOBER 2015	\$146,456.60
109444	DESERT WATER AGENCY-WASTEWATER	WASTEWATER REVENUE BILLING FOR AUGUST 2015	\$82,419.01
109467	CANYON VIEW EST # 7	TURF BUY BACK PROGRAM	\$10,000.00
109470	ACWA/JOINT POWERS INS AUTHOR	AUTO & GENERAL LIABILITY PREMIUMS - FISCAL YEAR 2015/2016	\$127,526.00
109477	BACKFLOW APPARATUS & VALVE CO	WATER SERVICE SUPPLIES	\$14,210.06
109478	BADGER METER INC	WATER SERVICE SUPPLIES	\$26,878.51
109480	BEST BEST & KRIEGER LLP	LEGAL FEES	\$139,559.08
109481	BORDEN EXCAVATING INC	CONTRACT PAYMENT - AVENIDA CABALLEROS 36" PIPELINE - (W/O #14-195--36)	\$910,443.33
109482	BRITHINEE ELECTRIC INC	JANIS/TUSCANY BOOSTER UPGRADE & WELL #20 ELECTRICAL PANEL	\$40,907.25
109486	C WELLS PIPELINE MATERIALS INC	WATER SERVICE SUPPLIES	\$16,701.71
109506	DOWN TO EARTH LANDSCAPING	LANDSCAPE MAINTENANCE	\$28,438.37
109507	ECOWISE LANDCARE	SMART CONTROLLER INSTALLATIONS	\$10,352.67
109535	IMAGE SOURCE	XEROX 7845 COPIER PURCHASES - (W/O #15-401/402-M)	\$17,081.76
109536	INLAND WATER WORKS SUPPLY CO	WATER SERVICE SUPPLIES	\$18,205.18
109539	JCI JONES CHEMICALS INC	CHLORINE PURCHASES	\$10,705.18
109543	KRIEGER & STEWART INC	ENGINEERING	\$16,937.38
109549	MCKEEVER WATERWELL & PUMP INC	MAINTENANCE - WELL #20	\$18,010.00
109558	PACIFICA CONSULTING INC	CONSULTING SERVICES/I.T. SUPPORT (W/O #14-187-M)	\$11,220.00
109568	PROFORMA SOCIAL INC	WATER BILLS/ENVELOPES/COMPUTER PAPER	\$13,983.11
109576	ROCKWELL ENGINEERING & EQUIPMENT INC	LIFT STATION - SPARE CHOPPER PUMP ( W/O #15-001)	\$11,087.97
109581	SOUTHERN CALIF EDISON CO	POWER	\$289,662.86
109585	THATCHER COMPANY OF CALIFORNIA	WATER SERVICE SUPPLIES	\$20,634.58

\*\*\* TOTAL

\$2,162,744.32



**DESERT WATER AGENCY  
OPERATING FUND - LISTING OF INVESTMENTS  
SEPTEMBER 30, 2015**

PURCH DATE	NAME	DESCRIPTION	MATURITY DATE	COST	PAR VALUE	MARKET VALUE	YIELD TO MATURITY	CALLABLE STATUS
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**Local Agency Investment Fund**

06-30-83	State of California	LAIF	Open	\$ 12,380,217.45	\$ 12,380,217.45	\$ 12,380,217.45	0.340%	
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**Certificates of Deposit**

09-28-15	Union Bank	Capital Bank CD	09-28-17	\$ 250,000.00	\$ 250,000.00	\$ 250,012.50	1.050%	Bullet
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Total Certificates of Deposit	\$ 250,000.00	\$ 250,000.00	\$ 250,012.50
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**Commercial Paper**

04-30-12	Union Bank	General Electric	04-27-17	\$ 1,004,700.00	\$ 1,000,000.00	\$ 1,020,460.00	2.300%	Bullet
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Total Commerical Paper	\$ 1,004,700.00	\$ 1,000,000.00	\$ 1,020,460.00
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**Government Agency**

04-30-15	Union Bank	FNMA (Callable 10-30-15)	04-30-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,740.00	1.150%	Qtrly
05-21-15	Union Bank	FHLMC (Callable 11-21-15)	05-21-18	\$ 500,000.00	\$ 500,000.00	\$ 500,655.00	1.200%	Qtrly

Total Government Agency	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,501,395.00
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Weighted Mean YTM 0.563%

TOTAL INVESTED @ 09/30/15	\$ 15,134,917.45	\$ 15,130,217.45	\$ 15,152,084.95
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BALANCE @ 06/30/15	\$ 15,055,930.48
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INCREASE (DECREASE)	\$78,986.97
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DESERT WATER AGENCY  
STATEMENT OF CASH RECEIPTS AND EXPENDITURES

GENERAL ACCO8NT

SEPTEMBER 2015

INVESTED  
RESERVE FUNDS  
\$98,147,752.68

BALANCE	SEPTEMBER 1, 2015	(\$979,892.85)	
* TAXES - RIVERSIDE COUNTY		500,413.42	
* INTEREST EARNED - INV. FUNDS		75,516.66	
GROUNDWATER REPLEN. ASSESSMENT		10,116.05	
REIMBURSEMENT - OPERATING FUND		0.00	
REIMBURSEMENT - CVWD MGMT AGRMT		0.00	
STATE WATER PROJECT REFUNDS		0.00	
REIMB - CVWD - WHITEWATER HYDRO		592.50	
POWER SALES - WHITEWATER		0.00	
MISCELLANEOUS		0.00	
TOTAL RECEIPTS		\$586,638.63	
PAYMENTS			
CHECKS UNDER \$10,000.00		16,816.23	
CHECKS OVER \$10,000.00 - SCH. #1		2,292,786.79	
CANCELLED CHECKS AND FEES		0.00	
TOTAL PAYMENTS		<u>\$2,309,603.02</u>	
NET INCOME		(\$1,722,964.39)	
INVESTED RESERVE FUNDS			
FUNDS MATURED		11,415,000.00	
FUNDS INVESTED - SCH. #2		9,460,000.00	
NET TRANSFER		\$1,955,000.00	(\$1,955,000.00)
BALANCE	SEPTEMBER 30, 2015	(\$747,857.24)	\$96,192,752.68
* INCLUSIVE TO DATE		TAXES	INTEREST
RECEIPTS IN FISCAL YEAR		\$1,404,474.21	\$183,859.65
RECEIPTS IN CALENDAR YEAR		\$16,650,412.08	\$647,434.60

