



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

Pursuant to Government Code §54953(e), there will be no public location for attending in person. This meeting will be held virtually because state and local officials recommend measures to promote social distancing. Members of the public who wish to participate may do so by calling in at:

Toll Free: (253) 215-8782
Meeting ID: 854 8981 3686
Passcode: 770375

or Via Computer:

<https://dwa-org.zoom.us/j/85489813686?pwd=WTY3QW9KQndFUHhqWTJ4cGdON0hEUT09>
Meeting ID: 854 8981 3686

Members of the public who wish to comment on any item within the jurisdiction of the Agency or any item on the agenda may submit comments by emailing sbaca@dwa.org or may do so during the meeting. 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.***

De acuerdo con el proyecto de código de gobierno §54953(e), no habrá un lugar público para asistir en persona. Esta reunión se llevará a cabo virtualmente porque los funcionarios estatales y locales recomiendan medidas para promover el distanciamiento social. Los miembros del público que deseen participar pueden hacerlo llamando al:

Número gratuito: (253) 215-8782
ID de reunión: 854 8981 3686
código de acceso: 770375

o a través de la computadora:

<https://dwa-org.zoom.us/j/85489813686?pwd=WTY3QW9KQndFUHhqWTJ4cGdON0hEUT09>
ID de reunión: 854 8981 3686

Los miembros del público que deseen comentar sobre cualquier tema dentro de la jurisdicción de la Agencia o cualquier tema en la agenda pueden enviar comentarios por correo electrónico a sbaca@dwa.org o pueden hacerlo durante la reunión. Los comentarios pasarán a formar parte del registro de la reunión de la Junta. Los miembros de la junta y el personal participarán en esta reunión por teleconferencia.

****Para reducir los comentarios, silencia el audio cuando no estés hablando.***

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE BLOOMER
2. ROLL CALL BACA
3. ELECTION OF BOARD OFFICERS BLOOMER
4. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA: 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.
5. PUBLIC COMMENT ON ITEMS LISTED ON THE AGENDA: Members of the public may also comment on items listed on the agenda that are not the subject of a public hearing at this time. Again, speakers are requested to keep their comments to no more than three (3) minutes.

6. **CONSENT CALENDAR ITEMS:** Items listed under the Consent Calendar are considered to be routine and will be acted upon by one motion of the Board without discussion. There will be no separate discussion on these items unless a Board Member requests a specific item to be discussed and/or removed from the Consent Calendar for separate action.

- A. Receive and File Minutes of the December 15, 2022 State Water Contractors Meeting
- B. Receive and File Minutes of the December 29, 2022 Executive Committee Meeting
- C. Receive and File – November Water Use Reduction Figures

7. **GENERAL MANAGER'S REPORT**

KRAUSE

8. **DISCUSSION ITEMS:**

- A. East Branch Extension
- B. Sites Reservoir Financial Planning
- C. Study Session to review Ordinance No. 74
- D. Board Meetings Date and Time Change
- E. Board Payment Frequency – Scheduled for January 17, 2023 Board Agenda

9. **DIRECTORS COMMENTS/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
(Two Cases)
- 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)
Name of Case: AT&T vs. County of Riverside

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 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.

DECLARATION OF POSTING

Pursuant to Government Code Section 54954.2, I certify that this agenda has been posted at least 72 hours prior to the meeting on the Agency's website at www.dwa.org and at the Agency's main office, 1200 South Gene Autry Trail, Palm Springs, CA.

Sylvia Baca, MMC, Assistant Secretary of the Board

Bend OR
(541) 382-3011
Indian Wells
(760) 568-2611
Irvine
(949) 263-2600
Los Angeles
(213) 617-8100
Ontario
(909) 989-8584

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BEST BEST & KRIEGER
ATTORNEYS AT LAW

3390 University Avenue, 5th Floor, P.O. Box 1028, Riverside, CA 92502
Phone: (951) 686-1450 | Fax: (951) 686-3083 | www.bbklaw.com

Riverside
(951) 686-1450
Sacramento
(916) 325-4000
San Diego
(619) 525-1300
Walnut Creek
(925) 977-3300
Washington, DC
(202) 785-0600

Michael T. Riddell
(951) 826-8210
michael.riddell@bbklaw.com

Memorandum

To: Board of Directors, Desert Water Agency
From: Michael T. Riddell
Date: December 15, 2022
Re: Procedures for Election of Board Officers

We have been asked what legal procedures, if any, apply to the election of officers on the Board of Directors of Desert Water Agency. The law does not specify a particular procedure for the election of Board officers. Therefore the Board does have some discretion in determining how an election of its officers shall be conducted. Section 100-12 of the Desert Water Agency Law provide, in pertinent part, as follows:

“The board of directors shall only act by ordinance, resolution, or motion.”

Therefore, any action by the Board must take one of those three forms, and in the past it has been done by simple motion. A motion requires a second or else it fails for lack of a second. Following a second there is normally discussion on the motion, followed by a vote. Three affirmative votes are required for the motion to be adopted, as Section 100-12 further provides that:

“No ordinance, motion, or resolution shall be passed or become effective without the affirmative vote of a majority of the members of the board.”

We recommend a discussion among Board members before any motion is introduced so that all Board members will have a chance to express their views and desires, and hear what other Board members may have to say. It would be complicated, procedurally, to try and straighten out competing motions offered at the same time. It would be best, for example, to avoid a situation in which Director A introduces a motion and it is seconded by Director B, and then during discussion of that motion Director C offers a competing motion which is seconded by Director D, such that two motions are on the floor at the same time. The suggested approach,

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instead, is to have adequate discussion in advance of the introduction of any motion to allow all Directors to hear and consider what his or her fellow Directors have to say on the issue, before any motion is introduced.

Section 100-11 of the Desert Water Agency Law, in pertinent part, provides as follows:

“At its first meeting in the month of January of each even-numbered year, the board of directors shall choose one of its members president.”

When that section was enacted Agency elections were conducted in odd numbered years, and the Board conducted its election of officers in January following each Agency general election. Subsequently, however, the County Registrar of Voters suggested that the Agency consider moving its elections to even numbered years, as permitted by the California Elections Code. The Board at that time decided to do so because it would reduce the cost of conducting the Agency’s election, and likely increase voter turnout, if it were consolidated with the Statewide election. The Board continued to elect Board officers in January following the election, which moved the election of officers to January of odd numbered years instead of January of even numbered years.

As for the positions of vice-president, secretary and treasurer, the Desert Water Agency Law does not specify when those elections shall occur, nor how often. Section 100-14 provides only that those appointments shall be “by a majority vote.”

The Brown Act does provide that a vote on any matter before the Board must be conducted openly so that all members of the public can see how each Board member voted. Secret ballots are not permitted. We do not see a mechanism to allow ranked voting since the election of an officer would need to be in the form of a motion adopted by affirmative votes from at least three Board members.

