



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

*This meeting will be held virtually and in person. The link and the telephone option provided is for the convenience of the public.*

Toll Free: (253) 215-8782

Meeting ID: 815 9065 2608

Passcode: 896034

or Via Computer:

<https://dwa-org.zoom.us/j/81590652608?pwd=Y0p6RUJEvC0E5NWo3QXhYeVFMN281Zz09>

Meeting ID: 815 9065 2608

*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](mailto:sbaca@dwa.org) or may do so during the meeting. Comments will become part of the Board meeting record.*

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

*Esta reunión se llevará a cabo virtualmente y en persona. El enlace y la opción telefónica proporcionada es para la comodidad del público.*

Número gratuito: (253) 215-8782

ID de reunión: 815 9065 2608

código de acceso: 896034

o a través de la computadora:

<https://dwa-org.zoom.us/j/81590652608?pwd=Y0p6RUJEvC0E5NWo3QXhYeVFMN281Zz09>

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*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](mailto:sbaca@dwa.org) o pueden hacerlo durante la reunión. Los comentarios pasarán a formar parte del registro de la reunión de la Junta.*

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

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE ORTEGA
2. ROLL CALL BACA
3. 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. 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.
4. 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.

5. **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. Approve Minutes of the August 1, 2023 Regular Board Meeting
- B. Approve Minutes of the August 15, 2023 Regular Board Meeting
- C. Receive and File – Minutes of the August 24, 2023 Executive Committee Meeting
- D. Request Adoption of Resolution No. 1311 Extending the Agency's Services Priority Policy for Lower Income Developments in Accordance with Government Code Section 65589.7
- E. Receive and File – July Water Use Reduction Figures

6. **DISCUSSION ITEM:**

- A. Tropical Storm Hilary Damage Presentation JOHNSON

7. **GENERAL MANAGER'S REPORT** JOHNSON

8. **DIRECTORS REPORTS ON MEETINGS/EVENTS ATTENDED ON BEHALF OF THE AGENCY**

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: David Jervis vs. Desert Water Agency, et al
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Government Code Section 54956.8  
Property: 1500 S. Gene Autry Tr. Palm Springs APN# 680-180-029  
Agency Negotiators: Mark S. Krause, General Manager and Steve Johnson, Assistant General Manager  
Negotiating Parties: Desert Water Agency and The Palm Springs Surf Club  
Under Negotiation: Possible Easement Agreement
- C. 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
- 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 – 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
- F. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant Exposure to Government Code Section 54956.9 (d) (2)  
One Case

**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](http://www.dwa.org) and at the Agency's office located at 1200 South Gene Autry Trail, Palm Springs, CA.

Sylvia Baca, MMC, Assistant Secretary of the Board

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

**5-A**

**August 1, 2023**

Board: Paul Ortega, President  
Jeff Bowman, Vice President  
Gerald McKenna, Secretary-Treasurer  
Kristin Bloomer, Director  
Steve Grasha, Director

DWA Staff: Mark Krause, General Manager  
Steve Johnson, Assistant General Manager  
Esther Saenz, Finance Director  
Sylvia Baca, Asst. Secretary of the Board  
Kris Hopping, Human Resources Director  
Jamie Hoffman, Senior Admin. Asst.  
Eddie Gonzalez, Facilities & Safety Officer  
Paul Monroy, DWA Lab Director

Consultants: Michael T. Riddell, Best Best & Krieger  
Arden Wells, TODD Groundwater  
Maureen Reily, TODD Groundwater

President Ortega opened the meeting at 8:00 a.m. and asked Vice President Bowman to lead the Pledge of Allegiance. **Pledge of Allegiance**

President Ortega called upon Assistant Secretary of the Board Baca to conduct the roll call: **Roll Call**

Present: Grasha, Bloomer, McKenna, Bowman, Ortega

President Ortega opened the meeting for public comment for items not listed on the Agenda. **Public Comment on Items Not Listed on the Agenda**

There was no one from the public wishing to address the Board for items not listed on the Agenda.

President Ortega opened the meeting for public comment for items listed on the Agenda. **Public Comment on Items Listed on the Agenda**

There was no one from the public wishing to address the Board for items listed on the Agenda.

President Ortega called for approval of the Consent Calendar. He noted that Consent Calendar Items 5-A through 5-F are expected to be routine and to be acted upon by the Board of Directors at one time without discussion. If any Board member requests that an item be removed from the consent calendar, it will be removed so that it may be presented separately.

