DESERT WATER AGENCY APRIL 6, 2021



BOARD OF DIRECTORS REGULAR MEETING AGENDA

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

Pursuant to the Governor's Executive Order N-29-20, there will be no public location for attending in person. Members of the public who wish to participate may do so by calling in at:

Toll Free: (877) 309-2073 Access Code: 187-125-973

or Via Computer:

https://www.gotomeeting.com/meeting/join-meeting 9-digit Meeting ID: 187125973

Members of the public who wish to comment on any item within the jurisdiction of the Agency or any item on the agenda should submit comments by emailing sbaca@dwa.org before 5:00 p.m. April 5. Comments will become part of the Board meeting record. Board members and staff will be participating in this meeting via teleconference.

*In order to reduce feedback, please mute your audio when you are not speaking.

1.	CALL TO ORDER/PLEDGE C	OF ALLEGIANCE	BLOOMER
2.	ROLL CALL		BACA
3.	PRESENTATION BY ASSOC POWERS AUTHORITY (ACW	IATION OF CALIFORNIA WATER AGENCIES/JOINT (A/JPIA) CEO, ANDY SELLS	ACWA/JPIA
4.	APPROVAL OF MINUTES -	March 16, 2021	BLOOMER
5.	GENERAL MANAGER'S REP	PORT	KRAUSE
6.	COMMITTEE REPORTS –	A. Executive – April 1, 2021 B. Conservation & Public Affairs – April 1, 2021	BLOOMER CIOFFI

7. PUBLIC COMMENT: 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.

8. ACTION ITEMS

A. Request Adoption of Additional Legislative Bill Positions	METZGER
B. Request Authorization for General Manager to Enter into Memorandum of Understanding for	METZGER
Implementation of the CV Water Counts Regional Conservation Grant Program	

9. DISCUSSION ITEMS

A. Outreach & Conservation – Activities and Events (March)	METZGER
B. State Water Contractor's Meetings – March 18, 2021	RIDDELL

10. DIRECTORS COMMENTS/REQUESTS

11. 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 (Two Cases)

DWA Board Agenda April 6, 2021 Page 2

- B. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION Pursuant to Government Code Section 54956.9 (d) (1) Name of Case: Mission Springs Water District vs. Desert Water Agency
- C. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION Pursuant to Government Code Section 54956.9 (d) (1)
 Bonnie Kessner, et al vs. Desert Water Agency, et al
- D. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION Pursuant to Government Code Section 54956.9 (d) (1) Name of Case: AT&T vs. County of Riverside
- E. CONFERENCE WITH LEGAL COUNSEL PENDING ADMINISTRATIVE PROCEEDING Pursuant to Government Code Section 54956.9 (d) (1) Regional Water Quality Control Board Claim No. 7018 0680 0000 1010 7377
- 12. RECONVENE INTO OPEN SESSION REPORT FROM CLOSED SESSION
- 13. 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 Assistant Secretary of the Board, 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 that relate to any agenda item to be discussed in open session may be obtained from the Agency at the address indicated on the agenda.

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

March 16, 2021

DWA Board	via Kristin Bloomer, President)
Teleconference	e: James Cioffi, Vice President)
	Joseph K. Stuart, Secretary-Treasurer	
	Patricia G. Oygar, Director)
	Paul Ortega, Director)
DWA Staff vi	a Mark S. Krause, General Manager	
Teleconference		ger)
	Esther Saenz, Finance Director	
	Sylvia Baca, Asst. Secretary of the Boa	rd)
	Kris Hopping, Human Resources Direc	· · · · · · · · · · · · · · · · · · ·
	Ashley Metzger, Outreach & Conserv.	·
	David Tate, Operations & Engineering	
	Kim McCance, Senior Administrative A	
		,
Consultants v	a Michael T. Riddell, Best Best & Kriege	r)
Teleconference	, ,	•
		,
Public via	Randy Duncan, Mission Springs Water	District)
Teleconference	*	·
	Steve Grasha, Desert Hot Springs Resid	· · · · · · · · · · · · · · · · · · ·
	1 2	,
19074.	President Bloomer opened the meeting at 8:00	a.m. and asked Pledge of Allegiance
	in her in the Pledge of Allegiance.	
19075.	President Bloomer called upon Assistant Secre	tary of the Board Roll Call
Baca to condu	ct the roll call:	
	Present: Ortega, Oygar, Stuart, Cioffi, Bloome	r
19076.	President Bloomer called for approval of the	Approval of 03/02/21
	l Meeting Minutes.	Minutes 2, 2021 Regular Board Mtg.
regular Doal	i wiccung williams.	

Director Ortega moved for approval. After a second by Director Approval of 03/02/21 Oygar, the minutes were approved by the following roll call vote:

Regular Board Mtg. Minutes (Cont.)

AYES: Ortega, Oygar, Stuart, Cioffi, Bloomer

NOES: None ABSENT: None ABSTAIN: None

19077. President Bloomer called upon General Manager Krause to Report provide an update on Agency operations.

General Manager's

Mr. Krause provided an update on Agency operations and noted his meetings and activities for the past several weeks.

19078. President Bloomer noted the minutes for the March 10, 2021 Finance Committee meeting were provided in the Board's packet.

Committee Reports Finance 03/10/21

19079. President Bloomer noted the minutes for the March 11, 2021 Executive Committee meeting were provided in the Board's packet.

Executive 03/11/21

19080. President Bloomer called upon Secretary-Treasurer Stuart to Report (February) present an overview of financial activities for the month of February 2021.

Secretary-Treasurer's

Secretary-Treasurer Stuart reported that the Operating Fund received \$2,221,668 in Water Sales Revenue, \$47,659 in Reclamation Sales Revenue, \$4,394 from SCE for Snow Creek Hydro Power Sales for January 2021, and \$21,588 in Construction Deposits. Included in the Miscellaneous receipts is \$7,408 for recycled copper and meters. \$1,313,330 was paid out in Accounts Payable. Year-to-date Water Sales are 3% over budget, Year-todate Total Revenues are 3% over budget; and Year-to-date Total Expenses are 14% under budget. There were a total of 23,004 active services as of February 28, compared to 22,993 active services as of January 31.

Operating Fund

Reporting on the General Fund, Mr. Stuart stated that \$480,391 was received in Property Tax Receipts, \$40,294 in Groundwater Assessments from Private Pumpers, \$14,099 from SCE for Whitewater Hydro Power Sales for January 2021, and \$77,566 in Miscellaneous for reimbursement from Indio Water Authority for the UWMP. \$805,167 was paid in State Water Project charges (YTD \$14,352,026).

General Fund

Reporting on the Wastewater Fund, Mr. Stuart reported \$16,140 was received in Sewer Capacity Charges from Jones Cree Ventures, \$0 was received in Sewer Contract payments. There are a total of 4 Sewer Contracts, 0 paid in full, with total delinquents of 4 (100%) with \$844 principal payments remaining. \$85,707 was paid out in Accounts Payable.

Wastewater Fund

In response to Director Ortega, Mrs. Saenz stated because of COVID-19, the Agency cannot enforce (turn off water) delinquent accounts on the sewer contracts.

Secretary-Treasurer's Report (February) (Cont.)

Public Comment

Mr. Freedman

19081. President Bloomer opened the meeting for public comment.

Mr. Freedman thanked DWA and the other water agencies for the CV Water Counts Academy which he attended. He noted that Palm Springs Mayor Holstege reached out to President Bloomer to join the Promote Palm Springs Participation in the Mayor's Challenge for Water Conservation which takes place next month; he then gave an update on the Palm Springs Airport Demonstration Garden.

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

19082. President Bloomer called upon General Manager Krause to present staff's request for Adoption of the Legislative Committee's Bill Position Recommendation.

Items for Action:
Request Adoption of
Legislative Comm. Bill
Position
Recommendation

Mr. Krause noted Mr. Reeb was in attendance and asked him to present his report. Mr. Reeb gave an update and provided a report that addressed 13 Assembly and Senate Bills and recommendations that the Committee has reviewed. Staff requests adoption of the Legislative Committee's recommended position as the Agency's position with regard to each bill presented.

Director Oygar moved for approval of staff's request. After a second by Secretary-Treasurer Stuart the motion carried by the following roll call vote:

AYES: Ortega, Oygar, Stuart, Cioffi, Bloomer

NOES: None ABSENT: None ABSTAIN: None

In response to Vice President Cioffi, Mr. Reeb explained that AB 754 was put in before the deadline as a place holder and there is no impact in its current form.

19083. President Bloomer called upon Operations & Engineering Manager Tate to Request Authorization to Call for Bids for Construction of 2020/2021 Replacement Pipelines and Request Authorization to Re-Allocate \$350,000 from Work Order 19-113-30 to Work Order 20-161.

Request Authorization to Call for Bids for Construction on 2020/21 Replacement Pipelines and Re-allocate 2019/20 Budget Funds to 2020/21 Budget Funds

Mr. Tate reported that the 2020/2021 Capital Improvement Budget includes Work Order No. 20-161 for Palm Highlands Tract and S.

Araby Drive Pipeline Replacement Project. He noted that the budget amount for the work order is \$2,550,000, to include engineering, construction, and inspection. The Engineer's construction cost estimate for the project is \$2,440,000 with an estimated inspection cost of \$160,000 and an estimated Agency labor cost of \$170,000. The estimated total cost of \$2,770,000 exceeds the existing budget by \$220,000; however, with approximately \$1,650,000 remaining in the 2019/2020 Avenida Caballeros Replacement Pipeline work order (19-113-30), staff is requesting that the Board authorize the re-allocation of money from work order 19-113-30 to work order 20-161 in the amount of \$350,000 (\$220,000 to cover the anticipated estimated overage and an additional \$130,000 to cover potential costs associated with COVID that may affect the project). Mr. Tate reported that the original Engineer's construction cost estimate for the project was \$2,154,000. The revised estimate includes an additional 600 lineal feet within Sonora Road and 175 feet within Araby Drive that were not part of the original design. He noted that after reviewing the current pipe leak records and connection details, the engineering staff determined that it would be in the best interest of the Agency to include the additional 775 feet of pipe replacement as part of this project. This additional piping added \$136,000 to the construction estimate. Mr. Tate added that within Calle Palo Fierro, there is approximately 1,300 lineal feet of street paying that will require a 15-foot paying cap that was not part of the original estimate. The street has an existing concrete vditch channel down the centerline, and the proposed alignment of the new pipe will require the contractor to place a final paving cap from the v-ditch gutter to the curb noting that this cap added an estimated \$150,000 to the construction cost estimate.

Items for Action: (Cont.) Request Authorization to Call for Bids for Construction on 2020/21 Replacement Pipelines

and Re-allocate 2019/20 Budget Funds to 2020/21 Budget Funds

Mr. Tate stated with authorization being granted today, the bid opening for the project will tentatively be held on April 13, 2021 with the Contract award scheduled for the meeting of the Board of Directors on April 20, 2021. Work is expected to commence in May 2021, with completion expected in early October 2021. Staff requests authorization to advertise for bids for construction of the 2020/2021 Replacement Pipeline Project and also requests authorization to re-allocate \$350,000 from Work oOder 19-113-30 to Work Order 20-161.