DESERT WATER AGENCY  
GENERAL ACCOUNT  
SCHEDULE #1-CHECKS OVER \$10,000

CHECK #	NAME	DESCRIPTION	AMOUNT
8670	COUNTY OF RIVERSIDE	LAFCO FEES - FISCAL 2015/2016	\$10,246.53
8673	STATE OF CA. DEPT. OF WATER RESOURCES	STATE WATER PROJECT - MULTI-YEAR WATER POOL AGREEMENT	\$21,574.00
8674	STATE OF CA. DEPT. OF WATER RESOURCES	STATE WATER PROJECT ENTITLEMENT - JUNE 2015	\$421,801.00
8676	DESERT WATER AGENCY-OPERATING	P/R & EXP REIMBURSEMENT FOR AUGUST 2015	\$57,575.26
8679	STATE OF CA. DEPT. OF WATER RESOURCES	STATE WATER PROJECT - SEPTEMBER 2015	\$1,781,590.00
** TOTAL			\$2,292,786.79

**DESERT WATER AGENCY  
GENERAL FUND - LISTING OF INVESTMENTS  
SEPTEMBER 30, 2015**

PURCHASE DATE	NAME	DESCRIPTION	MATURITY DATE	COST	PAR VALUE	MARKET VALUE	YIELD TO MATURITY	CALLABLE STATUS
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**Local Agency Investment Fund**

06-30-83	State of California	LAIF	Open	\$ 34,867,097.68	\$ 34,867,097.68	\$ 34,867,097.68	0.340%	-
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**Certificates of Deposit**

01-25-13	Union Bank	General Electric Capital Bank CD	01-25-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 994,090.00	1.100%	Bullet
12-04-14	Gilford Securities	AEX Centurion Bank CD	12-05-16	\$ 245,000.00	\$ 245,000.00	\$ 245,962.85	1.050%	Bullet
09-28-15	Union Bank	Capital Bank CD	09-28-17	\$ 250,000.00	\$ 250,000.00	\$ 250,012.50	1.050%	Bullet

Total Certificates of Deposit	\$ 1,495,000.00	\$ 1,495,000.00	\$ 1,490,065.35
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**Commercial Paper**

05-09-11	Stifel (D.A.D)	General Electric	05-09-16	\$ 1,000,900.00	\$ 1,000,000.00	\$ 1,014,380.00	2.950%	Bullet
06-07-11	Union Bank	UB Bank Note	06-06-16	\$ 2,000,000.00	\$ 2,000,000.00	\$ 2,029,560.00	3.000%	Bullet
10-18-11	Union Bank	General Electric	05-09-16	\$ 999,810.00	\$ 1,000,000.00	\$ 1,014,380.00	2.950%	Bullet
12-16-13	Stifel	General Electric	05-15-18	\$ 587,600.00	\$ 500,000.00	\$ 550,525.00	6.300%	Bullet
04-27-15	Gilford	Apple Inc.	05-03-18	\$ 997,920.00	\$ 1,000,000.00	\$ 995,203.00	1.000%	Bullet

Total Commercial Paper	\$ 5,586,230.00	\$ 5,500,000.00	\$ 5,604,048.00
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**Government Agency**

08-16-12	Gilford Securities	FHLB (Callable Continuous)	08-16-17	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,080.00	1.000%	Continuous
09-13-12	Stifel (D.A.D)	FHLB (Callable Continuous)	09-11-17	\$ 999,000.00	\$ 1,000,000.00	\$ 1,000,080.00	0.980%	Continuous
09-18-12	Gilford Securities	FHLB (Callable Continuous)	09-18-17	\$ 999,250.00	\$ 1,000,000.00	\$ 1,000,080.00	1.000%	Continuous
09-19-12	Stifel (D.A.D)	FNMA	09-19-17	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,004,320.00	0.950%	1 Time
10-03-12	Stifel (D.A.D)	FNMA	10-03-16	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,002,020.00	0.650%	1 Time
10-10-12	Gilford Securities	FFCB (Callable Continuous)	10-10-17	\$ 1,000,000.00	\$ 1,000,000.00	\$ 992,030.00	0.900%	Continuous
10-11-12	Stifel (D.A.D)	FFCB (Callable Continuous)	10-11-16	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,060.00	0.620%	Continuous
10-11-12	Stifel (D.A.D)	FFCB (Callable Continuous)	07-11-17	\$ 1,000,000.00	\$ 1,000,000.00	\$ 997,870.00	0.820%	Continuous
10-17-12	Gilford Securities	FHLB (Callable 10-17-15)	04-17-17	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,070.00	0.800%	Qtrly
11-13-12	Stifel (D.A.D)	FHLB (Callable 11-13-15)	11-13-17	\$ 1,000,000.00	\$ 1,000,000.00	\$ 999,370.00	0.875%	Qtrly
12-05-12	Gilford Securities	FFCB (Callable Continuous)	06-05-17	\$ 999,250.00	\$ 1,000,000.00	\$ 1,000,070.00	0.770%	Continuous
12-20-12	Gilford Securities	FFCB (Callable Continuous)	03-20-17	\$ 998,700.00	\$ 1,000,000.00	\$ 999,510.00	0.670%	Continuous
12-28-12	Stifel (D.A.D)	FHLB (Callable Continuous)	12-28-17	\$ 1,000,000.00	\$ 1,000,000.00	\$ 997,230.00	0.840%	Continuous
01-30-13	Stifel (D.A.D)	FHLB (Callable 10-30-15)	01-30-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,700.00	1.050%	Qtrly
02-05-13	Gilford Securities	FHLB (Callable Continuous)	02-05-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 999,240.00	1.000%	Continuous
02-14-13	Stifel (D.A.D)	FHLMC (Callable 11-14-15)	02-14-18	\$ 999,750.00	\$ 1,000,000.00	\$ 998,820.00	1.000%	Qtrly
02-21-13	Stifel (D.A.D)	FHLB (Callable 11-21-15)	02-21-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,870.00	1.125%	Qtrly
02-28-13	Gilford Securities	FNMA (Callable 11-28-15)	02-28-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,170.00	1.150%	Qtrly
03-12-13	Stifel (D.A.D)	FFCB (Callable Continuous)	03-12-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 997,820.00	1.030%	Continuous
03-27-13	Stifel (D.A.D)	FHLB (Callable 12-27-15)	03-27-18	\$ 749,625.00	\$ 750,000.00	\$ 749,182.50	1.130%	Qtrly
03-27-13	Gilford Securities	FNMA (Callable 12-27-15)	03-27-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 998,270.00	1.050%	Qtrly