- A. Approve Minutes of the July 5, 2023 Regular Board Meeting
- B. Approve Minutes of the July 18, 2023 Regular Board Meeting
- C. Receive and File – Minutes of the July 20, 2023 State Water Contractors’ Meeting
- D. Approve Minutes of the July 25, 2023 Special Joint Board Meeting
- E. Receive and File – Minutes of the July 27, 2023 Executive Committee Meeting
- F. Receive and File – June Water Use Reduction Figures

Director Grasha moved for approval of Consent Calendar Items 5A through 5F. After a second by Director Bloomer, the motion carried by the following roll call vote:

AYES: Grasha, Bloomer, McKenna, Bowman, Ortega  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

Finance Director Saenz presented the staff report.

President Ortega opened the public hearing at 8:07 a.m.

There being no one wishing to address the Board, President Ortega closed the public hearing at 8:08 a.m.

In response to Director Bloomer, Mrs. Saenz stated the Agency will continue the same annual process.

In response to Secretary-Treasurer McKenna, Mrs. Saenz noted that there are Board approved lists of events that the Board can be compensated for, and that staff is only changing Section 1 of the Ordinance, combining Ord. 62 & Ord. 64 into one ordinance

In response to Secretary-Treasurer McKenna, Legal Counsel Riddell stated that if the Board wishes to change the compensation amount the statute requires a public hearing, adoption of a new ordinance and at that time it would become effective no sooner than 60 days. He noted that updating the list of events does not require public hearing, it only requires Board action.

In response to Secretary-Treasurer McKenna, General Manager Krause explained the list of events was approved by Board action at a previous meeting.

#### Approval of the Consent Calendar

- A. Approve Minutes of the 07/05/23 Regular Board Mtg.
- B. Approve Minutes of the 07/18/23 Regular Board Mtg.
- C. Receive & File Minutes of the 07/20/23 State Water Contractors’ Board Mtg.
- D. Approve Minutes of the 07/25/23 Special Joint Board Mtg.
- E. Receive & File Minutes of the 07/27/23 Executive Comm. Mtg.
- F. Receive & File June Water Use Reduction Figures

#### Public Hearing:

Request Adoption of Ordinance No. 76 Establishing Compensation & Reimbursement of Expenses for Director’s

Public Hearing – Open

Public Hearing - Close

Director Grasha made a motion to adopt Ordinance No. 76 establishing compensation and reimbursement of expenses for Board of Directors. After a second from Secretary-Treasurer McKenna the motion carried by the following roll call vote:

AYES: Grasha, McKenna, Bowman,  
 NOES: Bloomer, Ortega  
 ABSENT: None  
 ABSTAIN: None

**Public Hearing:**

(Cont.)  
 Request Adoption of  
 Ordinance No. 76  
 Establishing  
 Compensation &  
 Reimbursement of  
 Expenses for Director's

General Manager Krause presented the staff report.

Secretary-Treasurer McKenna made a motion to deny permission regarding application for leave to present a late claim. After a second from Director Bloomer the motion carried by the following roll call vote:

AYES: Grasha, Bloomer, McKenna, Bowman, Ortega  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

**Action Items:**

Request Board Action  
 Regarding Application  
 for Leave to Present  
 Late Claim by Joseph  
 A. Cruz

General Manager Krause presented the staff report.

Director Bloomer made a motion to approve and authorize compensation for attendance at Mr. Wallum's retirement event in service to the Board. After a second from Vice President Bowman the motion carried by the following roll call vote:

AYES: Grasha, Bloomer, McKenna, Bowman, Ortega  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

Request Board  
 Authorization for  
 Board Compensation  
 for Attendance at  
 Arden Wallum's  
 Retirement Celebration

Assistant General Manager Johnson introduced Lab Director Paul Monroy and TODD Groundwater Consultants, Maureen Riley, and Arden Wells, who provided PowerPoint presentations on Chromium-VI.

**Discussion Item:**

Chromium-VI  
 Presentation by DWA  
 Staff and TODD  
 Groundwater

There was discussion amongst the board and staff regarding Mr. Monroy's PowerPoint presentation on Chromium-VI.