Secretary-Treasurer Stuart moved for approval of staff's request. After a second by Director Ortega, the motion carried by the following roll call vote:

AYES: Ortega, Oygar, Stuart, Cioffi, Bloomer

NOES: None ABSENT: None ABSTAIN: None

In response to Director Ortega, Mrs. Metzger reported that a letter goes out to every customer affected by the construction and if water needs to be shut off a door tag is left. She noted that the Agency uses social media for updates as well.

19084. President Bloomer called upon Finance Director Saenz to Request Approval for Extension of COVID-19 Financial Relief to Customers.

Mrs. Saenz gave an update on the financial impact COVID-19 has had on the Agency. She stated that the Agency will continue to monitor the ongoing revenue losses and expenses related to COVID-19 and will provide ongoing updates to the Board. She noted that staff will bring this item back to the Board of Directors for consideration at its May 18 meeting

Staff recommends that the Board of Directors extend financial relief for customers (suspension of late fees, disconnection of service for non-payment and absorption of remote payment fees) for an additional 63 days, from March 17 through May 18.

Vice President Cioffi moved for approval of staff's request. After a second by Director Oygar, the motion carried by the following roll call vote:

AYES: Ortega, Oygar, Stuart, Cioffi, Bloomer

NOES: None ABSENT: None ABSTAIN: None

19085. President Bloomer called upon Outreach & Conservation Manager Metzger to present staff's Request for Adoption of Resolution No. 1254 to Designate Authorized Agents to Execute Agreements with the Governor's Office of Emergency Services for Disaster Remediation.

Mrs. Metzger reported that on February 14, 2019, a storm caused incredible flooding and damage in the Coachella Valley. Several Desert Water Agency facilities were affected. On May 1, 2019, FEMA declared the flooding event a major disaster (4431-DR). She noted that on July 13, 2020, FEMA representatives contacted staff to notify DWA that its request for project assistance would be considered and currently the Agency is in the process of obtaining reimbursement for its flood damage remediation at Snow Creek (intake and bridge repairs) for \$216,246.25 and Cathedral Canyon Drive (sewer line response and repairs) for \$55,860.43. Mrs. Metzger noted that these projects have been completed and FEMA has obligated the funding. She explained that FEMA reimburses applicants for 75% of eligible project costs and that the Agency has coordinated with the California Office of Emergency Services (CalOES) and they indicated that of the remaining 25% of the project cost not funded by FEMA, the State would likely pick up 75% of the remaining costs for the above projects. She noted

Items for Action:

(Cont.)
Request Authorization to
Call for Bids for
Construction on 2020/21
Replacement Pipelines
and Re-allocate 2019/20
Budget Funds to
2020/21 Budget Funds

Request Extension of COVID-19 Financial Relief to Customers

Request Adoption of Reso. No. 1254 to Designate Authorized Agents to Execute Agreements with the Governor's Office of Emergency Services for Disaster Remediation Resolution No. 1254 is part of the documentation required to accept funding for the projects and any others that are underway or that may arise within the next three years. Staff recommends adoption of Resolution No. 1254 designating authorized agents to execute agreements with the Governor's Office of Emergency Services for disaster remediation and complete the CalOES 89 Project Assurances for Federal Assistance form.

Items for Action: (Cont.) Request Adoption of Reso. No. 1254 to Designate Authorized Agents to Execute Agreements with the Governor's Office of Emergency Services for Disaster Remediation

Vice President Cioffi moved for approval of staff's request. After a second by Secretary-Treasurer Stuart, the motion carried by the following roll call vote:

> Ortega, Oygar, Stuart, Cioffi, Bloomer AYES:

NOES: None ABSENT: None ABSTAIN: None

> Resolution No. 1254 Adopted

RESOLUTION NO. 1254

A RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT WATER AGENCY DESIGNATING THE GENERAL MANAGER AND ASSISTANT GENERAL MANAGER ON BEHALF OF DESERT WATER AGENCY TO BE THE AUTHORIZED AGENTS TO ENGAGE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE GOVERNOR'S OFFICE OF **EMERGENCY SERVICES REGARDING** GRANTS APPLIED FOR BY DESERT WATER AGENCY

19086. President Bloomer called upon Outreach & Conservation Manager Metzger to provide a report on the February Water Use Reduction Reduction Figures Figures.

Discussion Items: February Water Use

Mrs. Metzger reported that the Agency and its customers achieved a 17% reduction in potable water production compared to the same month in 2013. She noted in future monthly reporting she will include consumption data and updates on system water loss.

19087. In response to President Bloomer regarding the Mayor's Challenge with the Palm Springs Sustainability Commission, Mrs. Metzger noted the Agency is working on an outreach plan and a video script.

Director's Comments/Requests

Closed Session:

19088. President Bloomer convened 9:15 a.m., Teleconference Closed Session for the purpose of Conference with Legal Counsel, (A) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al (2 Cases); (B) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Mission Springs Water District vs. Desert Water Agency; (C) Existing Litigation, pursuant to Government Agency et al Code Section 54956.9 (d) (1) Bonnie Kessner, et al vs. Desert Water Agency,

A. Existing Litigation – ACBCI vs. CVWD, et al. (2 Cases) B. Existing Litigation -MSWD vs. DWA

C. Existing Litigation-Bonnie Kessner, et al vs. Desert Water

et al; (D) Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (2), Possible Intervention in Case: AT&T vs. County of Riverside; (E) Pending Administrative Proceeding Pursuant to Government Code Section 54956.9 (d) (1) Regional Water Quality Control Board Claim No. 7018 0680 0000 1010 7377.

19089. At 10:11 a.m., Assistant General Manager Johnson reconvened the meeting into open session and announced there was no reportable action taken.

19090. In the absence of any further business, Assistant General Manager Johnson adjourned the meeting at 10:12 a.m.

Closed Session:
(Cont.)
D. Existing Litigation Possible Intervention in
Case: AT&T vs.
County of Riverside
E. Pending Admin.
Proceeding, RWQCB
Claim

Reconvene – No Reportable Action

Adjournment

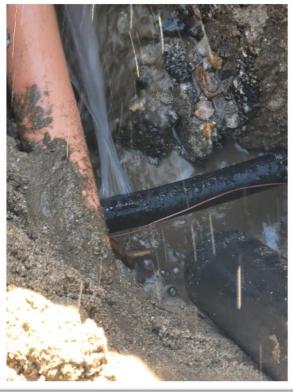
Sylvia Baca
Assistant Secretary of the Board

GENERAL MANAGER'S REPORT April 6, 2021

Water Main Leak - 740 E. Sonora Rd.

On March 19 at approximately 7 a.m., Construction responded to a leak at 740 E. Sonora Rd. (cross street Indian Trail). Upon arrival staff could smell gas and noticed water was blowing out of a hole. Staff throttled the water main down, called So. CA Gas Co. and the fire department and closed the road. After the water service was repaired, the Gas Co. fixed their leak, then staff replaced the service with copper tube. The water ran for more than 2 hours from a 2-inch split in a 1-inch P.E. service and out of a $2\frac{1}{2}$ -inch fire hydrant outlet. The water-main is back in service.





2021 State Water Project Allocation Decrease – 5 Percent

Due to persistent dry conditions, DWR is decreasing the allocation for 2021 from 422,848 af to 210,266 af. Based on the recent low amount of precipitation and runoff, and the assessment of the overall water supply conditions, SWP supplies are projected to by 5 percent.

Desert Water Agency's total allocation is 2,787.5 af at a 5% allocation. This allocation will be allocated approximately 641 af to Mission Creek SB and 2,146 to the Indio SB.

U.S. Bureau of Reclamation Grant Award

Desert Water Agency was selected to receive \$500,000 in grant funding from the U.S. Bureau of Reclamation through its WaterSMART Grants program that focus on water and energy efficiency.

The grant will help pay for one phase of the agency's Advanced Metering Infrastructure (AMI) project which will help streamline agency operations by eliminating the need to walk or drive by water meters in order to collect readings. This grant will cover the cost of upgrading roughly 4,300 meters – about 20% of the meters in our system. Ultimately, all meters will transmit reads to our office.

The program will also provide customers with near real-time water use data they can utilize to be more efficient and help save water that would otherwise be lost to leaks.

The AMI project is currently underway and expected to take about five years to fully implement.

We have included news of the award on our website, on social media, in our April customer newsletter and in ACWA eNews.

Water Loss Regulations

On March 24, the State Water Resources Control Board (SWRCB) held a workshop on the peer review of its economic model for water loss. There were nearly 200 participants on the phone line. The SWRCB staff responded to questions and comments from water industry professionals but expressed little flexibility in making adjustments to the model. According to the model's calculation (with the default inputs), Desert Water Agency would be required to reduce its water loss by 77% by 2028. This would very likely be infeasible and could cause compliance issues. Staff is coordinating with other impacted agencies through an ACWA workgroup. About half of all agencies in the state would be required to reduce water loss by more than 33% in a matter of six years. SWRCB is planning to begin the formal rulemaking process on water loss regulations within the next two months.

CV Urban Water Management Plan – March 31 Workshop

On March 31, the CV Urban Water Management Plan group (of which DWA is a member) held its final public workshop. There were 42 attendees, 70% of which signed up were general public. The focus of the workshop was water shortage contingency planning. The attendees were broken into small groups to engage in discussion to collect comments on shortage response. The workshop recording is posted online (www.cvrwmg.org/UWMP). The CV UWMP agencies will analyze this feedback when finalizing the Water Shortage Contingency Plans, which staff will bring before the Board with the Urban Water Management Plan for adoption in June.