**DESERT WATER AGENCY  
GENERAL FUND - LISTING OF INVESTMENTS  
SEPTEMBER 30, 2015**

PURCHASE DATE	NAME	DESCRIPTION	MATURITY DATE	COST	PAR VALUE	MARKET VALUE	YIELD TO MATURITY	CALLABLE STATUS
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**Government Agency**

04-25-13	Stifel (D.A.D)	FHLMC (Callable 10-25-15)	04-25-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,600.00	1.150%	Qtrly
05-07-13	Gilford Securities	FFCB (Callable Continuous)	11-07-16	\$ 999,850.00	\$ 1,000,000.00	\$ 999,410.00	0.540%	Continuous
06-04-13	Stifel (D.A.D)	FFCB (Callable Continuous)	06-04-18	\$ 999,000.00	\$ 1,000,000.00	\$ 1,000,100.00	1.250%	Continuous
06-13-13	Gilford Securities	FHLB (Callable 12-13-15)	06-13-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 998,110.00	1.100%	Qtrly
07-29-14	Stifel (D.A.D)	FNMA (Callable 7-29-16)	10-29-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,008,150.00	1.500%	1 Time
09-29-14	Union Bank	FHLMC	09-29-16	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,502,490.00	0.650%	1 Time
02-20-15	Gilford Securities	FHLMC (Callable 11-20-15)	08-20-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,001,525.00	1.400%	Qtrly
02-27-15	Stifel	FHLB STEP (Callable 11-27-15)	02-27-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,002,210.00	1.500%	Qtrly
04-13-15	Gilford Securities	FHLB (Callable 4-13-16)	07-13-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 998,930.00	1.200%	1 Time
04-29-15	Gilford Securities	FHLMC STEP (Callable 10-29-15)	10-29-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,303.00	0.750%	Qtrly
04-29-15	Gilford Securities	FHLMC STEP (Callable 10-29-15)	04-29-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,280.00	0.750%	Qtrly
04-30-15	Union Bank	FNMA (Callable 10-30-15)	04-30-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,740.00	1.150%	Qtrly
05-14-15	Stifel	FHLMC (Callable 11-14-15)	02-14-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 999,180.00	1.050%	Qtrly
05-14-15	Stifel	FHLMC STEP (Callable 11-14-15)	05-14-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,001,400.00	1.250%	Qtrly
05-20-15	Gilford Securities	FHLB STEP (Callable 11-20-15)	05-20-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,920.00	1.000%	Qtrly
05-28-15	Gilford Securities	FHLMC (Callable 11-28-15)	05-28-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,002,037.00	1.600%	Qtrly
05-28-15	Stifel	FHLMC STEP (Callable 11-28-15)	05-28-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,001,410.00	1.125%	Qtrly
06-10-15	Union Bank	FHLMC (Callable 12-10-15)	06-10-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,002,030.00	1.600%	Qtrly
06-23-15	Gilford Securities	FHLMC (Callable 12-23-15)	06-23-17	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,001,514.00	0.900%	1 Time
06-30-15	Stifel	FHLB (Callable 6-24-16)	12-24-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,001,930.00	1.400%	1 Time
07-15-15	Gilford Securities	FHLB STEP (Callable 10-15-15)	07-15-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,280.00	1.000%	Qtrly
07-16-15	Gilford Securities	FHLB (Callable 10-16-15)	01-16-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,520.00	1.520%	Qtrly
07-29-15	Gilford Securities	FHLMC (Callable 10-29-15)	04-29-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,994.00	1.600%	Qtrly
07-30-15	Stifel	FHLMC STEP (Callable 10-30-15)	10-30-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,550.00	1.000%	Qtrly
07-30-15	Union Bank	FHLMC STEP (Callable 10-30-15)	07-30-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,001,290.00	1.800%	Qtrly
08-26-15	Stifel	FHLB STEP (Callable 2-26-16)	08-26-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,002,590.00	1.250%	Qtrly
08-27-15	Gilford Securities	FHLMC (Callable 11-27-15)	02-27-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,001,411.00	1.200%	Qtrly
08-27-15	Gilford Securities	FHLMC (Callable 11-27-15)	02-27-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,001,988.00	1.600%	Qtrly
08-27-15	Gilford Securities	FHLMC (Callable 11-27-15)	08-27-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,001,754.00	1.450%	Qtrly
09-15-15	Gilford Securities	FHLMC (Callable 12-15-15)	06-15-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,001,941.00	1.250%	Qtrly
09-28-15	Gilford Securities	FHLMC (Callable 12-28-15)	06-28-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,002,912.00	1.550%	Qtrly
09-30-15	Union Bank	FHLMC (Callable 12-30-15)	09-30-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,150.00	1.530%	Continuous
09-30-15	Stifel	FHLB STEP (Callable 12-30-15)	09-30-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,830.00	1.000%	Qtrly

Total Government Agency \$ 54,244,425.00 \$ 54,250,000.00 \$ 54,278,341.50

Weighted Mean YTM 0.931%

TOTAL INVESTED @ 09/30/15 \$ 96,192,752.68 \$ 96,112,097.68 \$ 96,239,552.53

BALANCE @ 06/30/15 \$ 100,021,864.49

INCREASE OR (DECREASE) \$ (3,829,111.81)

DESERT WATER AGENCY  
STATEMENT OF CASH RECEIPTS AND EXPENDITURES

WASTEWATER ACCOUNT

SEPTEMBER 2015

			INVESTED RESERVE FUNDS
BALANCE	SEPTEMBER 1, 2015	\$71,400.21	\$833,866.15
ACCOUNTS RECEIVABLE - OTHER		\$0.00	
CUSTOMER DEPOSITS - CONSTRUCTION		0.00	
INTEREST EARNED - INVESTED FUNDS		122.24	
WASTEWATER REVENUE		82,419.01	
SEWER CAPACITY CHARGES		13,826.66	
MISCELLANEOUS		<u>0.00</u>	
TOTAL RECEIPTS		\$96,367.91	
PAYMENTS			
CHECKS UNDER \$10,000.00		\$13,154.82	
CHECKS OVER \$10,000.00 - SCH. #1		84,247.10	
CANCELLED CHECKS AND FEES		<u>0.00</u>	
TOTAL PAYMENTS		<u>\$97,401.92</u>	
NET INCOME		(\$1,034.01)	
INVESTED RESERVE FUNDS			
FUNDS MATURED		\$6,500.00	
FUNDS INVESTED - SCH. #2		<u>70,000.00</u>	
NET TRANSFER		(\$63,500.00)	\$63,500.00
BALANCE	SEPTEMBER 30, 2015	\$6,866.20	\$897,366.15