Michael T. Riddell
Agency Counsel

STATE WATER CONTRACTORS MEETING

December 15, 2022

I. LEGISLATIVE UPDATE

- (a) Legislature convenes on January 3, 2024, but had a quick organizational session on December 5
- (b) January 10 deadline for Governor's proposed budget; January 20 deadline for bill concepts to go to Legislative Counsel for analyses
- (c) Assembly Democrats gained 2 seats (from 60 to 62), supermajority is 54 seats. Senate Democrats gained 1 seat (from 31 to 32), resulting in 32 Democrats and 8 Republicans
- (d) One-third of the Legislature is new, outreach to new legislators is needed.
- (e) SWC emphasis in the next session will be to obtain funding (SB 1020 implementation, subsidence issues, etc.)

II. BOARD ACTION ITEMS

- (a) Budget Committee appointed (Brad Coffee, Robert Cheng, Craig Wallace)
- (b) Resolution adopted recognizing Steve Arakawa's retirement, years of service
- (c) Second dues collection cancelled, expenses under budget
- (d) SWC staff authorized to conduct RFP for science program proposals, seek Proposition 1 grant funds

III. SWP WATER SUPPLY

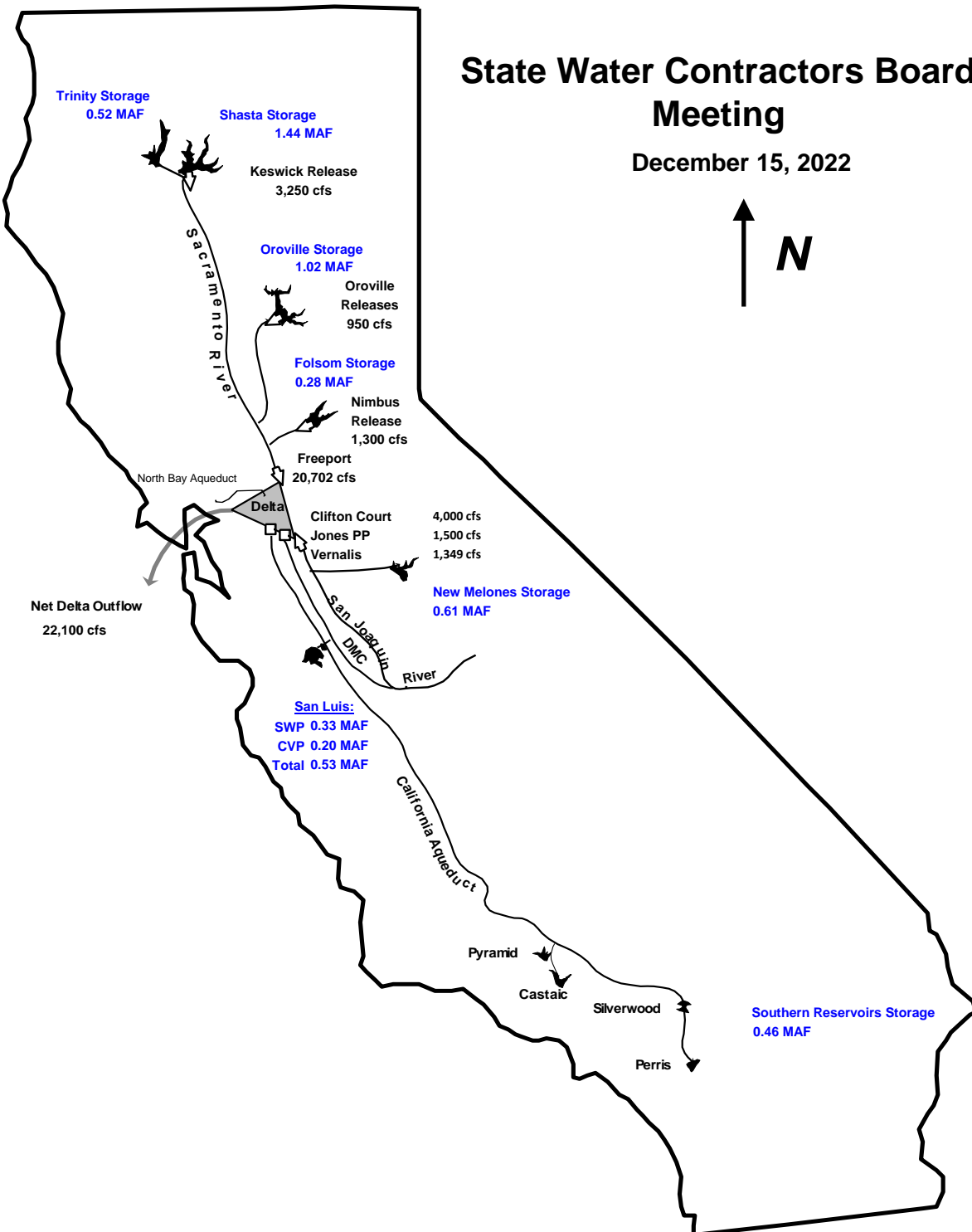
- (a) December precipitation above average in first half, outlook below average for remainder of December
- (b) Seasonal outlook: equal chances of above or below average precipitation
- (c) Northern Sierra precipitation for the year slightly below average, expected to decline
- (d) San Joaquin and Tulare precipitation about average for the year
- (c) Snowpack above average so far
- (d) Storage reservoirs below average across the State. Diversions to the San Luis Reservoir should increase storage there

IV. GENERAL MANAGER'S REPORT

- (a) Much accomplished during the year (dry year water transfer program, voluntary agreement signed, energy roadmap completed, work on interim operations in the Delta, completed South Bay Aqueduct reliability report, saved \$2 Billion in amendments to SB 1020, Contract extension moving forward)