SYSTEM LEAK DATA

(PERIOD BEGINNING MARCH 9, 2021 THRU MARCH 29, 2021)

PIPE DIAMETER PIPE						
STREET NAME	NUMBER OF LEAKS	(INCHES)	YEAR INSTALLED	PIPE MATERIAL		
FRANCIS DR	9	8	1957	STEEL	BARE/UNLINED	
BARISTO RD	7	4	1936	STEEL	BARE/UNLINED	
VISTA CHINO	6	20	1949	STEEL	BARE/UNLINED	
AVENIDA CABALLEROS	4	14	1953	STEEL	BARE/UNLINED	
INDIAN CANYON DR	3	6	1951	STEEL	BARE/UNLINED	
BISKRA RD	2	6	1957	STEEL	BARE/UNLINED	
JANIS WY	2	6	1958	STEEL	BARE/UNLINED	
SANTA ROSA DR	2	4	1936	STEEL	BARE/UNLINED	
WARM SANDS PL	2	4	1946	STEEL	BARE/UNLINED	
VIA ALTAMIRA	2	4	1947	STEEL	BARE/UNLINED	
LURING DR	2	4	1957	STEEL	BARE/UNLINED	
RAMON RD	1	12	1956	STEEL	BARE/UNLINED	
S PALM CANYON DR	1	10	1938	STEEL	BARE/UNLINED	
INDIAN CANYON DR	1	8	1938	STEEL	BARE/UNLINED	
ALEJO RD	1	8	1958	STEEL	BARE/UNLINED	
ARABY DR	1	6	1947	STEEL	BARE/UNLINED	
E PALM CANYON DR	1	6	1952	STEEL	BARE/UNLINED	
LUGO RD	1	6	1954	STEEL	BARE/UNLINED	
E PALM CANYON DR	1	6	1955	STEEL	BARE/UNLINED	
VIA ENTRADA	1	4	1937	STEEL	BARE/UNLINED	
BARISTO RD	1	4	1937	STEEL	BARE/UNLINED	
VIA DEL NORTE	1	4	1945	STEEL	BARE/UNLINED	
CALLE PALO FIERRO	1	4	1947	STEEL	BARE/UNLINED	
SAN LUCAS RD	1	4	1948	STEEL	BARE/UNLINED	
S RIVERSIDE DR	1	4	1948	STEEL	BARE/UNLINED	
TERRY LN	1	4	1956	STEEL	BARE/UNLINED	
JACQUES RD	1	4	1959	STEEL	BARE/UNLINED	

TOTAL LEAKS IN SYSTEM:

57

Streets highlighted in green are included as part of the

2020/2021 Replacement Pipeline Project

Streets highlighted in blue are being proposed as part of the

2021/2022 Replacement Pipeline Project

Estimate for design portion of Vista Chino 20" mainline replacement is being developed

SYSTEM INFORMATION:	
OLDEST PIPE IN THE SYSTEM (YEAR OF INSTALLATION):	1935
AVERAGE YEAR OF INSTALLATION OF UNLINED STEEL PIPE (SYSTEMWIDE):	1952
AVERAGE AGE OF UNLINED STEEL PIPE (SYSTEMWIDE):	66 YEARS
AVERAGE AGE OF PIPELINE AT THE TIME OF REPLACEMENT:	68 YEARS
TOTAL LENGTH OF PIPE IN SYSTEM OLDER THAN 70 YEARS (LINEAR FEET):	128,186
TOTAL LENGTH OF UNLINED PIPE SYSTEMWIDE (LINEAR FEET):	297,672
*AVERAGE LENGTH OF PIPE REPLACED ANNUALLY (LINEAR FEET):	14,500
PROJECTED TIME FRAME FOR 100% REPLACEMENT OF UNLINED STEEL PIPE:	21 YEARS
PROJECTED TIME FRAME FOR 100% REPLACEMENT OF PIPE OLDER THAN 70 YEARS:	9 YEARS
YEAR AGENCY TRANSITIONED TO CEMENT LINED STEEL PIPE:	1960

*PLEASE NOTE THIS FIGURE REPRESENTS THE AVERAGE LINEAR FOOTAGE OF PIPELINE REPLACED ANNUALLY GIVEN AN AVERAGE ANNUAL BUDGET OF \$3 MILLION.



General Manager's Meetings and Activities

Meetings:

00/40/04	DMA D: Mandala Daand Man	0
03/16/21	DWA Bi-Monthly Board Mtg.	Conf Call
03/16/21	SGMA Mission Creek GSP Update	Conf Call
03/16/21	DCF Caucus Mtg	Conf Call
03/17/21	SWC-DCP Coordination Mtg	Conf Call
03/17/21	SWC-DCP Update Mtg	Conf Call
03/17/21	SWC-Monthly Mtgs	Conf Call
03/17/21	SGMA-Indio Subbasin Mtg	Conf Call
03/18/21	SWC-General Council Report Mtg	Conf Call
03/18/21	SWC-Monthly Board Mtg	Conf Call
03/18/21	SWC-SFCWA Board Mtg	Conf Call
03/18/21	Sites Reservoir Monthly Committee Mtg	Conf Call
03/18/21	Perris Seepage Recovery/MWD Exchange Agreement	Conf Call
03/22/21	DWA Wkly Staff Mtgs	Conf Call
03/23/21	DWA Finance Department Retention Schedule Review	Conf Call
03/23/21	WWRF-BLM Permit Cooperators Mtg	Conf Call
03/24/21	Tribal Law Suite Mediation – Exchange Agrmnt	Conf Call
03/24/21	Class 8 Collaboration Meeting	Conf Call
03/24/21	Lake Perris Dam Seepage Recovery Funding Agreement	Conf Call
03/24/21	DWA Budget Strategy Mtg	Conf Call
03/25/21	Tribal Mediation Mtg- Tech Cmte Report Out	Conf Call
03/25/21	ERP Singer Lewak DWA Executive Management Mtg	Conf Call
03/25/21	WWRF-BLM Permit All Team Mtg	Conf Call
03/29/21	DWA Wkly Staff Mtgs	Conf Call
03/29/21	SWC-DCF Negotiations with DWR (Amendment)	Conf Call
03/29/21	DWA Employee Association Negotiations	Conf Call
03/29/21	DWA Review of Extraordinary Budget Items	Conf Call
03/30/21	DWA Capital and Extraordinary Budget Item Staff Mtg	Conf Call
03/30/21	DWA Singer Lewak IT Dept. Assessment Review	Conf Call
03/30/21	CVWD Water Supplies	Conf Call
03/31/21	DWA Retention Schedule Rvw for Outreach & Conservation	Conf Call
03/31/21	DWA-Singer Lewak	Conf Call
04/01/21	DWA Executive Committee Mtg	Conf Call
04/01/21	SNMP Monitoring Plan Implantation Mtg	Conf Call
04/01/21	DWA WWRF EIR Review with DWA Staff	Conf Call
04/01/21	DWA Conservation and Public Affairs Cmte Mtg	Conf Call
04/01/21	DWA/CVWD Mediation Review Mtg	Conf Call
04/02/21	SWC Update Call	Conf Call
04/05/21	DWA Wkly Staff Mtgs	Conf Call
04/05/21	DWA Employees Association Negotiations	Conf Call
04/06/21	WWRF BLM Permit Cooperators Mtg	Conf Call
04/06/21	DWA Bi-Monthly Board Meeting	Conf Call
04/00/21	בייט באיז בייט בייט בייט בייט בייט בייט בייט בי	Con Call

Activities:

- 1) SWP Contract Extension Amendment
- 2) DWA Remote Meter Reading Fixed Network
- 3) Whitewater Hydro Automatic Re-start
- 4) State and Federal Contractors Water Authority and Delta Specific Project Committee (Standing)
- 5) Whitewater River Surface Water Recharge
- 6) Lake Oroville Spillway FEMA funding
- 7) Replacement Pipelines 2020-2021
- 8) DC Project Finance JPA Committee (Standing)
- 9) DWA/CVWD/MWD Operations Coordination/Article 21/Pool A/Pool B/Yuba Water (Standing)
- 10) DWA/CVWD/MWD Exchange Agreement Coordination Committee (Standing)
- 11) SWP 2020 Water Supply
- 12) ACBCI Water Rights Lawsuit
- 13) Whitewater Hydro Operations Coordination with Recharge Basin O&M
- 14) SGMA Tribal Stakeholder Meetings
- 15) Whitewater Spreading Basins BLM Permits
- 16) Delta Conveyance Project Cost Allocation
- 17) DWA Surface Water Filtration Feasibility Snow Creek Village/Palm Oasis
- 18) MCSB Delivery Updates
- 19) Well 6 Meaders Cleaners RWQB Meetings
- 20) SWP East Branch Enlargement Cost Allocation
- 21) UWMP Population Calculation Update/Valley-Wide UWMP
- 22) RWQCB Update to the SNMP
- 23) SGMA San Gorgonio Pass Subbasin

Minutes Executive Committee Meeting

April 1, 2021

Directors Present: Kristin Bloomer, James Cioffi

Staff Present: Mark Krause, Steve Johnson, Esther Saenz, Sylvia Baca

1. Discussion Items

A. Review Agenda for April 6, 2021 Regular Board Meeting

The proposed agenda for the April 6, 2021 meeting was reviewed.

B. <u>Unauthorized Fire Service Use</u>

Staff informed the Committee of commercial customers that continue to record unauthorized water use through their fire service connection over several years. The Committee directed Staff to meet with the customers and make them aware of the regulations and consequences.

C. <u>Update on Golden State Renewable Energy LLC (GSRE) Battery Back-Up Project</u> Staff provided the Committee with an update, Well 17 has been removed from this project.

D. DWA Telecommuting/COVID-19

Staff informed the Committee with the upcoming vaccination supplies being open to all adults, the Agency has set the date of May 15 for employees to start returning to the office. Staff noted that June 1 will be the official return date and that the Agency will continue with all safety protocols.

2. Adjourn

Minutes Conservation & Public Affairs Committee Meeting April 1, 2021

Directors Present: Jim Cioffi, Paul Ortega

Staff Present: Mark Krause, Ashley Metzger, Vicki Petek

1. Discussion Items

A. DWA's 60th Anniversary

The Committee reviewed all the branding and logo options celebrating the Agency's milestone. The Committee issued their comments and preferences.

B. Webinars

The Committee reviewed webinar benefits and proposed upcoming webinar calendar.

C. myDWA Portal

The Committee reviewed the myDWA portal and benefits. The portal is currently only offered to customers on e-billing. The Committee directed staff to expand portal access to all customers.

D. Help2Others and Delinquency Outreach

Help2Others currently provides a \$50 water credit, accessible two times a year. The Committee reviewed a proposal to issue a one-time water bill credit in the amount of \$200. The Committee discussed outreach options and agreed to the water bill credit increase.

E. Palm Springs Certified Farmer's Market

The Committee reviewed DWA re-engagement with the Palm Springs Farmers Market. The Committee discussed the pros and cons of attendance, and agreed to have DWA attend the market around more targeted events and dates.

F. Water Use Efficiency – State Requirements

The Committee reviewed an update on objectives, current legislation, water loss report requirements and California Data Collaborative findings

G. Drought

A drought declaration is expected in April. The Committee reviewed key messages, messaging in process and messaging moving forward.

H. <u>Incentives</u>

The Committee reviewed information on incentive program activity and budget. The Committee reviewed a proposal to move funding from underperforming incentives to the washing machine incentive program. Additionally, the Committee reviewed proposed changes to the Business Toilet incentive program in the upcoming fiscal year.

I. <u>Mesquite Desert Preserve</u>

The Committee reviewed engagement with the Mesquite Desert Preserve. The Committee discussed options and provided feedback.

J. 2021-2022 Proposed Budgets

The Committee reviewed the proposed Outreach & Conservation operating budgets for the upcoming fiscal year.

2. Adjourn

STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

APRIL 6, 2021

RE: REQUEST ADOPTION OF ADDITIONAL LEGISLATIVE BILL POSITIONS

Staff is seeking Board of Directors review on five legislative bills that were not presented at the March 16, 2021 Board of Directors meeting. Reeb Government Relations, LLC has provided its analysis on these additional bills (attached) and staff developed proposed positions for the basis of Board discussion.

Having adopted positions for these bills will facilitate staff and Reeb Government Relations, LLC's efforts to engage with legislators and organizations on these items.

Given the limited scope, the Legislative Committee did not meet to make recommendations on these positions.

Staff requests adoption of positions on the seven bills outlined in the attached legislative packet from Reeb Government Relations, LLC.

Desert Water Agency 2021-22 Regular Session, Second Report

AB 339 (Lee D) State and local government: open meetings.

Current Text: Introduced: 1/28/2021 html pdf

Introduced: 1/28/2021

Status: 1/29/2021-From printer. May be heard in committee February 28.