DESERT WATER AGENCY  
WASTEWATER ACCOUNT  
SCHEDULE #1-CHECKS OVER \$10,000

CHECK #	NAME	DESCRIPTION	AMOUNT
2394	COACHELLA VALLEY WATER DISTRICT	WASTEWATER REVENUE BILLING FOR AUGUST 2015	\$51,063.10
2397	COACHELLA VALLEY WATER DISTRICT	SEWER CAPACITY CHARGE (QUICK N CLEAN CAR WASH)	\$33,184.00
** TOTAL			\$84,247.10

**DESERT WATER AGENCY  
WASTEWATER FUND - LISTING OF INVESTMENTS  
SEPTEMBER 30, 2015**

PURCH DATE	NAME	DESCRIPTION	MATURITY DATE	COST	PAR VALUE	MARKET VALUE	YIELD TO MATURITY
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Local Agency Investment Fund
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06-30-83	State of California	LAIF	Open	\$ 897,366.15	\$ 897,866.15	\$ 897,866.15	0.340%
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TOTAL INVESTED @ 09/30/15	\$ 897,366.15	\$ 897,866.15	\$ 897,866.15
BALANCE @ 06/30/15	\$ 862,257.70		
INCREASE OR (DECREASE)	\$ 35,108.45		

DESERT WATER AGENCY - OPERATING FUND  
COMPARATIVE EARNINGS STATEMENT

MONTH 15-16 SEPTEMBER	/-----THIS MONTH-----/			/-----FISCAL YEAR TO DATE-----/			/---VARIANCE---/	
	THIS YEAR	LAST YEAR	BUDGET	THIS YEAR	LAST YEAR	BUDGET	YTD	PCT
OPERATING REVENUES								
WATER SALES	2,178,265.11	2,494,972.90	1,897,575.00	6,542,963.85	7,913,695.15	6,003,700.00	539,263.85	9
RECLAMATION SALES	152,845.79	126,976.05	126,075.00	471,124.84	483,693.49	480,950.00	9,825.16	2-
POWER SALES	424.88	4,403.79	2,500.00	5,827.03	15,384.35	7,500.00	1,672.97	22-
OTHER OPER REVENUE	72,791.26	104,140.18	101,750.00	370,770.67	329,597.20	305,250.00	65,520.67	21
TOTAL OPER REVENUES	2,404,327.04	2,730,492.92	2,127,900.00	7,390,686.39	8,742,370.19	6,797,400.00	593,286.39	9
OPERATING EXPENSES								
SOURCE OF SUPPLY EXP	868,808.94	1,102,098.00	1,119,500.00	895,278.85	1,160,275.47	1,158,500.00	263,221.15	23-
PUMPING EXPENSE	348,982.14	365,284.96	346,500.00	1,001,481.09	1,204,933.87	1,143,250.00	141,768.91	12-
REGULATORY WATER TREAT	44,696.28	39,750.54	43,225.00	121,281.03	128,156.17	129,675.00	8,393.97	6-
TRANS & DIST EXPENSE	231,743.71	154,550.03	271,967.00	553,817.66	440,490.94	815,901.00	262,083.34	32-
CUSTOMER ACT EXPENSE	85,360.79	67,597.18	70,175.00	219,630.04	221,208.23	210,525.00	9,105.04	4
ADMIN & GEN EXPENSE	579,953.61	635,645.52	1,256,000.00	2,518,617.32	1,841,105.95	2,653,900.00	135,282.68	5-
REGULATORY EXPENSE	4,454.77	26,872.95	17,525.00	19,787.26	47,784.25	52,575.00	32,787.74	62-
SNOW CREEK HYDRO EXP	2,565.22	1,205.27	3,350.00	8,108.80	5,001.06	10,050.00	1,941.20	19-
RECLAMATION PLNT EXP	64,541.70	92,836.24	72,708.00	190,127.28	176,217.09	218,124.00	27,996.72	13-
SUB-TOTAL	2,231,107.16	2,485,840.69	3,200,950.00	5,528,129.33	5,225,173.03	6,392,500.00	864,370.67	14-
OTHER OPER EXPENSES								
DEPRECIATION	448,663.36	448,998.78	473,000.00	1,348,698.20	1,349,354.49	1,419,000.00	70,301.80	5-
SERVICES RENDERED	16,423.32	26,474.46	11,500.00	49,868.07	44,015.59	34,500.00	15,368.07	45
DIR & INDIR CST FOR WO	140,299.37	151,117.79	71,900.00	516,959.98	450,915.02	215,700.00	301,259.98	140
TOTAL OPER EXPENSES	2,555,894.47	2,810,196.14	3,613,550.00	6,409,735.62	6,167,628.09	7,630,300.00	1,220,564.38	16-
NET INCOME FROM OPERATIONS	151,567.43	79,703.22	1,485,650.00	980,950.77	2,574,742.10	832,900.00	1,813,850.77	218-
NON-OPERATING INCOME (NET)								
RENTS	3,343.72	75.25	35,200.00	41,871.16	8,154.88	41,850.00	21.16	0
INTEREST REVENUES	6,903.48	6,915.87	7,125.00	22,748.17	19,950.40	21,375.00	1,373.17	6
OTHER REVENUES	240.00	30,101.58	4,500.00	2,152.52	30,701.58	4,500.00	2,347.48	52-
GAINS ON RETIREMENT	00	00	300.00	00	00	300.00	300.00	100-
DISCOUNTS	7.57	278.92	300.00	363.00	452.95	900.00	537.00	60-
PR. YEAR EXPENSES	00	00	00	81.80	00	00	81.80	0
LOSS ON RETIREMENTS	2,954.80	00	1,375.00	5,128.27	00	4,125.00	1,003.27	24
TOTAL NON-OPER INCOME	13,449.57	37,221.12	46,050.00	61,924.78	59,259.81	64,800.00	2,875.22	4-
TOTAL NET INCOME	138,117.86	42,482.10	1,439,600.00	1,042,875.55	2,634,001.91	768,100.00	1,810,975.55	236-

DESERT WATER AGENCY  
OPERATING FUND  
WATER CONSUMPTION

QUARTER ENDING SEPTEMBER 2015

	THIS QUARTER			FISCAL YEAR TO DATE		
	LAST YEAR	THIS YEAR	% UP (DOWN)	LAST YEAR	THIS YEAR	% UP (DOWN)
WATER REVENUE	\$7,913,695	\$6,542,963	( 18)	\$7,913,695	\$6,542,963	( 18)
TOTAL CONSUMPTION (100 CU FT)	4,601,078	3,560,874	( 23)	4,601,078	3,560,874	( 23)
AVERAGE CONSUMPTION PER CONSUMER (100 CU FT)	209	161	( 23)	209	161	( 23)
NUMBER OF CONNECTIONS	45	16		22,008	22,142	1

\* = ADDED THIS QUARTER

C = TOTAL ACTIVE SEPTEMBER 2015

**STAFF REPORT  
TO  
DESERT WATER AGENCY  
BOARD OF DIRECTORS**

**OCTOBER 20, 2015**

**RE: SEPTEMBER 2015 WATER USE REDUCTION FIGURES**

Desert Water Agency and its customers achieved a 24 percent reduction in total water production during September 2015 compared to the same month in 2013 – the baseline year used by the State Water Resources Control Board (State Water Board) to measure statewide conservation achievements. This September was an average of 2.4 degrees warmer than September of 2013 – one of many factors that the State Water Board does not take into consideration.