State Water Contractors Board Meeting

December 15, 2022



Precipitation Outlooks



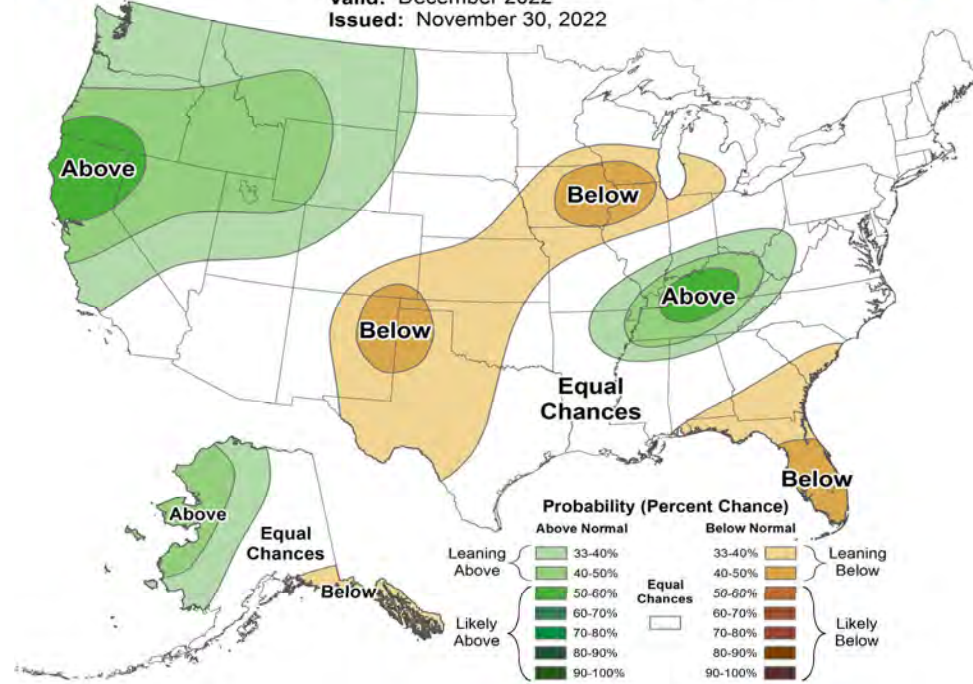
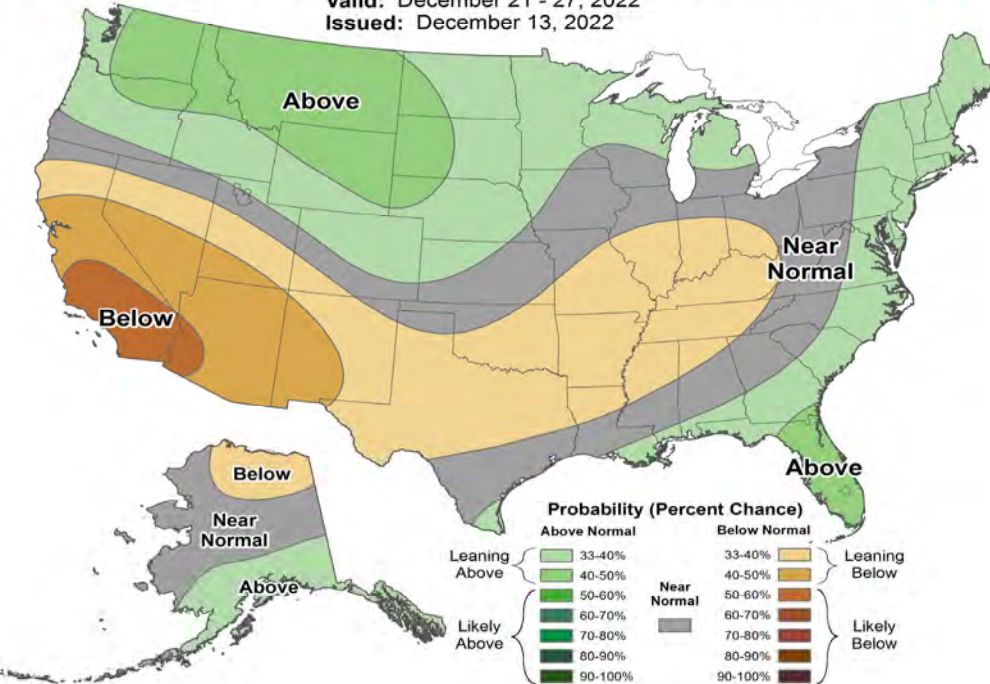
8-14 Day Precipitation Outlook