Is Urgency: N Is Fiscal: Y

Location: 1/28/2021-A. PRINT

Summary: Current law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified. This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public.

Laws: An act to amend Sections 9027, 54953, 54954.2, 54954.3, 11122.5, 11123, 11125.7 of, and to add Sections 9027.1 and 9028.1 to, the Government Code, relating to state and local government.

Notes: The Brown Act requires all meetings of the legislative body of a local agency to be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided. This legislation would require all meetings to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed-captioning services. Both a call-in and an internet-based service option would be required to be provided to the public. This legislation also would provide that, notwithstanding any laws that prohibit in-person government meetings in the case of a declared state of emergency, including a public health emergency, teleconferenced meetings must include an in-person public comment opportunity, wherein members of the public can report to a designated site to give public comment in person.

This legislation also would require agendas and instructions for accessing a meeting, whether teleconferenced or in person, to be translated into all languages for which 5 percent of the population in the area governed by the local agency is a speaker. Finally, this legislation would require legislative bodies of local agencies to employ a sufficient amount of qualified bilingual persons to provide translation during a meeting in the language of the non-English-speaking person, in jurisdictions which govern a substantial number of non-English-speaking people. "Non-English-speaking people" is defined as members of a group who either do not speak English, or who are unable to effectively communicate in English because it is not their native language, and who comprise 5 percent or more of the people served by the local agency. The State of California would not reimburse local agencies for the costs imposed by this legislation.

Current Position: Not Yet Considered

Recommended Position: Oppose

AB 377 (Rivas, Robert D) Water quality: impaired waters.

Current Text: Amended: 3/22/2021 html pdf

Introduced: 2/1/2021 **Last Amend:** 3/22/2021

Status: 3/23/2021-Re-referred to Com. on E.S. & T.M.

Is Urgency: N
Is Fiscal: Y

Location: 2/12/2021-A. E.S. & T.M.

Summary: Would require all California surface waters to attain applicable beneficial uses by January 1, 2050. The bill would require the state board and regional boards, when issuing an NPDES permit, a waste discharge requirement, or a waiver of a waste discharge requirement, to require that the discharge to surface water does not cause or contribute to an exceedance of an applicable water quality standard in receiving waters, and to not authorize the use of a best management practice permit term to authorize a discharge to surface water that causes or contributes to an exceedance of an applicable water quality standard in receiving waters.

Laws: An act to add Article 3.5 (commencing with Section 13150) to Chapter 3 of Division 7 of the Water Code, relating to water quality.

Notes: This legislation would require all waters of the state to be fishable, swimmable, and drinkable by 2050. The legislation provides that a basin water quality control plan can only include a schedule for implementation of a water quality standard that is adopted after January 1, 2021, if certain conditions are met.

U.S. EPA regulations require state water quality standard submittals to include an antidegradation policy to protect beneficial uses and prevent further degradation of high quality waters (33 U.S.C. § 1313(d) (4)(B); 40 C.F.R. § 131.12). In general, the Federal Antidegradation Policy emphasizes the maintenance of existing ambient conditions. The Federal Antidegradation Policy considers lowering of water quality to be allowable in some cases, including those where the costs of control would cause widespread and substantial economic and social impacts." The State's Antidegradation Policy is embodied in SWRCB Resolution No. 68-16 (Statement of Policy with Respect to Maintaining High Quality Waters in California). In general, the policy emphasizes the protection of high quality waters, which include groundwater.

The District owns and operates a wastewater reclamation facility. Under the National Pollutant Discharge Elimination System Program, all facilities that discharge pollutants from any point source into waters of the United States are required to obtain an NPDES permit. The District also is subject to a salt and nutrient management and stormwater pollution prevention plan requirements. Waste discharge requirements must implement any relevant water quality control plans that have been adopted by the State Water Resources Control Board or a regional board, and take into consideration the beneficial uses to be protected in receiving waters, the water quality objectives reasonably required for that purpose, other waste discharges, and the need to prevent nuisance. Water quality objectives in water quality control plans ensure the reasonable protection of beneficial uses and the prevention of nuisance. State law recognizes, however, that it may be possible for the quality of water to be changed to some degree without unreasonably affecting beneficial uses. Factors to be considered by a regional board in establishing water quality objectives include, but are not necessarily be limited to, all of the following: (1) Past, present, and probable future beneficial uses of water; (2) Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto; (3) Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area' (4) Economic considerations; (5) The need for developing housing within the region; and (6) The need to develop and use recycled water.

This legislation would prohibit, on or after January 1, 2030, a regional water quality control plan from including a schedule for implementation for achieving a water quality standard that was adopted as of January 1, 2021, and would prohibit a regional water quality control plan from including a schedule for implementation of a water quality standard that is adopted after January 1, 2021, unless specified conditions are met. The bill would prohibit an NPDES permit, waste discharge requirement, or waiver of a waste discharge requirement from being renewed, reissued, or modified to contain effluent limitations or conditions that are less stringent than those in the previous permit, requirement, or waiver.

The legislation would prohibit the State Water Board or a regional board from authorizing an NPDES discharge to a surface water of the United States that causes or contributes to an exceedance of a an applicable water quality standard in receiving waters; or, authorizing an NPDES permit that uses an alternative compliance determination, safe harbor "deemed in compliance" term, or any other best management practice permit term to authorize a discharge to a surface water of the United States that causes or contributes to an exceedance of an applicable water quality standard in receiving waters. The March 8 amendments provide that those prohibitions (1) do not prohibit enhanced watershed management programs or watershed management programs from being used as a planning tool for achieving compliance with applicable water quality standards in receiving waters; (2) do not prevent NPDES permittees from using best management practices to meet applicable water quality standards in receiving waters; and (3) do not apply to salt and nutrient management plans approved as of January 1, 2021, that include alternative compliance options.

This legislation, in proposing that all waters of the state be fishable, swimmable and drinkable by 2050, would remain contrary to federal and state law regarding the designation of water bodies for beneficial uses and would impose unreasonable requirements on dischargers like the District.

Current Position: Not Yet Considered

Recommended Position: Oppose

AB 703 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 2/16/2021 html pdf

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on L. GOV.

Is Urgency: N Is Fiscal: N

Location: 2/25/2021-A. L. GOV.

Summary: Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency

permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

Laws: An act to amend Section 54953 of the Government Code, relating to local government.

Notes: This legislation would require a local agency to allow members of the public to observe a meeting and address the legislative body, and give notice of the meeting and post agendas as otherwise required under the Brown Act. The agenda must provide an opportunity for members of the public to address the legislative body directly. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency must also give notice of the means by which members of the public may observe the meeting and offer public comment.

If the legislative body uses teleconferencing to hold a meeting, this legislation would require the legislative body to have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. The procedure for receiving and resolving requests for accommodation must be noticed each time notice of the means by which members of the public may observe the teleconference meeting and offer public comment is made.

This legislation would not provide for state reimbursement of any costs imposed on a local agency. This legislation could result in unknown costs to the Agency to comply with ADA accessibility requirements; for example, it is unknown whether existing video or teleconference software utilized by the Agency is capable of being used by a blind or deaf person.

Current Position: Not Yet Considered

Recommended Position: Favor

AB 1161 (Garcia, Eduardo D) Electricity: eligible renewable energy and zero-carbon resources: state

agencies: procurement.

Current Text: Amended: 3/22/2021 html pdf

Introduced: 2/18/2021 **Last Amend:** 3/22/2021

Status: 3/23/2021-Re-referred to Com. on U. & E.

Is Urgency: N Is Fiscal: Y

Location: 3/4/2021-A. U. & E.

Summary: Would enact the Clean Economy and Clean Jobs Stimulus Act of 2021 and would require the Department of Water Resources to procure newly developed eligible renewable energy resources or zero-carbon resources, and energy storage associated with those resources, in an amount that satisfies 100 percent electricity procured to serve all state agencies by December 31, 2030, as provided. The bill would require the department, in conducting competitive solicitation for the procurement, to review confidential pricing information collected by the Public Utilities Commission or obtained from load-serving entities. The bill would require the commission to require all load-serving entities to provide to the department information necessary to carry out the purposes of the act, including market sensitive pricing information. The bill would provide that pricing information is not subject to public disclosure.

Laws: An act to add Division 27.5 (commencing with Section 80400) to the Water Code, relating to electricity.

Notes: State Water Contractors (SWC) oppose this legislation, which would accelerate the state's 2045 goal of 100 percent renewable and carbon-free energy resources for all state agencies by placing the Department of Water Resources (DWR) in charge of procuring those resources, plus the accompanying energy storage, in an amount that satisfies a 100 percent procurement goal for state agencies by December 31, 2030. This legislation also authorizes DWR to enter into power purchase contracts for the development of new zero greenhouse gas emission resources to satisfy the accelerated target for all state agencies.

SWC supports the state's clean energy objectives, but believes this legislation would place an undue burden on DWR, whose primary mission is the delivery of water, not the procurement of energy resources. DWR would have to create a new division or office to implement the mandates included in

this legislation. SWC argues that DWR is not positioned to take on such authority and responsibility without significant impact to performing its core mission of water delivery. An entity tasked with procuring renewables for state agencies must have a clear mission, adequate staff with specialized and extensive expertise to implement and manage the program and be guided by a corresponding energy risk management framework.

Current Position: Not Yet Considered

Recommended Position: Oppose

SB 443 (Newman D) Elections: redistricting.

Current Text: Introduced: 2/16/2021 html pdf

Introduced: 2/16/2021

Status: 3/11/2021-March 15 set for first hearing canceled at the request of author.

Is Urgency: N
Is Fiscal: N

Location: 2/25/2021-S. E. & C.A.

Summary: The California Constitution establishes an hierarchy of criteria for establishing or adjusting districts for the Senate, Assembly, Congress, and State Board of Equalization. Current law establishes separate criteria for establishing or adjusting district boundaries for the members of the governing body of a county board of education, school district, community college district, special district, city, or county. This bill would make the criteria for the district boundaries of these political subdivisions consistent with the criteria for Senate, Assembly, Congress, and State Board of Equalization districts established under the Constitution. This bill would make related technical and conforming changes. **Laws:** An act to amend Sections 1002 and 5019.5 of the Education Code, to amend Sections 21500, 21601, 21609, 21621, 21629, and 22000 of, and to add Sections 10650.1, 21601.1, and 21621.1 to, the Elections Code, relating to elections.

Notes: This legislation would apply existing requirements that apply to a city to a special district, which would increase the number of hearings related to the drawing and adoption of district lines from two to four hearings, establish stringent hierarchal priorities for the map drawing criteria, and require language translation on demand, among other requirements.

California Special Districts Association is opposing this legislation.

Current Position: Not Yet Considered Recommended Position: Oppose

(Min D) Community water systems: lead user service lines.

Current Text: Introduced: 2/17/2021 html pdf

Introduced: 2/17/2021

Status: 3/18/2021-Set for hearing April 12.

Is Urgency: N
Is Fiscal: Y

SB 526

Location: 2/25/2021-S. E.Q.