To comply with Governor Brown's April 1, 2015 Executive Order to reduce statewide water use by 25 percent, the State Water Board imposed mandatory restrictions and assigned different mandatory conservation goals to each urban area based on per capita water use. The adopted regulations require DWA to achieve a mandatory 36 percent reduction.

Below is additional information reported to the State Board for September 2015.

Water Production for September 2015	2,718.4 AF
Water Production for September 2013	3,570.3 AF
Quantity of potable water delivered for all commercial, industrial, and institutional users for the reporting month	727.9 AF
The percentage of the Total Monthly Potable Water Production going to residential use only for the reporting month	67.3%
Population (inclusive of seasonal residents)	120,573
Estimated R-GPCD	164.57
How many public complaints of water waste or violation of conservation rules were received during the reporting month?	115

How many contacts (written or verbal) were made with customers for actual or alleged water waste or for a violation of water conservation rules?	91
How many formal warning actions (e.g.: written notifications, warning letters, door hangers) were issued for water waste or for a violation of conservation rules?	63
How many fines were issued for water waste or for a violation of conservation rules?	0
Comments: The Agency's service area is highly seasonal making population analysis a complex task. The State Water Resources Control Board (State Board) analyzes data on a per capita basis. Historically, DWA has submitted data based on the permanent population of the service area; however, that data does not accurately reflect water use in DWA's service area which has a highly seasonal population. Based on local data, the correct population is higher than previously reported. The Residential Gallons Per Capita Per Day (R-GPCD) is being submitted using the corrected population. DWA would like it noted that the amount of fresh water outflow to the ocean during the month of September was 183,451 acre feet.	



**STAFF REPORT  
TO  
DESERT WATER AGENCY  
BOARD OF DIRECTORS**

**OCTOBER 20, 2015**

**RE: REVIEW OF ORDINANCE NO. 63 “ESTABLISHING A WATER  
CONSERVATION PLAN AND RESTRICTING THE USE OF WATER  
DURING THREATENED OR EXISTING WATER SHORTAGE  
CONDITIONS”**

At the October 6, 2015 Board meeting, Director Oberhaus requested further review of Ordinance No. 63.

During the October 13, 2015 Executive Committee meeting, Ordinance No. 63 and Resolution No. 1108 were reviewed. It was requested that Ordinance No. 63 be further reviewed by the full Board.

## **RESOLUTION NO. 1108**

### **RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT WATER AGENCY REVISING THE MANDATORY CONSERVATION MEASURES PRESCRIBED FOR A STAGE 2 WATER SHORTAGE ALERT PURSUANT TO THE AGENCY'S WATER SHORTAGE CONTINGENCY PLAN**

**WHEREAS**, the State of California is experiencing a severe drought and all water purveyors in California, including Desert Water Agency, are required by law to implement measures to alleviate drought impacts; and

**WHEREAS**, by Ordinance No. 45 the Board of Directors of Desert Water Agency has adopted a Water Shortage Contingency Plan which provides for certain measures to be implemented upon the declaration of levels of water shortage as set forth in the ordinance; and

**WHEREAS**, Ordinance No. 45 includes a Stage 2 Water Shortage Alert with mandatory restrictions on outdoor irrigation; and

**WHEREAS**, this Board of Directors has declared a Stage 2 Water Shortage Alert; and

**WHEREAS**, Section 4 of Ordinance No. 45 allows this Board to revise the mandatory conservation measures prescribed for a State 2 Water Shortage Alert upon a showing of need for such modification or amendment; and

**WHEREAS**, the California State Water Resources Control Board adopted revised emergency water use regulations on March 17, 2015, which include certain mandatory water conservation measures applicable to Desert Water Agency that are not currently addressed in Ordinance No. 45 for a Stage 2 Water Shortage Alert; and

**WHEREAS**, the action taken by the State Water Resources Control Board has created a need for Desert Water Agency to revise the water conservation measures prescribed for a Stage 2 Water Shortage Alert in order to remain compliant with the new regulations; and

**WHEREAS**, the Governor of the State of California issued an Executive Order on April 1, 2015 mandating a statewide 25% water use reduction and Desert Water Agency will revise Ordinance 45 following the adoption of the State Water Resources Control Board's implementation plan to comply with the mandate; and

**WHEREAS**, this Board of Directors conducted a public hearing on April 21, 2015, with notice of such hearing published in a newspaper of general circulation within the Agency and also posted on the Agency's website, to consider revisions to the mandatory water conservation measures prescribed for a Stage 2 Water Shortage Alert in light of the mandatory actions required by the emergency drought regulations adopted by the State Water Resources Control Board, and has considered the comments provided at the public hearing;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of Desert Water Agency does hereby revise the mandatory water conservation measures prescribed in Section 3.2 of Ordinance No. 45 for a Stage 2 Water Shortage Alert to replace those listed therein with the following:

- (1) Washing of hardscape, such as driveways, parking lots and walkways, shall be prohibited.
- (2) The use of running water to wash vehicles shall be prohibited. The use of buckets and stop nozzles on hoses, for rinsing only, shall be permitted.
- (3) Restaurants may provide water to customers only upon request.
- (4) Outdoor irrigation of commercial, industrial and institutional facilities shall be restricted to alternate days after 7:00 p.m. and before 7:00 a.m., according to a schedule determined by Agency staff following consultation with the affected customer. A commercial, industrial or institutional customer may implement an alternative water use reduction plan that achieves reductions in water use equivalent to those expected from the restrictions prescribed herein, if approved in advance by the General Manager.
- (5) Outdoor residential irrigation shall be restricted to Mondays, Wednesdays and Fridays, after 7:00 p.m. and before 7:00 a.m.
- (6) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures shall be prohibited.
- (7) The use of fountains or other decorative water features shall be prohibited unless necessary as habitat for aquatic pets, in which case recirculating water shall be permitted.
- (8) The application of water to outdoor landscapes during and up to 48 hours after measurable rainfall shall be prohibited.
- (9) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. Each hotel or motel shall prominently display notice of this option in each bathroom, using clear and easily understood language.
- (10) The use of potable water outside of newly constructed homes and buildings that is not delivered by drip or micro-spray systems shall be prohibited.
- (11) The use of potable water to irrigate turf within street medians, and turf within the dedicated right of way on either side of a public street, shall be prohibited.
- (12) Agency customers are encouraged not to empty and refill swimming pools from June 1 through October 31 unless necessary to address a health or safety emergency.
- (13) Agency customers shall be notified by Desert Water Agency in the event that the customer has a leak that is within the customer's control.