Valid: December 21 - 27, 2022
Issued: December 13, 2022



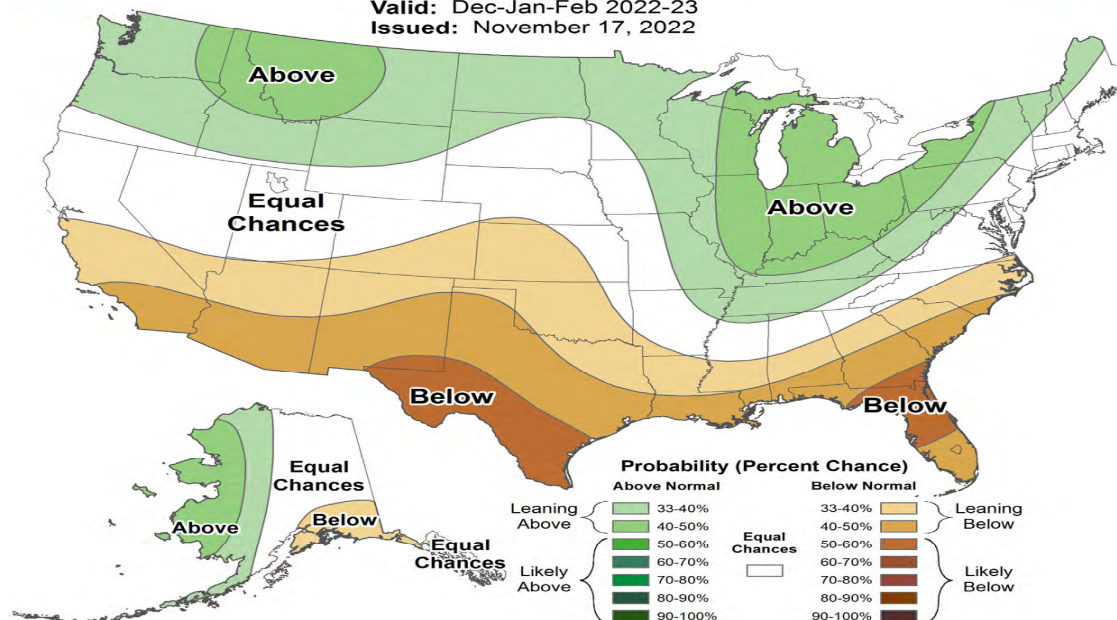
Monthly Precipitation Outlook

Valid: December 2022
Issued: November 30, 2022



Seasonal Precipitation Outlook

Valid: Dec-Jan-Feb 2022-23
Issued: November 17, 2022



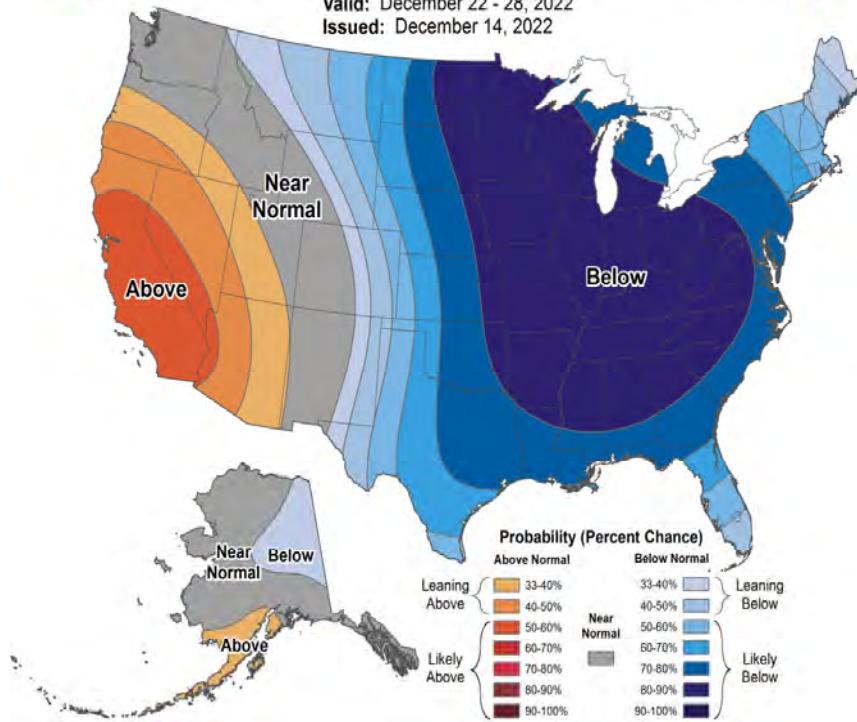
Temperature Outlooks



8-14 Day Temperature Outlook



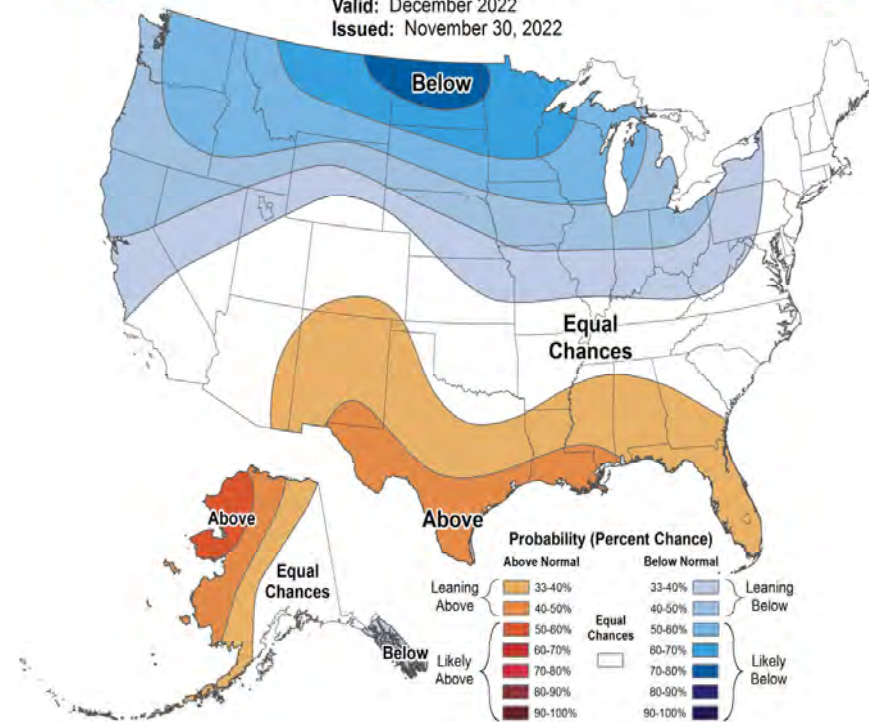
Valid: December 22 - 28, 2022
Issued: December 14, 2022



Monthly Temperature Outlook



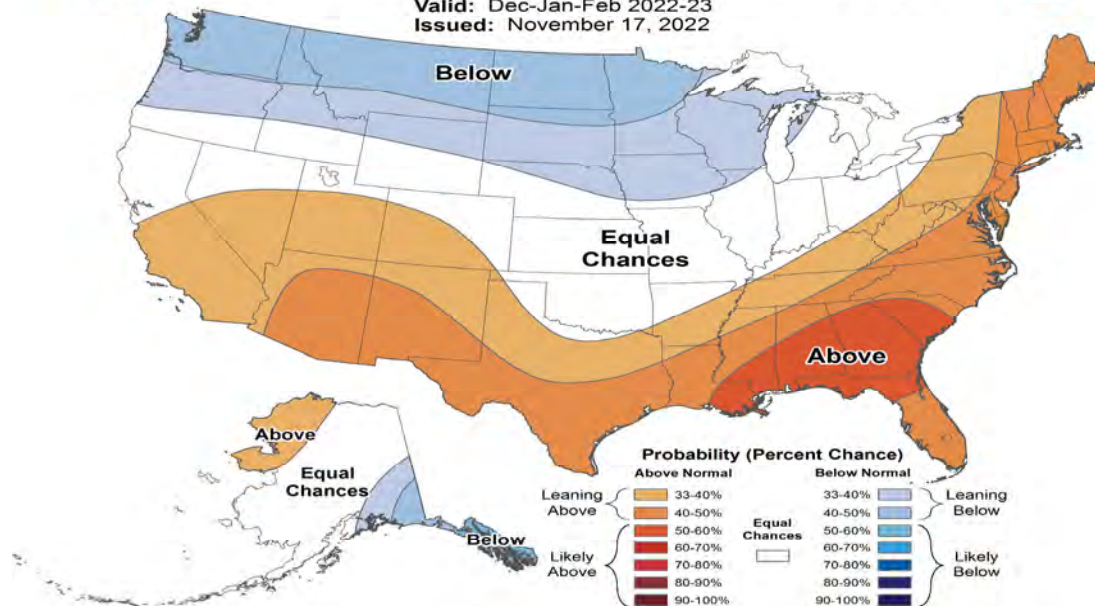
Valid: December 2022
Issued: November 30, 2022