Summary: Current law requires, by July 1, 2020, a community water system with known lead user service lines in use in its distribution system to provide a timeline for replacement of those lines to the State Water Resources Control Board. Current law requires the state board to review and approve an established timeline, and requires, if the state board fails to act within 30 days of the submission of the timeline, the timeline to be deemed approved. Current law authorizes the state board to enforce these requirements, as specified, and a violation is considered a violation of the California Safe Drinking Water Act, subjecting the violator to specified civil and criminal penalties. This bill would, until January 1, 2025, require a community water system to remove or replace the full lead user service line, if the community water system disturbs, removes, or replaces a portion thereof. The bill would apply the above-described enforcement provisions to a violation of the requirements of the bill, thereby creating a state-mandated local program by expanding the scope of crimes under the California Safe Drinking Water Act.

Laws: An act to amend Section 116890 of, and to add and repeal Section 116891 of, the Health and Safety Code, relating to water.

Notes: The California Code of Regulations defines "user service line" as "the pipe, tubing, and fittings connecting a water a water main to an individual water meter or service connection but does not include the service line from meter to individual homes." According to the Association of California Water Agencies, a fundamental part of the regulation of lead in drinking water is that the public water system is responsible up to the individual meter, but the customer is responsible from the meter to the individual home.

The sponsors of this legislation--Clean Water Action and Environmental Working Group--refer to the

replacement of lead "user service lines" as "partial lead service line replacements" because these replacements do not involve replacement of the service line from the meter to the individual home. They use the term "full lead service line replacement" for the replacement of both parts of the line (i.e., including the lateral on the customer's property). The sponsors are concerned that replacement of "just" the user service line stirs up lead and creates an exposure problem in the drinking water coming into the home.

Based on ACWA's comments to U.S. EPA regarding the pending Lead and Copper Rule, ACWA members prefer that customers retain the responsibility for the plumbing on customer property (between the meter and house). ACWA believes this legislation does not change that customer responsibility. ACWA has spoken with the sponsors and the latter say that the State Water Resources Control Board has suggested simply adding notice and filter requirements to State law, which could be in effect only until a

revised Lead and Copper Rule is enacted. ACWA says that sponsors believe that a moratorium on lead user line replacements will stop the current lead exposure and not create any enforcement issue for the systems. If ACWA members agree with that conclusion, ACWA staff believes that a moratorium may be a reasonable step until the USEPA Lead and Copper Rule is adopted.

Current Position: Not Yet Considered

Recommended Position: Watch

SB 626 (Dodd D) Construction Manager/General Contractor Procurement Method: Department of Water

Resources.

Current Text: Introduced: 2/18/2021 html pdf

Introduced: 2/18/2021

Status: 3/24/2021-Set for hearing April 15.

Is Urgency: N Is Fiscal: Y

Location: 3/3/2021-S. N.R. & W.

Summary: Current law authorizes the Department of Transportation, regional transportation agencies, and the San Diego Association of Governments to engage in a Construction Manager/General Contractor project delivery method (CM/GC method) for specified public work projects. This bill would authorize the Department of Water Resources to utilize the CM/GC method, as specified, for projects for the construction of a facility or infrastructure related to water resources. The bill would require the Department of Water Resources, on all projects delivered by the department, to use department employees or consultants under contract with the department to perform all project design and engineering services related to design, and construction inspection services, required for the CM/GC method consistent with specified existing law.

Laws: An act to amend Sections 10187.5 and 10190 of, to add Section 10187.7 to, and to add Article 1.1 (commencing with Section 10112) to Chapter 1 of Part 2 of Division 2 of, the Public Contract Code, relating to public contracts.

Notes: State Water Contractors (SWC) recently approved a "support if amended" position on this legislation, which would give the Department of Water Resources (DWR) the ability to use Design Build and Construction Manager/General Contractor (CM/GC) procurement processes for construction contracts. This authority would accelerate project delivery and allow DWR to advance critical public safety, infrastructure and habitat restoration projects more timely and efficiently. According to SWC: "The efficient and timely delivery of projects and improvements to existing facilities is of critical importance to the SWC and all of the ratepayers it represents. Projects using Design Build or the CM/GC procurement method can begin earlier and take less time because of overlapping design and construction phases, will help reduce overall costs to water ratepayers and project risks and will support DWR in expediting critical water infrastructure improvements that will improve California's water supply climate resiliency."

SWC is seeking two amendments: The first amendment would require that DWR award contracts following the receipt of competitive bids or proposals from all contractors determined to be qualified to perform the work. The second amendment would ensure that in the event the procurement authorization is repealed at some date in the future, any CM/GC contracts entered into prior to the repeal would continue in full force and effect until completion or termination, including any subsequently executed changes to the contract.

Current Position: Not Yet Considered

Recommended Position: Support if Amended

Total Measures: 7
Total Tracking Forms: 7

STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

APRIL 6, 2021

REQUEST AUTHORIZATION FOR GENERAL MANAGER TO ENTER INTO MEMORANDUM OF UNDERSTANDING FOR IMPLEMENTATION OF THE CV WATER COUNTS REGIONAL CONSERVATION GRANT PROGRAM

Coachella Valley Water District, Desert Water Agency, City of Indio/Indio Water Authority, Mission Springs Water District and City of Coachella/Coachella Water Authority are pursuing an agreement on funding allocation and responsibilities for the recent award of funding through Round 1 of the Integrated Regional Water Management (IRWM) component of Proposition 1.

For this funding opportunity, the Department of Water Resources selected our regional water management group (CVRWMG) to obtain \$3,825,383 overall, \$1,380,400 of that being dedicated to a regional effort called CV Water Counts Regional Conservation Grant Program.

Desert Water Agency's portion of the regional water conservation campaign is \$350,000. Of that, \$290,000 is for grass removal incentives (\$1 per square foot with a \$1 matching requirement) and \$60,000 is for the Airport Demonstration Garden.

The attached Memorandum of Understanding (MOU) outlines the responsibilities of the parties involved. As the CVRWMG-selected Grant Administrator, CVWD outlines the terms of invoicing and documentation to fulfil grant requirements.

While the CVRWMG has not entered into MOUs in the past for previous rounds of grant funding, in recent years the parties in CVRWMG have entered into a number of MOUs to outline project deliverables and expectations.

Staff and General Counsel reviewed the MOU and made several adjustments, which were accepted by the group. Any funding that is not expended by one party will be available to the remaining parties in accordance with the original funding split agreed upon. In past rounds of IRWM, this has been a challenge and required additional time for negotiation in a situation where time is already limited.

Staff requests Board authorization for the General Manager to enter into the attached MOU for implementation of the CV Water Counts Regional Conservation Program.

MEMORANDUM OF UNDERSTANDING

Among

COACHELLA VALLEYWATER DISTRICT, CITY OF COACHELLA/COACHELLA WATER AUTHORITY, DESERT WATER AGENCY, CITY OF INDIO/INDIO WATER AUTHORITY, and MISSION SPRINGS WATER DISTRICT

For

IMPLEMENTATION OF THE CV WATER COUNTS REGIONAL CONSERVATION PROGRAM

This Memorandum of Understanding (MOU) dated <u>April 22, 2021</u>, is entered into among the Coachella Valley Water District, City of Coachella/Coachella Water Authority, Desert Water Agency, City of Indio/Indio Water Authority, and Mission Springs Water District (collectively known as Parties) for the purpose of implementing the CV Water Counts Regional Conservation Program activities undertaken by the Parties.

WHEREAS, each Party is a party to a memorandum of understanding, as amended, dated September 9, 2008, fordevelopment of an Integrated Regional Water Management Plan; and

WHEREAS, the Coachella Valley Regional Water Management Group ("CVRWMG") authorized the Coachella Valley Water District ("CVWD") as the "Grant Administrator" for the Proposition 1, Round 1, Integrated Regional Water Management ("IRWM") Implementation Grant ("Grant"); and

WHEREAS, the Department of Water Resources of the State of California ("Department of Water Resources") has provided Grant funding and CVWD has been designated as Grant Administrator for the Grant pursuant to the Agreement No. 4600013805 ("Grant Agreement") with the Department of Water Resources; and

WHEREAS, under the Grant Agreement, the Department of Water Resources has provided grant funding to the Partners for certain projects, namely the CV Water Counts Regional Conservation Program ("Conservation Program"), which will fund the following: turf reduction projects within each of the Partner's service areas; funding for a conservation program update with Mission Springs Water District and Coachella Water Authority; two demonstration gardens for CVWD and Desert Water Agency; and funding for the administration of the Conservation Program; and

WHEREAS, each Party is a Local Project Sponsor as that term is defined in the Grant Agreement for the Conservation Program, the scope and budget for which are fully described in the Grant Agreement; and

WHEREAS, CVWD has been designated as Grant Administrator for the Conservation Program as set forth in the Grant Agreement and will administer the Grant funds for the Conservation Program pursuant to the terms of the Grant Agreement; and

WHEREAS, each Party will implement the Conservation Program pursuant to the terms and conditions of the Grant Agreement and the provisions of this MOU; and

WHEREAS, this MOU shall clarify the Parties' respective responsibilities with respect to themonies received under the Grant Agreement;

NOW, THEREFORE, for valuable consideration the receipt of which is acknowledged, eachParty hereby agrees as follows:

SECTION 1: AGREEMENTS

- 1.1 CVWD, designated by the CVRWMG as the Grant Administrator pursuant to the Grant Agreement, shall have overall responsibility for executing and administering the Grant as directed by the CVRWMG and pursuant to the terms of the Grant Agreement, which is attached hereto and incorporated herein as Exhibit A.
- 1.2 The Grant administration costs reimbursed to CVWD shall be limited to \$20,400 as described in EXHIBIT B Budget, Project #2 Project Administration of the Grant Agreement.
- 1.3 Each Party is a Local Project Sponsor responsible for individual project management, oversight, compliance, operations and maintenance within its service area. Local Project Sponsors share responsibility with CVWD in the fulfillment of Grant Administrator responsibilities where specified in the Grant Agreement for the purposes of project management. The five Local Project Sponsors for the Conservation Program are listed in the Grant Agreement as follows:
 - Coachella Valley Water District
 - Coachella Water Authority
 - Desert Water Agency
 - Indio Water Authority
 - Mission Springs Water District

1.4 Each Party agrees to comply with all terms, provisions and obligations contained in the Grant Agreement in implementing the Conservation Program in its service area including all exhibits

and attachments thereto.