**BE IT FURTHER RESOLVED** that this Board will take further subsequent action to amend or replace Ordinance No. 45 as appropriate to implement such further water conservation measures as may be required by the State Water Resources Control Board in response to current drought conditions statewide.

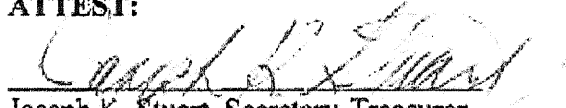
**BE IT FURTHER RESOLVED** that this resolution shall become effective immediately upon adoption.

**ADOPTED** this 21st day of April, 2015.



James Cioffi, Vice President  
Board of Directors

**ATTEST:**



Joseph K. Stuart, Secretary-Treasurer  
Board of Directors

**STAFF REPORT  
TO  
DESERT WATER AGENCY  
BOARD OF DIRECTORS**

**JUNE 16, 2015**

**RE: A PUBLIC HEARING FOR ADOPTION OF ORDINANCE NO. 63  
ESTABLISHING A WATER CONSERVATION PLAN AND  
RESTRICTING THE USE OF WATER DURING THREATENED OR  
EXISTING WATER SHORTAGE CONDITIONS**

In response to California's statewide drought, Governor Jerry Brown declared a statewide drought emergency on January 17, 2014. California's dry conditions have continued to persist. On July 15, 2014 the State Water Resources Control Board (SWRCB) approved emergency regulations for mandatory water conservation. At that time Desert Water Agency's (DWA) Board of Directors approved Resolution No. 1101 which enacted Stage 2 of DWA's Water Shortage Contingency Plan (DWA Ordinance No. 45 (attached)). On March 17, 2015, the SWRCB revisited the regulations and approved additional measures. On April 1st, the Governor directed the SWRCB to implement mandatory water reductions in cities and towns across California to reduce water usage by 25 percent on a sliding scale; DWA was mandated to reduce water use by 36%.

Resolution 1108, adopted by the DWA Board on April 21, 2015 meets or exceeds the requirements of the Governor's April 1<sup>st</sup> Executive Order. The Agency is therefore in compliance with all State Directives.

Resolution 1108 was created to meet the State requirements and therefore incorporates elements of Stages 2, 3 and 4 of Ordinance No. 45. Ordinance No. 63 attempts to reorganize the requirements in each stage in an effort to create a more logical incremental change. Therefore, while DWA is currently in Stage 2 of Ordinance No. 45, the Agency would be in Stage 4 of Ordinance No. 63 if adopted.

DWA's Ordinance No. 45 was passed in the 1980's. It includes surcharges as penalties which are no longer legal under the California Constitution. Additionally, it includes outdated information and guidelines.

DWA staff and legal team have worked jointly to draft Ordinance No. 63 (attached). The Public Information/Conservation subcommittee of the Board of Directors met on May 22, 2015 and reviewed/revised the draft ordinance. The ordinance before you today reflects those changes.

The public hearing notice was published in The Public Record newspaper on May 26, 2015 and posted on the Agency's website. As of June 12, there was one written comment received from the public (attached).

Staff requests that the Board open a public hearing to consider adopting Ordinance No. 63 establishing a water conservation plan and restricting the use of water during threatened or existing water shortage conditions. Following the Public Hearing, staff requests the Board adopt Ordinance No. 63 establishing a water conservation plan and restricting the use of water during threatened or existing water shortage conditions.



## **ORDINANCE NO. 63**

### **ORDINANCE OF DESERT WATER AGENCY ESTABLISHING A WATER CONSERVATION PLAN AND RESTRICTING THE USE OF WATER DURING THREATENED OR EXISTING WATER SHORTAGE CONDITIONS**

WHEREAS, Desert Water Agency (hereinafter "Agency") is a public agency organized under the Desert Water Agency Law, California Water Code Appendix Section 100-1 et seq., to provide water service among other purposes to water users within the boundaries of the Agency; and

WHEREAS, the Agency is authorized by Water Code Appendix Section 100-15 (13) to restrict the use of Agency water during an emergency caused by a drought, or other threatened or existing water shortage, and during such periods to prohibit the waste or the use of Agency water for any purpose other than household uses or such other restricted uses as may be determined by the Agency to be necessary; and

WHEREAS, the Agency is further authorized by Water Code Sections 375-377 to adopt water conservation programs; and

WHEREAS, California is currently in the fourth year of a significant state-wide drought resulting in severe impacts to California's water supplies and its ability to meet all of the demands for water within the state; and

WHEREAS, Governor Edmond G. Brown, Jr. declared a state-wide emergency on January 17, 2014, and due to continuing dry conditions, a continued state of emergency was declared on April 1, 2015; and

WHEREAS, Water Code Section 1058.5 grants the State Water Resources Control Board the authority to adopt emergency regulations in years when the Governor has declared an emergency based upon state-wide water shortage conditions; and

WHEREAS, on July 15, 2014, the State Water Resources Control Board formally adopted emergency rulemaking to adopt emergency regulations for urban water suppliers; and

WHEREAS, on March 17, 2015, and May 5, 2015, the State Water Resources Control Board formally adopted additional emergency regulations for urban water suppliers due to continuing water shortage conditions; and

WHEREAS, the three sets of emergency regulations adopted by the State Water Resources Control Board prohibit certain types of potable water use, orders all urban water suppliers to implement mandatory conservation measures, and orders water suppliers with 3,000 or more service connections to provide monthly data on water production; and

WHEREAS, the Agency wishes to adopt a water conservation program that implements the requirements set forth in the regulations adopted by the State Water Resources Control Board, and which will provide a framework that can be utilized by the Agency even after the current regulations adopted by the State Water Resources Control Board are no longer in effect if a local water shortage emergency were to arise; and

WHEREAS, the Agency finds and determines that the adoption of the water conservation program set forth herein is necessary to (1) comply with the mandates imposed by the State Water Resources Control Board, (2) protect the health, safety and welfare of the inhabitants of the Agency, (3) assure the maximum beneficial use of the water supplies within the Agency, and (4) ensure that there will be sufficient water supplies to meet the basic needs of human consumption, sanitation and fire protection;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of Desert Water Agency as follows:

Section 1: DEFINITIONS.