Seasonal Temperature Outlook

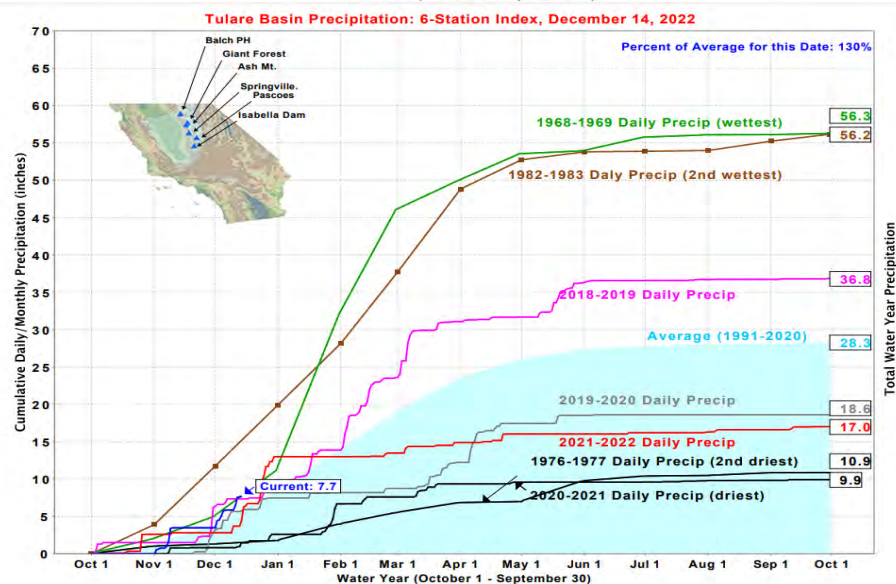
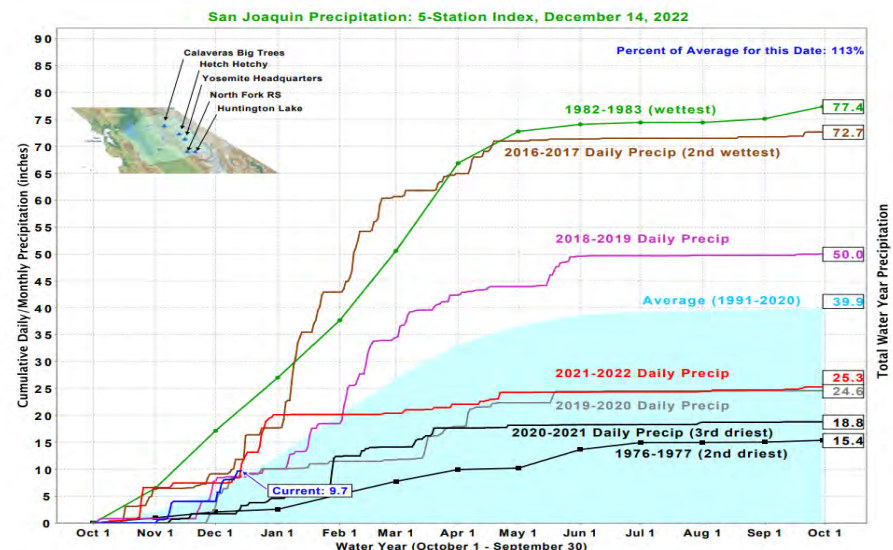
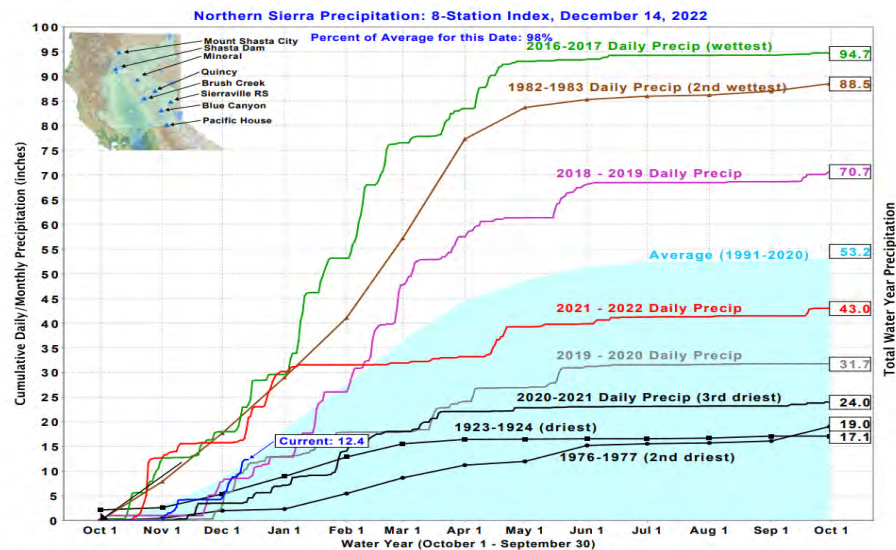


Valid: Dec-Jan-Feb 2022-23
Issued: November 17, 2022

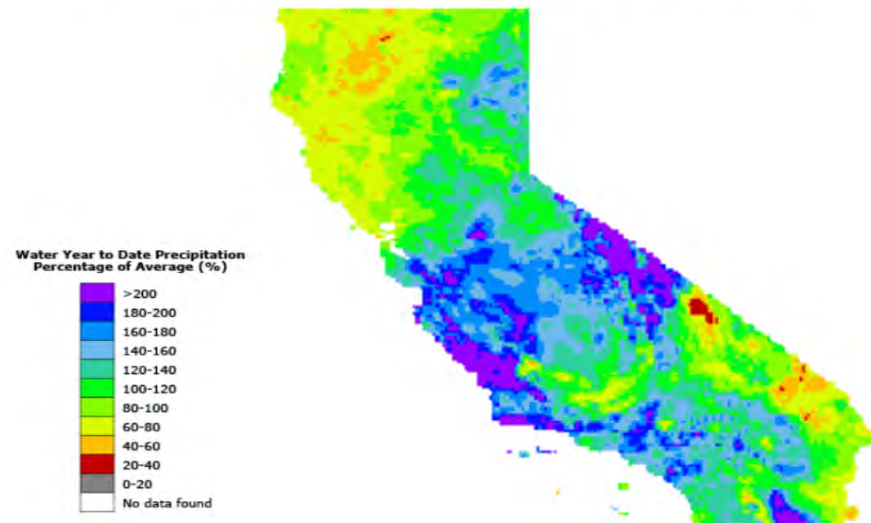


Statewide Precipitation Conditions as of 12/14/2022

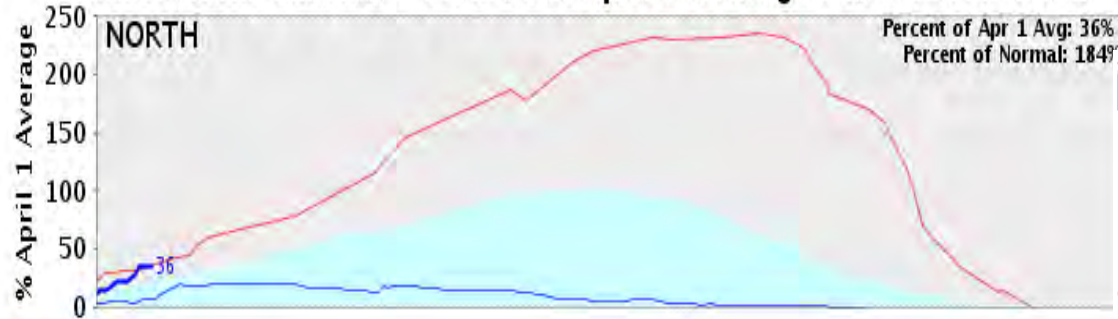
	Northern Sierra 8-Station Index inches (%)	San Joaquin 5-Station Index inches (%)	Tulare Lake 6-Station Index inches (%)
October	0.0" (0%)	0.0" (0%)	0.0" (0%)
November	4.6" (86%)	4.0" (111%)	3.5" (134%)
December	7.7" (77%)	5.7" (87%)	3.9" (84%)
Season-to-Date	12.4" (97%)	9.7" (112%)	7.4" (125%)
WY-to-Date	12.4" (23%)	9.7" (24%)	7.4" (26%)