- 1.5 Each Party shall prepare, provide and ensure the accuracy of all deliverables, reports, documentation, notifications, notices, and information related to the Conservation Programas required under the Grant Agreement and/or requested by CVWD to assist CVWD to provide the information required under the Grant Agreement in a prompt and timely manner.
- 1.6 Each Party shall comply with all applicable environmental requirements pertaining to the Conservation Program for its service area.
- 1.7 If the Department of Water Resources determines pursuant to Section 13 of the Grant Agreement or any other applicable section, that a Party is required to repay any monies thathave been disbursed due to non-compliance or that a Party is in default of the Grant Agreement, that Party shall be solely responsible for any liability, costs or expenses related to such action including any penalties and/or interest and such Party shall immediately repay such monies to the Department of Water Resources and/or undertake any other action requested by the Department of Water Resources immediately or as is reasonably possible to ensure that provisions of the Grant Agreement are not deemed to be breached.
- 1.8 Each Party ("Indemnitor") shall indemnify, hold harmless and defend the other Parties ("Indemnitee(s)"), and their respective officers and employees and assigns, from any and all liability or financial loss resulting from any suits, claims, losses or actions, and from all cost and expenses of litigation brought against the Indemnitee(s), and their officers or employees which results directly from the acts or omissions of the Indemnitor in performing the work for the Conservation Program pursuant to the Grant Agreement.
- 1.9 The Parties agreed by consensus to the distribution of Grant funding under the Grant Agreement on the condition that each Party will use due diligence in distributing the Grant funding to customers in its boundaries in an expeditious manner. To ensure that this conditionis met, the Parties agree to collectively do the following: The Parties will review the Department of Water Resources invoices on a quarterly basis to monitor the amount of grant funding not yet encumbered.
 - A. As soon as practicable, after December 31, 2022, the Parties will conduct a formal evaluation of funds not yet encumbered. Any funding which has not been encumbered by a turf rebate application may be subject to redistribution.
 - B. As soon as practicable after June 30, 2023, any funds that have not been encumbured will be available to all Parties based on the same percentage split as the original funding allocation.
 - C. Any Party that receives redistributed funds will be responsible for meeting the match

requirement associated with those funds.

SECTION 2: INVOICING AND PAYMENT

- 2.1. CVWD will provide documentation to the Department of Water Resources to substantiate costs which have already been incurred and which satisfy the Party's Local Cost Share (non-state funds) requirement under Section 4 of the Grant Agreement.
- 2.2 No less than quarterly, CVWD shall invoice the Department of Water Resources. CVWD shall distribute funds received from the Department of Water Resources to the Parties based on invoices submitted by the Parties.
- 2.3 No Party shall be expected to make payments for any project or program that is not in its service area.
- 2.4 No Party shall be expected to make payments for any project or program that is greater than its individual share of costs, without first receiving funds from other Parties sufficient to cover their individual shares of the cost.
- 2.5 CVWD shall not be responsible for making any payments to any Party which is not backed by reimbursements from the Department of Water Resources.

SECTION 3: GENERAL

- 3.1 This MOU shall remain in effect while the Grant Agreement, or any provision of the Conservation Grant Agreement, remains in effect.
- 3.2 Any notices, invoices or reports relating to this MOU shall be delivered to each Party at the address designated by such Party in writing to one another.
- 3.3 The validity, interpretation, and performance of this MOU shall be controlled by and construed under the laws of the State of California. In the event of any asserted ambiguity in,or dispute regarding the interpretation of any matter herein, the interpretation of this MOU shall not be resolved by any rules of interpretation providing for interpretation against the Party that causes the uncertainty to exist or against the Party that drafted the MOU or that drafted that portion of the MOU.
- 3.4 This MOU, and any other documents incorporated herein by specific reference, represents the entire and integrated agreement between the Parties. This MOU supersedes all prior oralor

written negotiations, representations or agreements. This MOU may not be amended, nor any provision or breach hereof waived, except in a writing signed by the Parties which expressly refers to this MOU.

- 3.5 The Parties shall not assign, transfer, or subcontract any interest in this MOU. Any attemptto so assign, transfer, or subcontract any rights, duties, or obligations arising hereunder shall be null, void and of no effect.
- 3.6 In the event that any Party to this MOU shall commence any legal action or proceeding to enforce or interpret the provisions of this MOU, the prevailing Party in such action or proceeding shall be entitled to recover its costs of suit, including reasonable attorney's fees.
- 3.7 No Party to this MOU shall have the power to incur any debt, obligation, or liability onbehalf of another Party to this MOU or otherwise act as an agent of another Party.
- 3.8 Each Party shall maintain all records related to this MOU and the Grant Agreement for a minimum of three (3) years after the termination of this MOU or longer if required by the Department of Water Resources. If the Conservation Program is audited, each Party shall fully cooperate with any audit performed by the Department of Water Resources.
- 3.9 This MOU is made and entered into for the sole protection and benefit of each of the Parties. No other person shall have any right of action based upon any provision of this MOU.
- 3.10 The Parties shall cooperate fully with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate or convenient to attain thepurposes of this MOU.

IN WITNESS WHEREOF, the Parties have execute on the first page of this MOU.	ed this MOU as of the day and yearindicated
COACHELLA VALLEY WATER DISTRICT	
	ATTEST:

ATTEST:	
	ATTEST:

DESERT WATER AGENCY		
	_	
	ATTEST:	
	ATTEST.	

ATTEST:	

INDIO WATER AUTHORITY		
	ATTEST:	

EXHIBIT A

GRANT AGREEMENT

DESERT WATER AGENCY

OUTREACH & CONSERVATION ACTIVITIES

MARCH 2021

Activities:	
3/03	Xochitl Peña recorded a segment for the Joey English radio show.
3/04	Xochitl Peña attended CV Water Counts Academy session #5.
3/04	Ashley Metzger attended the Mission Creek Alternative Update Supplemental Management Committee meeting.
3/05	Ashley Metzger attended the ACWA/CAPIO 218 Rate Webinar Kick Off Zoom meeting.
3/05	Ashley Metzger attended CV UWMP Workshop #2 Planning/Design meeting.
3/09	Staff met with FEMA regarding flooding assistance.
3/09	Xochitl Peña attended the ONE-PS meeting and provided an update.
3/10	Ashley Metzger attended the CVRWMG Business meeting.
3/11	Ashley Metzger attended the DWA/Sentinel Mitigation Discussion meeting.
3/11	Ashley Metzger attended Mission Springs Water District board meeting.
3/15	Ashley Metzger attended the Palm Springs Airport Demonstration Garden Signage discussion meeting.
3/16	Ashley Metzger attended the Mission Creek Subbasin Management Committee Coordination meeting.
3/16	Ashley Metzger and Xochitl Peña participated in a phone conference with CV Water Counts.
3/17	Ashley Metzger attended the ACWA Water Management Committee meeting.
3/18	Ashley Metzger attended the webinar You Aren't Lewis & Clark – You Need a Map! 2021 Public Agency Redistricting.
3/18	Ashley Metzger attended the ACWA Communications Committee meeting.
3/18	Ashley Metzger participated in a CaDC Planning call.
3/22	Ashley Metzger attended a CV SNMP Workplan Conference call.
3/23	President Bloomer and staff recorded a video to promote the Mayor's Challenge.
3/23	Staff met with FEMA regarding flooding assistance.
3/24	Ashley Metzger attended the SWRCB meeting on Water Loss economic model peer review.
3/25	DWA hosted a virtual webinar: Social butterflies - pollinator garden tips.
3/25	Ashley Metzger participated in an ACWA Water Loss Working Group.

3/25	Ashley Metzger attended CV UWMP Workshop #2 content review.
3/30	Vicki Petek attended DWR's California's Groundwater: Update 2020 Draft Release webinar.
3/31	Xochitl Peña recorded a segment for the Joey English radio show
3/31	Ashley Metzger attended the Coachella Valley Regional UWMP - Public Workshop #2.
3/31	Ashley Metzger attended the CaDC LAM Results meeting.

<u>Public Information Releases/eBlasts/Customer Notifications:</u>

- March 15: It's Fix a Leak Week Website, Social Media
- March 17: Webinar: Social butterflies Pollinator garden tips Website, Nextdoor
- March 19: DWA to receive \$500,000 grant for advanced meters Website, Social media
- March 19: DWA Construction on Vista Chino, between Sunrise Way and Avenida Caballeros Nextdoor

Upcoming Events

April 22 @ 10 a.m. – DWA Webinar: Earth Day-Mayor's Water Conservation Challenge/DWA Incentives

Conservation programs

25 grass removal inspections9 grass removal projects pre-approved10 grass removal projects given final approval

16 washing machines requested

15 washing machines approved

6 smart controllers requested

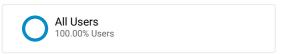
4 smart controllers approved

88 nozzles requested 63 nozzles approved

0 toilets requested (commercial only)

0 toilet rebates approved (commercial only)

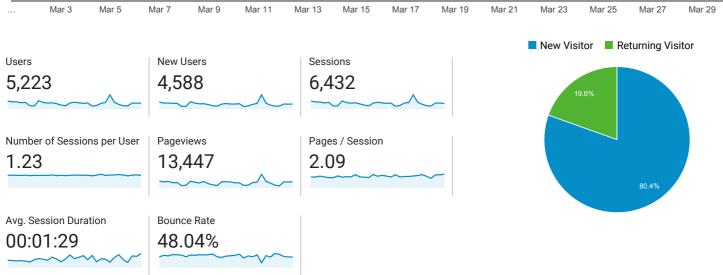
Audience Overview



Mar 1, 2021 - Mar 31, 2021

Overview



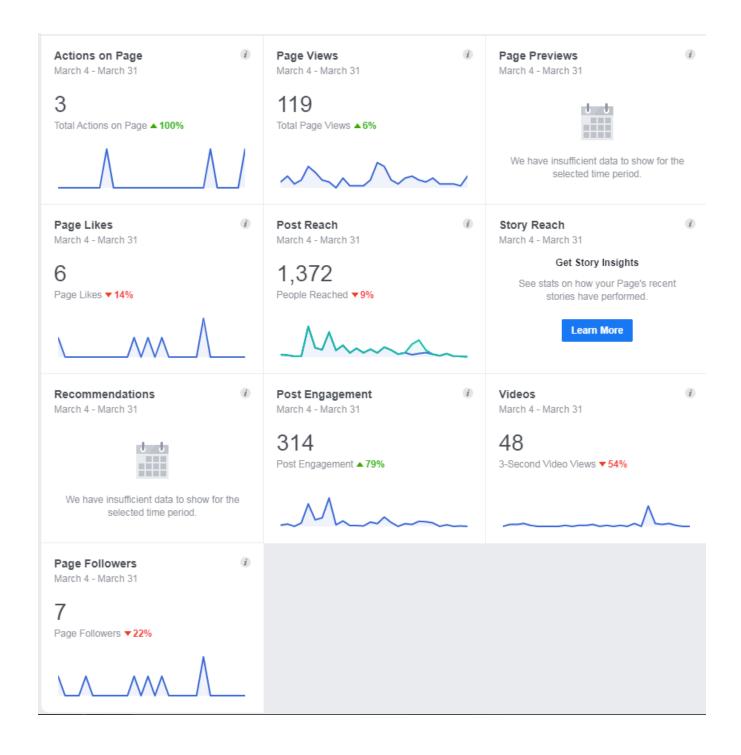


	Language	Users	% Users	
1.	en-us	4,680		89.52%
2.	en	142	2.72%	
3.	en-gb	132	2.52%	
4.	en-ca	28	0.54%	
5.	zh-cn	21	0.40%	
6.	es-es	16	0.31%	
7.	fr-fr	15	0.29%	
8.	es-us	14	0.27%	
9.	fr	12	0.23%	
10.	de	11	0.21%	