- 1.1 "Agency" means Desert Water Agency.
- 1.2 "Board" means the Board of Directors of Desert Water Agency.
- 1.3 "General Manager" means the General Manager of Desert Water Agency.
- 1.4 "Measurable rainfall" means rainfall of 1/4 inch or more during any 24-hour period.
- 1.5 "Waste" means any unreasonable or non-beneficial use of water, or any unreasonable method of use of water, including, but not limited to, the specific uses prohibited and restricted by this Ordinance as hereinafter set forth.
- 1.6 "Water user" means any person, firm, partnership, association, corporation or political entity using water obtained from the water system of Desert Water Agency.
- 1.7 "Water" means water supplied by Desert Water Agency.

Section 2: NOTICED PUBLIC HEARING PRIOR TO MANDATORY  
CONSERVATION, STAGES 2 THROUGH 5.

Except when an emergency is caused by the breakage or failure of a dam, pump, pipeline or conduit, a noticed public hearing shall be conducted prior to the adoption of Stages 2, 3, 4 or 5 of the Water Conservation Plan as set forth in Sections 3.2, 3.3, 3.4 and 3.5 below. Notice of the time and place of hearing shall be published at least seven days prior to the date of hearing in a newspaper printed, published, and circulated within the area in which the water supply is distributed, or if there is no such newspaper, in any newspaper printed, published and circulated in the County of Riverside.

### Section 3: WATER CONSERVATION PLAN STAGES.

#### 3.1 Stage No. 1: Voluntary Conservation and Prohibited Uses.

Stage 1 shall apply whenever normal conditions are in effect. Normal conditions shall be in effect when the Agency is able to meet all the water demands of its customers in the immediate future, and when the State Water Resources Control Board or other regulatory body has not imposed restrictions on the use of water within the Agency. During normal conditions, all water users must continue to use water wisely. The waste or unreasonable use of water is prohibited. Unreasonable use of water shall include, but not be limited to, a use that produces unnecessary runoff onto adjacent property and non-irrigated areas, private and public walkways, roadways, and parking lots or parking structures. It shall also be an unreasonable use of water to irrigate landscapes within 48 hours after measurable rainfall. In addition, the following mandatory restrictions shall apply at all times:

(1) Washing driveways, parking lots, building exteriors, or other exterior hard surfaced areas other than windows, solar panels and tennis courts, or as necessary to protect the public health, shall be prohibited; provided that the use of recycled water and the use of potable water from a bucket, use of a pressure washer, or use of a water broom for such purposes shall be permitted.

(2) Running water shall not be used for washing vehicles. A bucket may be used for the washing of vehicles, and hoses equipped with shutoff nozzles may be used for rinsing.

#### 3.2 Stage 2 Alert: Mandatory Conservation Measures.

When the State Water Resources Control Board or other regulatory body has imposed restrictions on the use of water within the Agency that warrant the restrictions set forth herein, or in the event of a threatened or existing water supply shortage that could prevent the Agency from meeting the water demands of its water users, the Board shall conduct a public hearing to consider declaring a Stage 2 Alert, during which water users shall have the opportunity to present their protests and respective needs to the Board. Upon such declaration the following restrictions shall take effect immediately, in addition to those specified in Section 3.1:

(1) Outdoor irrigation shall be permitted only before 7:00 a.m. and after 7:00 p.m.

(2) Restaurants and other eating establishments shall not provide drinking water to patrons, except upon request.

#### 3.3 Stage 3 Warning: Mandatory Conservation Measures.

When the State Water Resources Control Board or other regulatory body has imposed restrictions on the use of water within the Agency that warrant the restrictions set forth herein, or in the event that a water shortage condition in fact will prevent the Agency from meeting the demands of its water users, following a public hearing as set forth in Section 3.2, during which water users shall have the opportunity to present protests and their respective needs to the Board,

the Board may declare that a Stage 3 Warning condition exists. Upon such declaration, the following water conservation measures shall apply in addition to those set forth in Sections 3.1 and 3.2:

(1) Outdoor irrigation shall be restricted to no more than four days per week, after 7:00 p.m. and before 7:00 a.m.

(2) Commercial car washes shall be required to have recirculating water systems or shall drain used water into the sewer system where it can be recycled.

(3) The use of water for outdoor decorative water features shall be prohibited, unless recirculating water systems are installed and in use.

(4) Irrigation with potable water outside of newly constructed homes and buildings shall require drip irrigation or micro-irrigation systems as established by the California Building Standards Commission and the Department of Housing and Community Development.

#### 3.4 Stage 4 Emergency: Mandatory Conservation Measures.

When the State Water Resources Control Board or other regulatory body has imposed restrictions on the use of water within the Agency that warrant the restrictions set forth herein, or in the event that a water shortage condition requires a significant reduction in water use, following a public hearing as set forth in Section 3.2, during which water users shall have the opportunity to present protests and their respective needs to the Board, the Board may declare that a Stage 4 Emergency condition exists. Upon such declaration, the following water conservation measures shall apply in addition to those set forth in Sections 3.1, 3.2 and 3.3:

(1) Outdoor irrigation shall be restricted to Mondays, Wednesdays, and Fridays before 7:00 a.m. and after 7:00 p.m.

(2) The use of potable water to irrigate ornamental turf within the street medians and within dedicated right of way on each side of a dedicated street shall be prohibited.

#### 3.5 Stage No. 5. Water Allocations.

When the State Water Resources Control Board or other regulatory body has imposed restrictions on the use of water within the Agency that warrant the restrictions set forth herein, or in the event that a water shortage condition requires the Agency to allocate water supplies to water users or warrants a moratorium on new service connections, or both, following a public hearing as set forth in Water Code Sections 350 et seq., the Board may consider adoption of a resolution or ordinance that allocates water deliveries among the Agency's water users, and that imposes penalties for consumption in excess of the allocated amounts. The resolution or ordinance may also, or instead, impose a limit on new water service connections. Violation of the provisions of such resolution or ordinance shall be deemed a violation of this Ordinance, and shall be subject to the enforcement provisions set forth herein.