Water Year to Date Precipitation Percentage of Average (%) - 12/12/2022

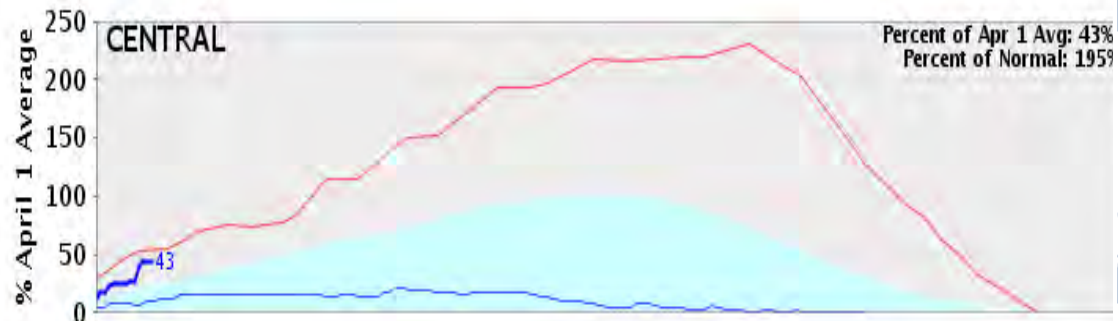


CA Snow Water Content - Percent of April 1 Average For: 14-Dec-2022



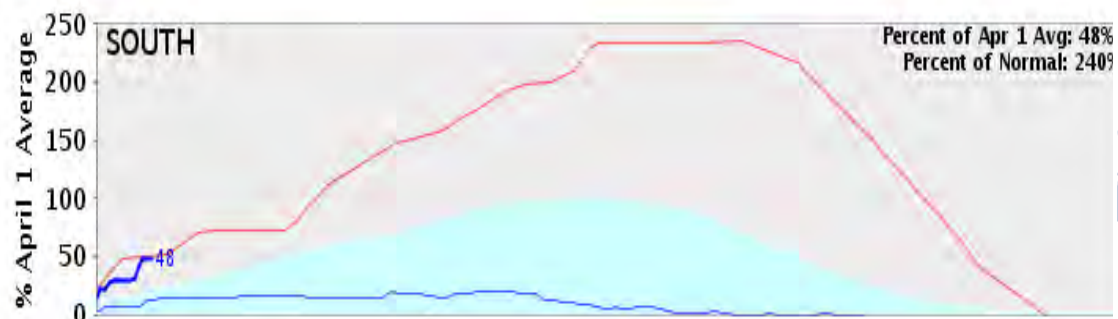
NORTH

Data For: 14-Dec-2022
Number of Stations Reporting 32
Average snow water equivalent 10.3"
Percent of April 1 Average 36%
Percent of normal for this date 184%



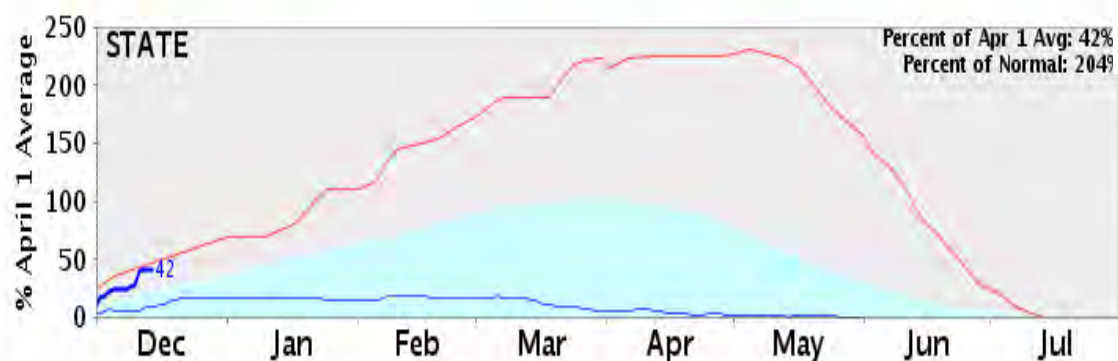
CENTRAL

Data For: 14-Dec-2022
Number of Stations Reporting 54
Average snow water equivalent 12.0"
Percent of April 1 Average 43%
Percent of normal for this date 195%



SOUTH

Data For: 14-Dec-2022
Number of Stations Reporting 32
Average snow water equivalent 11.0"
Percent of April 1 Average 48%
Percent of normal for this date 240%



STATEWIDE SUMMARY

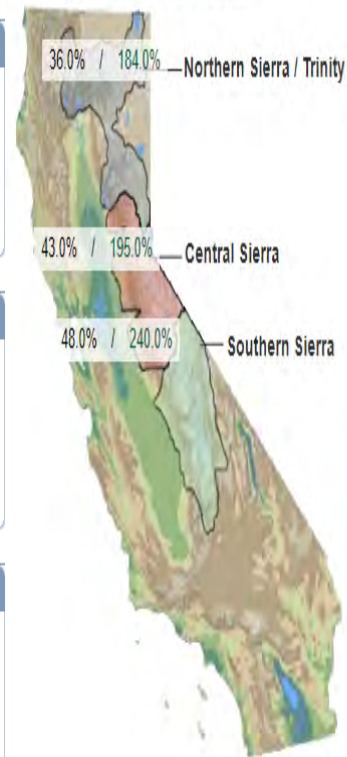
Data For: 14-Dec-2022
Number of Stations Reporting 118
Average snow water equivalent 11.3"
Percent of April 1 Average 42%
Percent of normal for this date 204%

Snow Water Equivalents (inches)