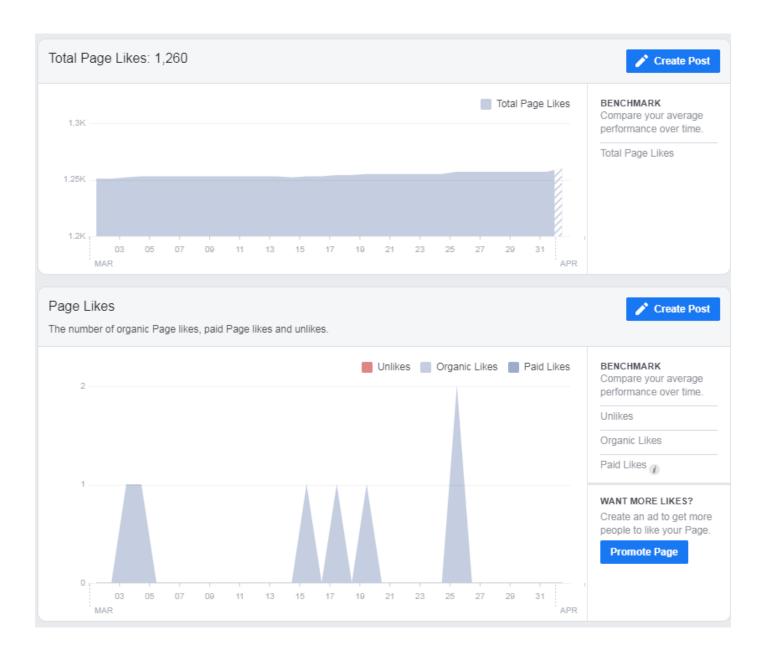






Facebook Analytics, March 2021

Published	Post	Туре	Targeting	Reach		Engag	gement	Promote
03/28/2021 9:30 AM	Local water agencies need your input on how to respond to the next	Ē	0	52		0 4		Boost Post
03/26/2021 12:00 PM	Lantana is an evergreen shrub that enjoys full sun exposure and is easy	<u>_</u>	0	44	I	0		Boost Post
03/25/2021 10:01 AM	During this webinar learn all about pollinator gardens and how to build	•	0	56		9	i	Boost Post
03/24/2021 10:00 AM	Don't forget! Tomorrow is our webinar on pollinators. Join us and	<u>_</u>	•	37	I	0 4		Boost Post
03/22/2021 3:00 PM	Everyone has a role to play in preserving our world's most valuable	<u>_</u>	0	54		0 5		Boost Post
03/20/2021 11:25 AM	It's officially spring! Enjoy the blooming colors of the desert and	<u>_</u>	0	72		1 7		Boost Post
03/19/2021 4:00 PM	The US Bureau of Reclamation selected DWA for a \$500,000 grant	<u>_</u>	0	194		2 13		Boost Post
03/18/2021 12:15 PM	During our next webinar at 10 a.m. on March 25 learn all about pollinator	<u>_</u>	0	40	I	1 3		Boost Post
03/18/2021 12:00 PM	During our next webinar at 10 a.m. on March 25 learn all about pollinator	<u>_</u>	0	40	I	1 5		Boost Post
03/17/2021 12:00 PM	Lucky you! Potted shamrock plants can add a nice touch of green to a	<u>_</u>	•	34	I	0 5		Boost Post
03/16/2021 12:00 PM	IMPORTANT NEWS: DWA board extends customer relief – no late	6	0	128		0 7		Boost Post
03/15/2021 12:00 PM	It's a good time to hunt down household leaks - they account for 1	6	0	140		0 7		Boost Post
03/13/2021 12:12 PM	Daylight saving time starts at 2 a.m. on Sunday. Don't forget to set your	Б	0	183		3		Boost Post
03/11/2021 12:50 PM	In the late 1800s Palm Springs experienced an 11-year drought that	□	0	241		6 12		Boost Post
03/10/2021 12:00 PM	Thinking about adding new waterwise plants to your yard? Pick up a	Б	0	115		14 14		Boost Post
03/08/2021 2:25 PM	DWA is proud to have such a wonderful group of women dedicated		0	457		22 61		Boost Post
03/08/2021 12:00 PM	About 99 percent of our drinking water in our valley comes from	Б	0	138		3 4		Boost Post
03/04/2021 4:17 PM	Crews install a pipeline near our south Palm Springs reservoir near	<u>-</u>	0	64		2		Boost Post
03/02/2021 2:32 PM	Did you know old sprinkler heads can cause water waste. Take	Б	•	80		0		Boost Post



Instagram March 2021





desertwateragency

Edit Profile

1,147 followers

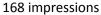
197 following

Desert Water Agency

Desert Water Agency serves tap water in the Palm Springs area. We replenish the aquifer and offer incentives to help people save water.

www.bit.ly/3194f2g



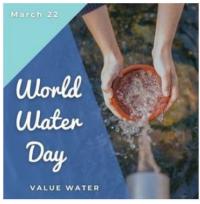




131 impressions



115 impressions



111 impressions



179 impressions



123 impressions



106 impressions



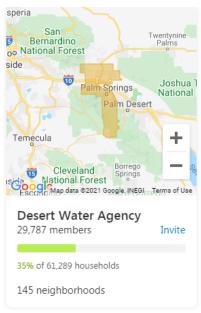
81 impressions



104 impressions









Desert Water Agency

Outreach Specialist Xochitl Pena • 22 Mar

Webinar: Social butterflies – Pollinator garden tips. Learn all about pollinator gardens during our next webinar at 10 a.m. on March 25. Hear from experts on the benefits of pollinator gardens and find out which plants are best for attracting birds, butterflies and bees. Participants will also learn about DWA's pollinator garden See more...



Posted to Subscribers of Desert Water Agency













DWA Construction. Desert Water Agency crews will be working on Vista Chino between Sunrise Way and Avenida Caballeros from Monday March 22 through Friday, March 26. Our crew will be taking a westbound lane out on a portion of that stretch each day. One westbound lane will remain open for traffic. This project aims See more...

Posted to Subscribers of Desert Water Agency in 3 neighborhoods

◯ Like □ Comment ⇔ Share

♥ 1 · 154 Impressions

Desert Water Agency Twitter Analytics March 2021





Tweets 2,426

Following 1,520

Followers 1,207

Mar 2021 - 31 days

TWEET HIGHLIGHTS

Top Tweet earned 534 impressions

DWA is proud to have such a wonderful group of women dedicated to serving our community! #IWD2021

pic.twitter.com/yWlwkQalhB



9 6

View Tweet activity

View all Tweet activity

Top Follower followed by 2,045 people



NRCS-California

@NRCSCalifornia FOLLOWS YOU

Through a network of local field offices, USDA Natural Resources Conservation Service helps private landowners protect and enhance natural resources.

View profile

Top mention earned 1 engagements



Steve Grasha

@RealSteveGrasha · Mar 8

Other local water agencies could take a lesson from Desert Water Agency and the great woman that work here serving our community. Such an honor getting to know each and every one of them. @DWAwater twitter.com/DWAwater/statu...

W 1

View Tweet

Top media Tweet earned 514 impressions

We have a crew at the intersection of Camino Parocela & S. Indian Canyon/Palm Canyon Drive fixing a water main break. Should take a few hours to repair. Please avoid or be cautious if driving in that area of Palm Springs.

pic.twitter.com/JCMhWfU3Go



61 **9**4

ADVERTISE ON TWITTER

Get your Tweets in front of more people



Promoted Tweets and content open up your reach on Twitter to more people.

Get started

MAR 2021 SUMMARY

Tweets 21

Tweet impressions 7,274

Profile visits

261

Mentions

New followers

1



BEST BEST & KRIEGER

STATE WATER

CONTRACTORS MEETING March 18, 2021

I. CLOSED SESSION

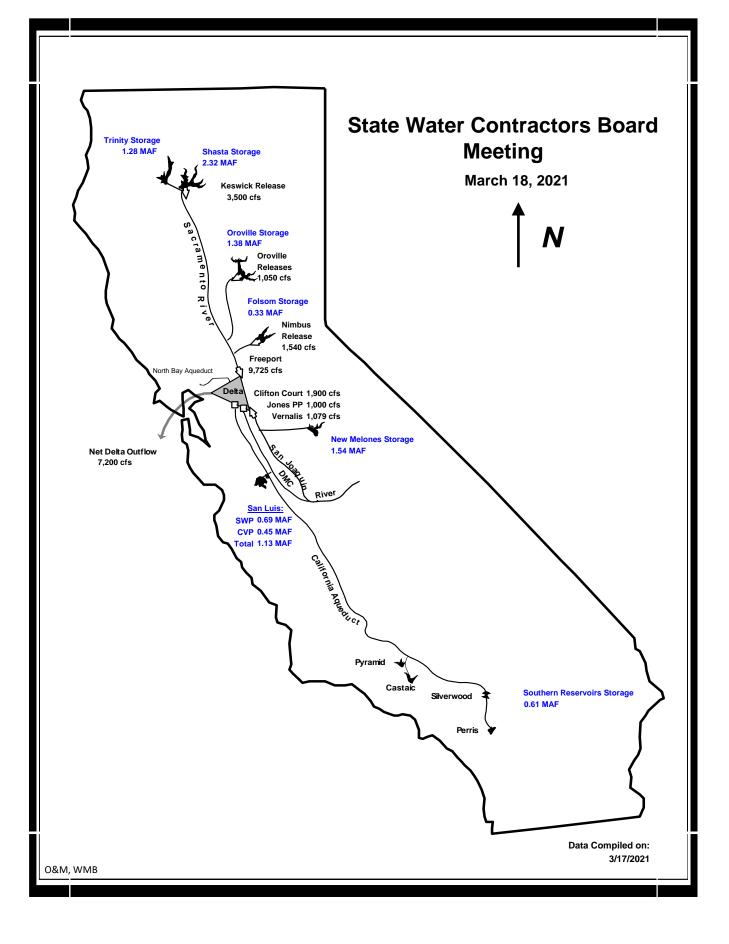
(a) Lengthy discussion of negotiations to settle issues before the SWRCB regarding the Delta Water Quality Control Plan