Section 4: MODIFICATION OF WATER CONSERVATION MEASURES.

The specific requirements of each mandatory conservation stage identified in this Ordinance shall be effective upon adoption by the Board following a public hearing; provided that the Board may modify or amend such requirements at the time of adoption upon a showing of the need for such modification or amendment.

Section 5: IMPLEMENTATION AND TERMINATION OF MANDATORY COMPLIANCE STAGES.

The General Manager of the Agency shall monitor the supply and demand for water on a regular basis to determine the level of conservation required by the implementation or termination of the Water Conservation Plan stages set forth in this Ordinance, and shall notify the Board of the necessity for the implementation or termination of each stage. Each declaration of the Board implementing or terminating a water conservation stage shall be published at least once in a newspaper of general circulation, and shall remain in effect until the Board otherwise declares, as provided herein.

Section 6: EXCEPTIONS.

The General Manager of the Agency is hereby authorized to allow exceptions from the application of any provision of this Ordinance, due to exceptional circumstances, if the General Manager determines that the application of a provision would either: (a) cause an unnecessary and undue hardship to the water user or to the public; or (b) jeopardize the health, sanitation, fire protection or safety of the water user or of the public. Such exceptions may be granted only upon application therefor. Upon granting any such exception, the General Manager may impose any conditions the General Manager determines to be appropriate in the circumstance.

Section 7: CRIMINAL PROCEEDINGS FOR VIOLATION.

The Board hereby determines that, pursuant to Water Code Section 377, it shall be a misdemeanor for any water user to use or apply water contrary to or in violation of any mandatory restriction or requirement established by this Ordinance and, upon conviction thereof, that water user shall be punished by imprisonment in the County jail for not more than 30 days or by a fine of not more than \$1,000, or by both such fine and imprisonment.

Section 8: CIVIL PENALTIES AND ENFORCEMENT.

In addition to criminal penalties, violators of the mandatory provisions of this Ordinance shall be subject to civil penalties and enforcement action by the Agency staff, as follows:

8.1 First Violation.

For a first violation, the Agency staff shall issue a written notice of violation to the water user who is violating the provisions of this Ordinance. Upon receipt of the notice of violation, the water user shall have three days to correct the violation, without penalty, or within three days may request, in writing, a hearing by the General Manager or the General Manager's designee to present evidence that a violation did not occur, pursuant to the procedures hereinafter set forth.

If it is determined that the water user has committed a violation which has not been corrected within the time provided herein, the civil penalty shall be \$50 for a first violation at a single family residence and \$100 for a first violation at a multi-family residential, commercial or institutional establishment.

#### 8.2 Second Violation.

For a second violation of this Ordinance within any 12-month period, the Agency staff shall provide the water user with written notice thereof, and the water user shall have the same period of time set forth in Section 8.1 to correct the violation or to request a hearing. For a second violation within any 12-month period that is not corrected within the time provided herein, the civil penalty shall be \$100 at a single family residence and \$200 at a multi-family residential, commercial or institutional establishment.

#### 8.3 Third Violation.

For a third violation of this Ordinance and for each subsequent violation within any 12-month period, the water user shall not be provided an opportunity to avoid the civil penalty by correcting the violation, but shall have the same opportunity set forth in Section 8.1 to request a hearing. For a third and each subsequent violation within any 12-month period, the civil penalty shall be \$250 at a single family residence and \$500 at a multi-family residential, commercial or institutional establishment.

#### 8.4 Collection of Civil Penalties.

Civil penalties may be billed to the violating water user by separate invoice, or may be added to the water user's invoice for water service as a separately itemized charge as determined by Agency staff. Civil penalties that are not paid may become a lien on the affected property in a manner provided by law to secure payment for water service. In addition, the Agency staff shall be authorized to discontinue water service for any violation of this Ordinance and for failure to pay a civil penalty within the period of time provided by the Agency staff for payment of invoices for water service. In the event that service is terminated, such service shall remain terminated for a period of at least 48 hours, unless such period is extended by action of the Board of Directors. A charge shall be imposed for reconnection and restoration of service in the amount normally charged by the Agency for restoration of service. Such restoration of service shall not be made until the General Manager has determined that the water user has provided adequate assurances that future violations of this Ordinance by such water user will not occur.

#### 8.5 Notice.

Written notice may be given to the water user personally or by first class mail via the United States Postal Service addressed to the location where the violation is occurring or to the address provided for the mailing of invoices for water service. The Agency staff may also provide written notice by affixing a copy in a conspicuous place on the property where the violation is occurring or by delivering a copy to a person there residing, if such person can be found, and also by sending a copy through the United States mail. Said notice shall contain, in addition to the facts of the violation, a statement of the possible penalties for the violation and a statement informing the water user of his or her right to a hearing.

## 8.6 Hearing and Appeal.

Upon receipt of a notice of violation, the water user may request a hearing by the General Manager or the General Manager's designee to present evidence that a violation did not occur. Within seven days after receipt of a written request for a hearing, the General Manager or the General Manager's designee will schedule a hearing for the water user to present evidence that a violation did not occur. Within seven days after the hearing, the General Manager or the General Manager's designee shall issue a decision, in writing, to the water user. Within seven days after issuance of a decision, the water user may file a request with the Agency to appeal the decision to the Board. Upon receipt of such request, the Board shall schedule the matter for consideration at a regular or special meeting of the Board within thirty days after receiving the request, and at that time, or thereafter, shall render its decision which shall be communicated to the water user in writing, and shall be final.

## Section 9: CUMULATIVE REMEDIES.

The remedies for violations set forth in this Ordinance shall be cumulative to any other remedies available to the Agency according to law.

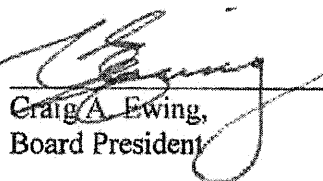
## Section 10: SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such determination shall not affect the validity of the remaining provisions of this Ordinance.


## Section 11: PUBLICATION.

The Secretary of the Board of Directors of the Agency shall attest to the adoption of this Ordinance and shall cause the same to be published in a newspaper of general circulation which is printed, published and circulated in the Agency within ten days after its adoption.

ADOPTED this 16th day of June, 2015.

  
\_\_\_\_\_  
Craig A. Ewing,  
Board President

ATTEST:

  
\_\_\_\_\_  
Sylvia Baca  
Assistant Board Secretary