Provided by the California Cooperative Snow Surveys

Data For: 14-Dec-2022

% Apr 1 Avg. / % Normal for this Date

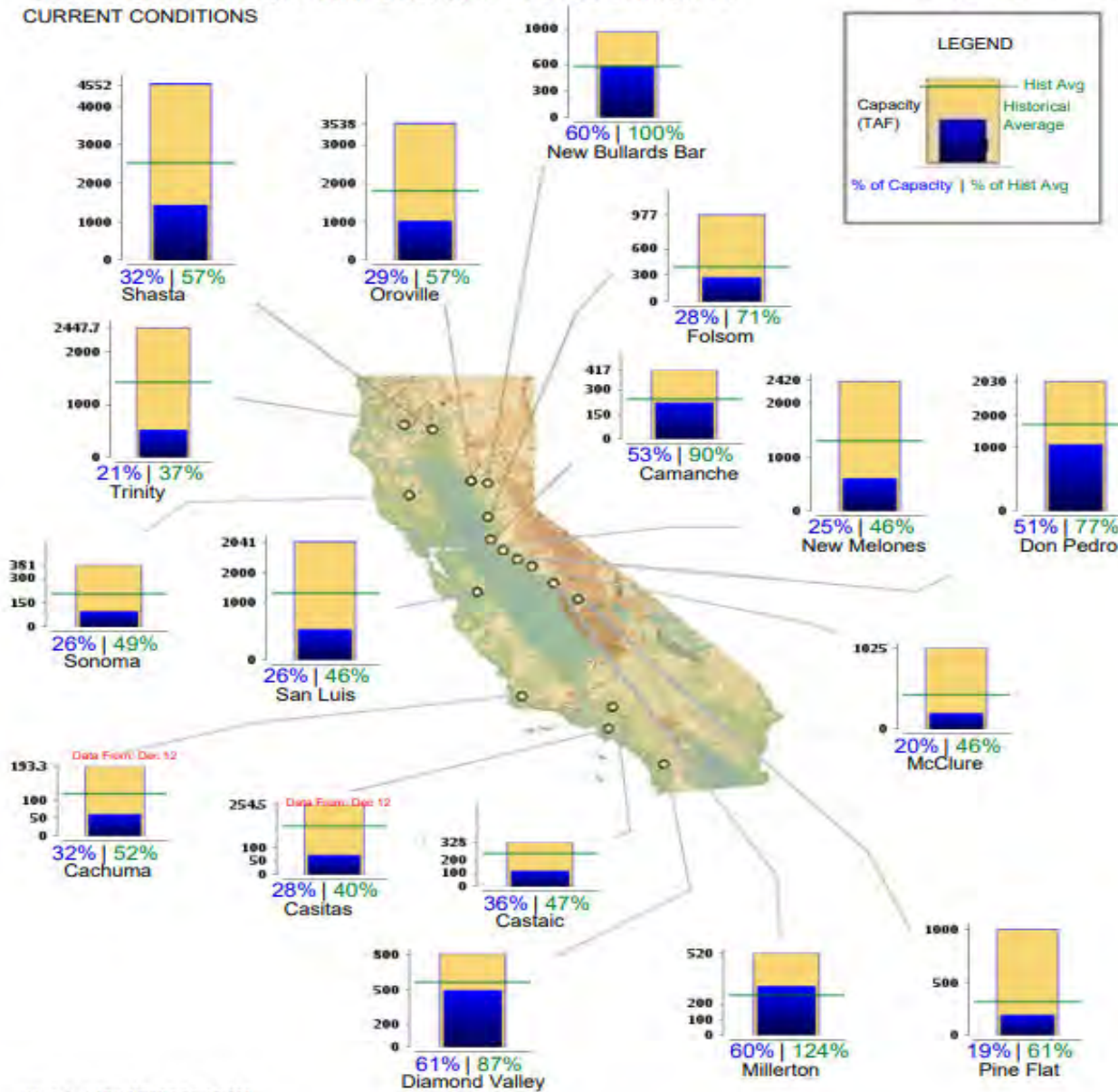


Average — 1982-1983 (max) — 2014-2015 (min) — 2022-2023 (current)



CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS CURRENT CONDITIONS

Midnight - December 13, 2022



Updated 12/14/2022 09:48 AM

	Storage (TAF)	% Average
Shasta	1,437.8	57%
Oroville	1,024.8	57%
Folsom	276.8	71%
San Luis	532.7	46%

Minutes
Executive Committee Meeting
December 29, 2022

Directors Present: Kristin Bloomer, Paul Ortega

Staff Present: Mark Krause, Steve Johnson, Sylvia Baca

Call to Order

1. Public Comments - None

2. Discussion Items

A. Review agenda for January 3, 2023 Board meeting

The proposed agenda for the January 3, 2023 meeting was reviewed.

B. Discuss possible creation of Ad Hoc Committee to review Ordinance No. 74

The Committee requested this item be added to the Discussion items section on the January 3 Board agenda.

C. Discuss potential agenda items to be considered for the Board meeting agenda

The Committee directed staff to place agenda items to be considered for a future Board meeting under the Discussion items section on the January 3 Board agenda.

D. 2023 Board Travel Conferences

Staff provided the Committee with the current draft schedule. The Committee approved the current draft schedule. Assistant Secretary of the Board Baca will notify the Board of upcoming conferences and will register those interested in attending. It was noted that this schedule is a working draft. Many organizations do not have their confirmed dates, locations or agendas available at this time. Any future updates to the schedule will be reviewed by the Executive Committee.

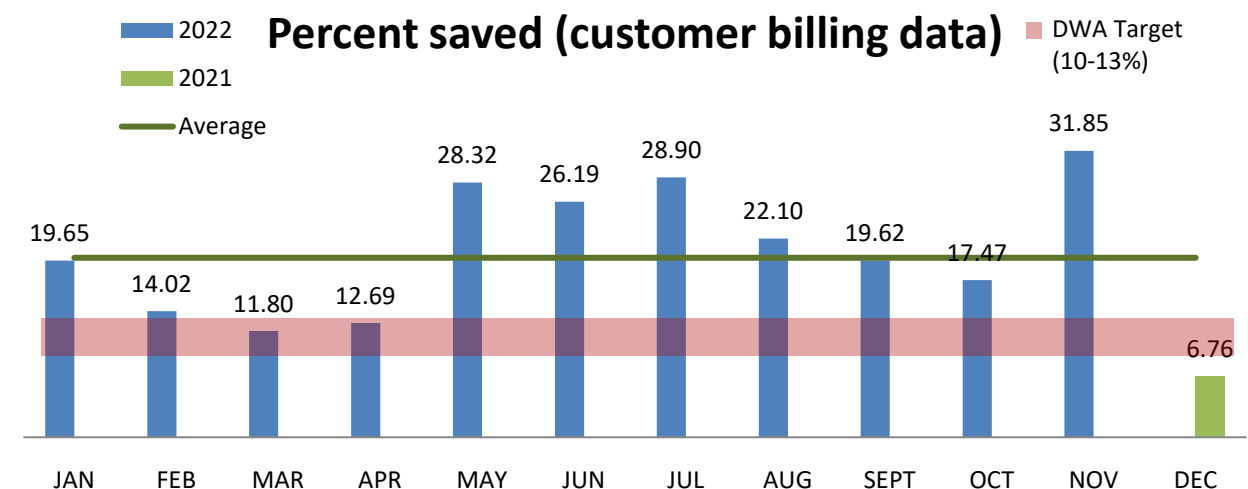
Adjourn

STAFF REPORT TO DESERT WATER AGENCY BOARD OF DIRECTORS

JANUARY 3, 2023

RE: NOVEMBER 2022 WATER USE REDUCTION FIGURES

Desert Water Agency customers reduced water consumption per meter by 31.85% during November 2022 compared to the same month in 2013 – the baseline year the State Water Resources Control Board (State Water Board) used to measure statewide conservation achievements during the last drought.