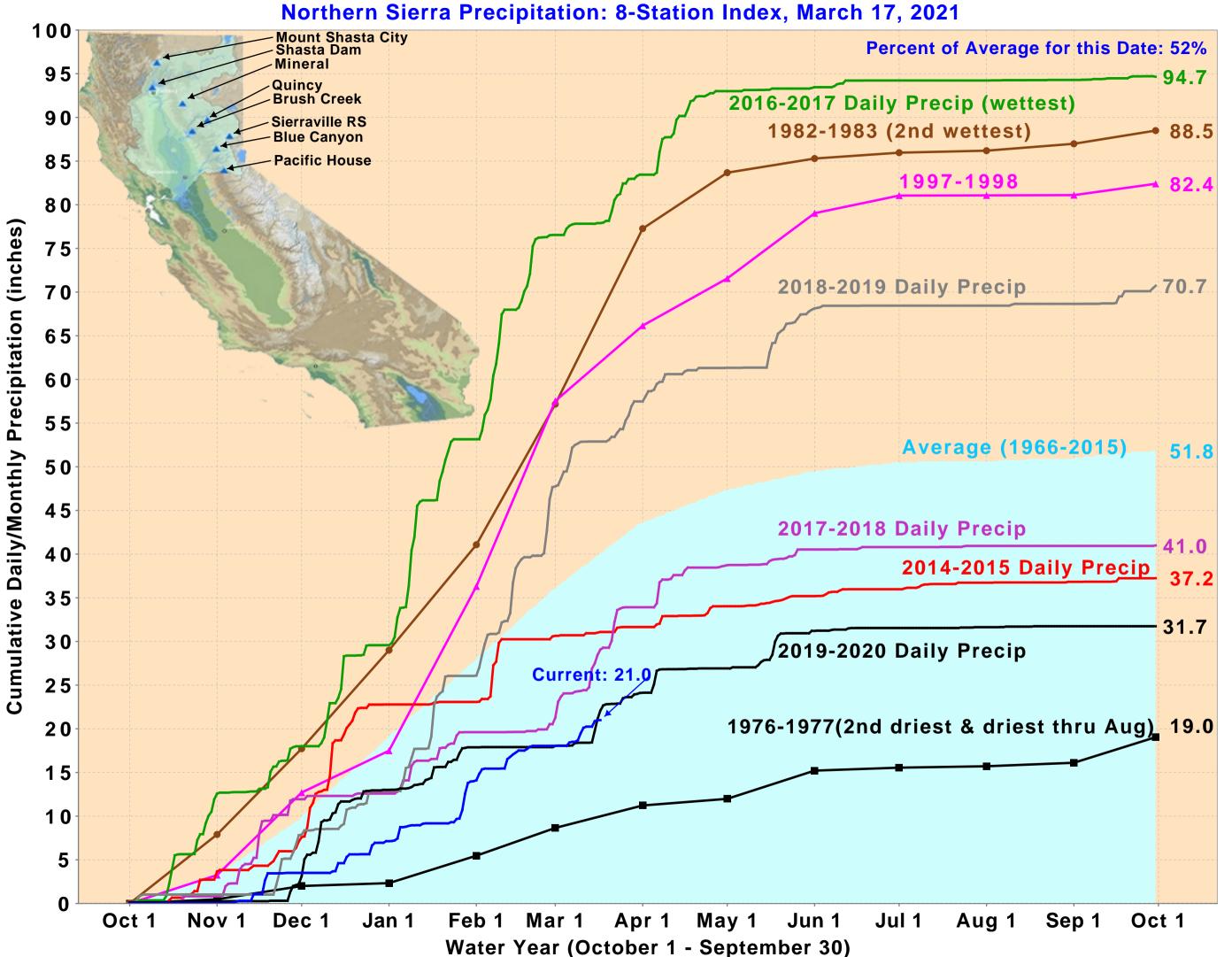
II. LEGISLATIVE REPORT

- (a) Action by SWC Board to support or oppose a number of bills that have been introduced
- (b) Support for SB 45: To place a \$5.5 Billion general obligation bond measure on the ballot to fund climate initiatives, a portion of which would be made available for water infrastructure projects, dam projects and watershed protection projects
- (c) Opposition to legislation introduced to require DWR to purchase only green energy to operate the SWP

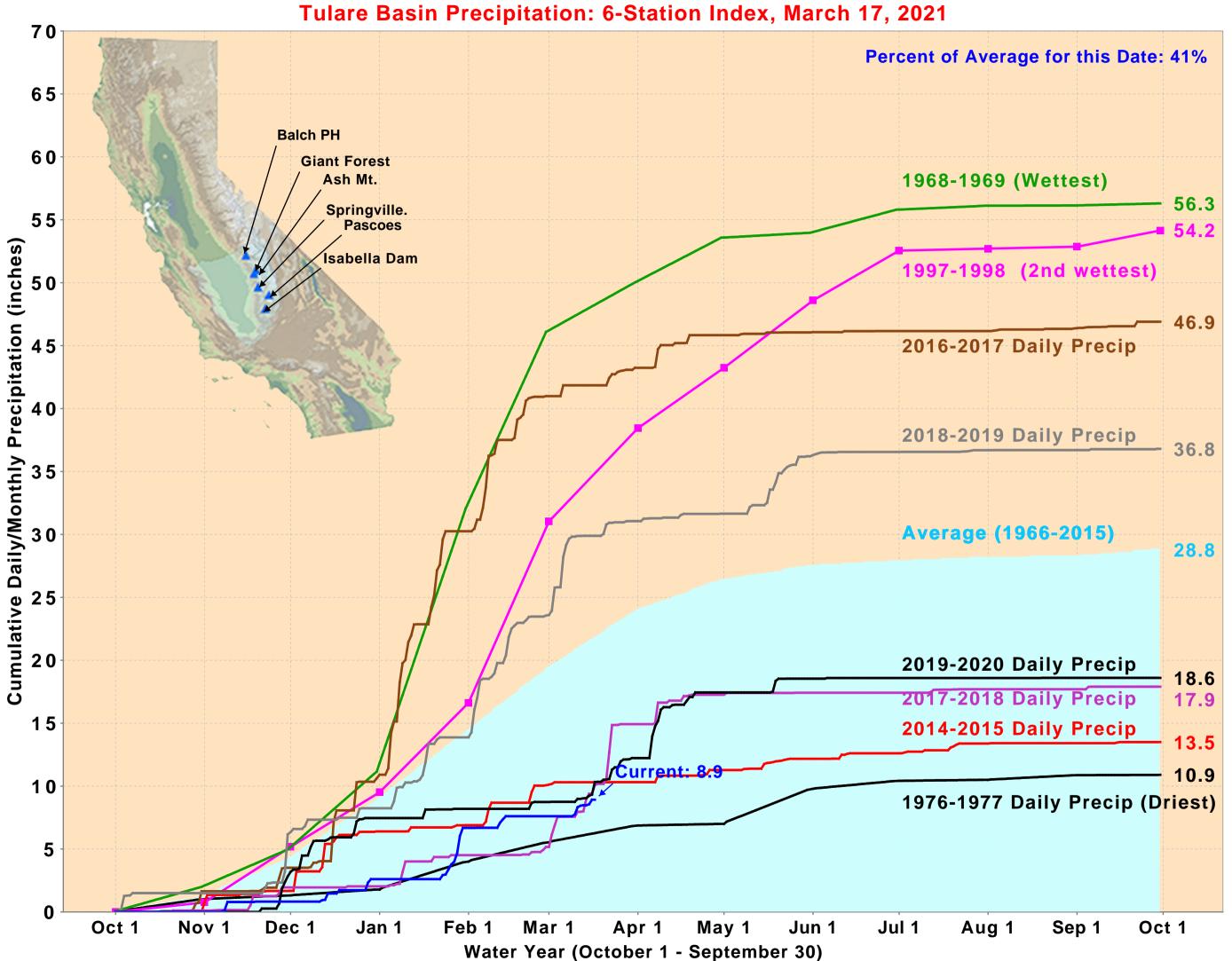
III. WATER OPERATIONS REPORT

- (a) Precipitation and snowpack are still well below average for this time of year
- (b) A storm event was projected to bring 1 inch of precipitation to the watershed
- (c) Long term forecast is for continued dry conditions
- (d) Oroville storage is at 53% of historical average
- (e) San Luis Reservoir storage is at 690,000 AF (mostly carryover water)
- (f) This will be a very challenging year for both the SWP and the CVP
- (g) This year's allocation has since been reduced to only 5% of Table A amount

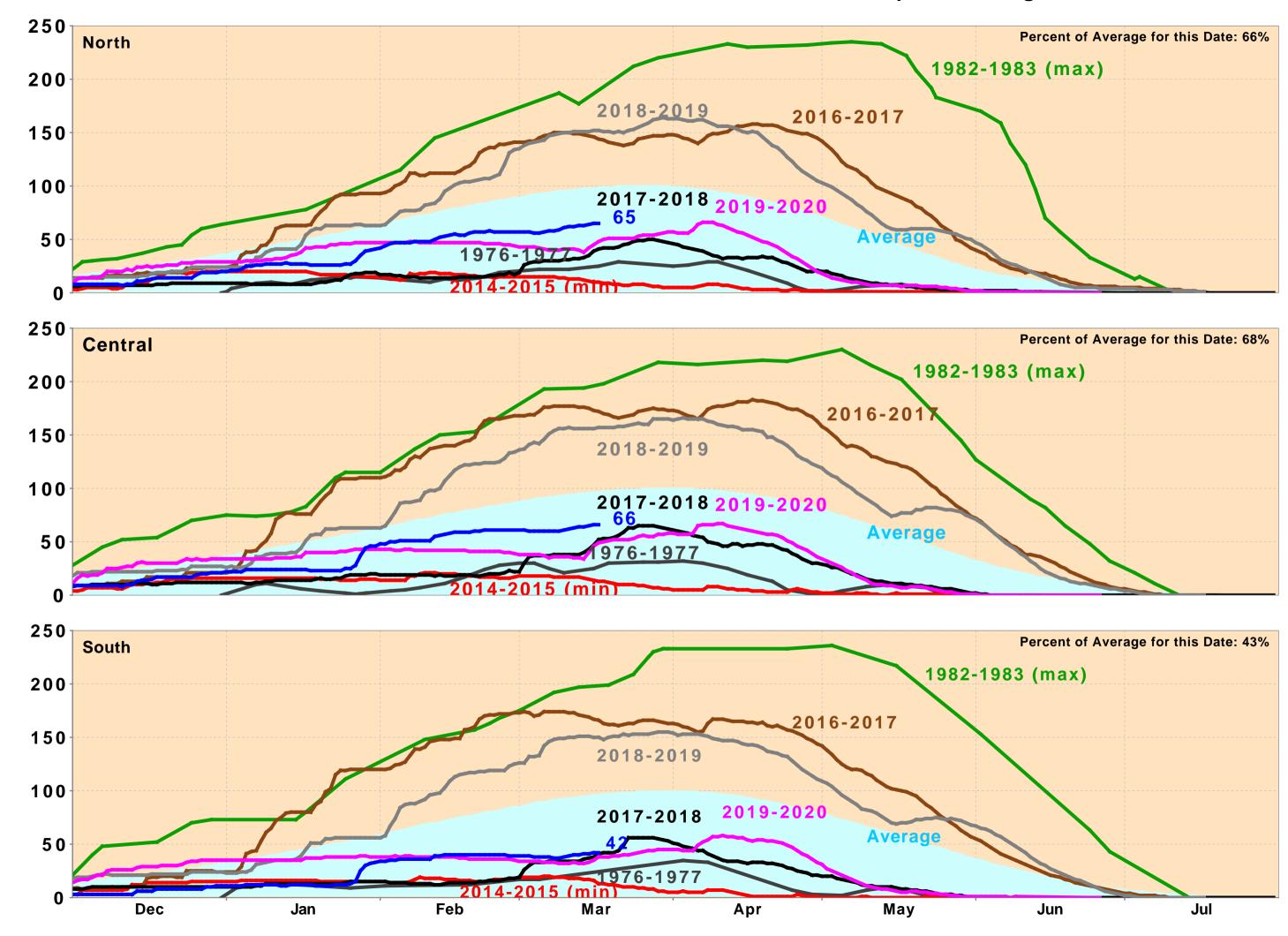




Water Year (October 1 - September 30)



California Snow Water Content, March 17, 2021, Percent of April 1 Average





Reservoir Conditions

Ending At Midnight - March 16, 2021

CURRENT RESERVOIR CONDITIONS