Over the past 12 months, the percent saved over 2013 is trending at about 20%. DWA is asking its customers to voluntarily save 10-13% compared to 2013 to help achieve long-term sustainability.

The State Water Board has required water suppliers to implement Level 2 of their Water Shortage Contingency Plans to reduce water use by up to 20% with the Governor specifically requesting 15%. Water production (water from well and stream sources) was down 18.96% in November 2022 compared to November 2020 (the State's baseline). DWA is encouraging and incentivizing conservation to reach State water use reduction goals.

As part of its efforts, DWA reached out to customers actively discouraging overseeding. On the following page is additional information for this month.

November 2022 conservation per meter percentage	31.85%
November 2022 consumption per meter	41.17 HCF
November 2013 consumption per meter	60.40 HCF
November 2022 gross consumption conservation percentage	26.64%
November 2022 metered potable consumption	2265.96 AF
November 2013 metered potable consumption	3088.61 AF
The percentage of the Total Monthly Potable Water Production going to residential use only for the reporting month	72.2%
Population (based on Urban Water Management Plan projections and inclusive of seasonal residents)	73,895
Estimated R-GPCD	252.27
Number of public complaints of water waste or violation of conservation rules received during the reporting month.	156
Number of contacts with customers for actual/alleged water waste or for a violation of conservation rules.	23
Number of field visits for water waste follow up.	46
Number of citations for violation of conservation rules.	16

GENERAL MANAGER'S REPORT

January 3, 2023

Damaged air- vac – Gene Autry Trail and Sunny Dunes Rd.

On December 15th at approximately 9:00 p.m. Construction standby responded to a damaged air-vac located on the southwest corner of Gene Autry Trail and east Sunny Dunes Rd. Staff re-installed the air-vac and cover and placed it back into service. This was a hit and run. A police report was filed. The water loss was from a ½ inch which flowed for approximately 30 minutes. The water loss was approximately 1,550 gallons (2 HCF).

Air-vac and Flange



Damaged air-vac
cover



General Manager Updates:

Sites Reservoir Financing

DWA Staff is preparing a financial update on this project. The project participants (Districts) and Sites Reservoir Staff have been meeting regularly to discuss changes and updates in financials including participation levels, grant funding, low interest government loans, bonding and coordination with DWR. Finance Director Saenz and General Manager Krause plan to present a staff report in late January or early February to fully update the Board on finances concerning this project.

Recommendations for a Board Policy on Meetings/Events and Compensation

Staff will be meeting after the January 3 Board meeting to provide a recommended list of meetings and events for Board member attendance and proposed public event compensation policy. When the draft is completed, it will be presented to the Executive Committee and if approved added to a future Board meeting agenda for discussion and possible action.

SYSTEM LEAK DATA

(PERIOD BEGINNING DEC 13, 2022 THRU DEC 26, 2022)

[illegible]

TOTAL LEAKS IN SYSTEM:

22

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

Streets highlighted in salmon are being proposed as part of the

2022/2023 Replacement Pipeline Project

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):	117,721
TOTAL LENGTH OF UNLINED PIPE SYSTEMWIDE (LINEAR FEET):	297,672
*AVERAGE LENGTH OF PIPE REPLACED ANNUALLY (LINEAR FEET):	15,000
PROJECTED TIME FRAME FOR 100% REPLACEMENT OF UNLINED STEEL PIPE:	16 YEARS
PROJECTED TIME FRAME FOR 100% REPLACEMENT OF PIPE OLDER THAN 70 YEARS:	9 YEARS
YEAR AGENCY TRANSITIONED TO CEMENT LINED STEEL PIPE:	1960
<p>*PLEASE NOTE THIS FIGURE REPRESENTS THE AVERAGE LINEAR FOOTAGE OF PIPELINE REPLACED ANNUALLY GIVEN AN AVERAGE ANNUAL BUDGET OF \$3 MILLION.</p>	

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

SYSTEM LEAKS

(PERIOD BEGINNING DEC 13,
2022 THRU DEC 26,2022)

2022/2023 REPLACEMENT PIPELINES - VISTA CHINO

2021/2022 REPLACEMENT PIPELINES - VIA ALTAMIRA

2021/2022 REPLACEMENT PIPELINES - TERRY LN

2020/2021 REPLACEMENT PIPELINES - AVENIDA CABALLEROS

General Manager's Meetings and Activities

Meetings:

12/20/22	DWA Bi-Monthly Board Meeting	Conf Call
12/20/22	Non-Potable Wet Weather Storage and Distribution (Tate)	Conf Call
12/28/22	SWC-DCP Coordination Meeting	Conf Call
12/28/22	CV-SNMP Monthly Meeting (Rapolla, Metzger)	Conf Call
12/29/22	DWA Executive Committee Meeting	Conf Call
01/03/23	Events/Meetings Policy Working Meeting	Conf Call
01/03/23	DWA Bi-Monthly Board Meeting	Conf Call

Activities:

- 1) DWA Board Handbook
- 2) DWA Rate Study
- 3) DWA Surface Water Rights
- 4) Water Supply Planning – DWA Area of Benefit
- 5) Sites Reservoir Finance
- 6) DCP Financing
- 7) Lake Perris Seepage Recovery Project Financing
- 8) Recycled Water Supply - Strategic Planning
- 9) AQMD Rule 1196
- 10) DWA Digital Transformation Project
- 11) DWA Organizational Restructuring
- 12) DWA Tax Rate Analysis
- 13) DWA Staff Succession Planning
- 14) Palm Springs Aerial Tramway Water Supply 2022
- 15) SWP Contract Extension Amendment
- 16) DWA Remote Meter Reading Fixed Network
- 17) State and Federal Contractors Water Authority and Delta Specific Project Committee (Standing)
- 18) Whitewater River Surface Water Recharge
- 19) Replacement Pipelines 2021-2022
- 20) DC Project – Finance JPA Committee (Standing)
- 21) DWA/CVWD/MWD Operations Coordination/Article 21/Pool A/Pool B/Yuba Water (Standing)
- 22) DWA/CVWD/MWD Exchange Agreement Coordination Committee (Standing)
- 23) SWP 2022 Water Supply
- 24) ACBCI Water Rights Lawsuit
- 25) Whitewater Hydro Operations Coordination with Recharge Basin O&M
- 26) Whitewater Spreading Basins – BLM Permits
- 27) Delta Conveyance Project Cost Allocation
- 28) MCSB Delivery Updates

Activities:
(Cont'd.)

- 29) Well 6 Meaders Cleaners RWQB Meetings
- 30) SWP East Branch Enlargement Cost Allocation
- 31) RWQCB Update to the SNMP