Discussion ensued regarding Mission Springs Water District's wells and their data. General Manager Krause stated that he will send the Board the geologic map, reports, and any data available regarding epidemiology information.

General Manager Krause provided an update on Agency operations for the past several weeks.

**General Manager's Report**

Director Grasha noted his attendance at the Desert Valley Builder's Association (DVBA) reception on July 20, and the Special Joint Board meeting for DWA and MSWD on July 25.

**Directors Reports on Mtgs/Events Attended on Behalf of the Agency**

Director Bloomer noted her attendance at the Special Joint Board meeting for DWA and MSWD on July 25.

Secretary-Treasurer McKenna noted his attendance online at the Desert Hot Springs City Council meeting on July 18, and the Special Joint Board meeting for DWA and MSWD on July 25.

President Ortega noted his attendance virtually, with Assemblymember Garcia on July 24, the Palm Springs City Council meeting on July 24, and the Special Joint Board meeting for DWA and MSWD on July 25.

Secretary-Treasurer McKenna noted that he read an article from UCLA regarding the Colorado River, which reported the volume of water traveling down the Colorado River will be half by 2050. He suggested keeping track of the issue.

**Directors Comments/Requests**

At 9:45 a.m., President Ortega convened into 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 (Two Cases); (B) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Mission Springs Water District vs. Desert Water Agency; et al; (C) Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (1), AT&T vs. County of Riverside; (D) Conference with Real Property Negotiators, Pursuant to Government Code Section 54956.8 Property: APN# 516-051-001, 516-051-002 and 516-051-006, Agency Negotiators: Mark S. Krause, General Manager and Steve Johnson Asst. General Manager, Negotiating Parties: Dale and Brookelyn Fox, Under Negotiations: Price and Terms; and (E) Labor Negotiations, Pursuant to Government Code Section 54957, Unrepresented Employee: General Manager.

**Closed Session:**

- A. Existing Litigation – ACBCI vs. CVWD, et al. (2 Cases)
- B. Existing Litigation – MSWD vs. DWA Agency et al
- C. Existing Litigation - AT&T vs. County of Riverside
- D. Conference with Real Property Negotiators – Pursuant to Government Code Section 54956.8 APN# 516-051-001, 516-051-002 & 516-051-006
- E. Labor Negotiations – Unrepresented Employee: General Manager

At 11:20 a.m., President Ortega reconvened the meeting into open session and announced a reportable action will be taken on Item 12-E, Labor Negotiations, which is an employment agreement between Desert Water Agency and Steve L. Johnson.

**Reconvene** –  
Reportable Action  
taken on Item 12-E,  
Labor Negotiations.  
Employment  
agreement between  
DWA & Steve L.  
Johnson

Director Grasha made a motion to approve the employment agreement with Steve L. Johnson as General Manager-Chief Engineer effective February 22, 2024, following Mr. Krause's retirement. After a second by Secretary-Treasurer McKenna, The motion carried unanimously.

AYES: Grasha, Bloomer, McKenna, Bowman, Ortega

NOES: None

ABSENT: None

ABSTAIN: None

In the absence of any further business, President Ortega adjourned the meeting at 11:22 a.m. **Adjournment**

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Sylvia Baca  
Assistant Secretary of the Board



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

**5-B**

**August 15, 2023**

Board: Paul Ortega, President  
Jeff Bowman, Vice President  
Kristin Bloomer, Director  
Steve Grasha, Director

Absent: Gerald McKenna, Secretary-Treasurer

DWA Staff: Mark Krause, General Manager  
Steve Johnson, Assistant General Manager  
Esther Saenz, Finance Director  
Sylvia Baca, Asst. Secretary of the Board  
Jamie Hoffman, Senior Admin. Asst.  
Eddie Gonzalez, Facilities & Safety Officer  
David Tate, Operations & Engineering Manager

Absent: Kris Hopping, Human Resources Director

Consultants: Michael T. Riddell, Best Best & Krieger

President Ortega opened the meeting at 8:00 a.m. and asked Director Grasha to lead the Pledge of Allegiance. **Pledge of Allegiance**

President Ortega called upon Assistant Secretary of the Board Baca to conduct the roll call: **Roll Call**

Present: Grasha, Bloomer, Bowman, Ortega  
Absent: McKenna

President Ortega opened the meeting for public comment for items not listed on the Agenda. **Public Comment on Items Not Listed on the Agenda**

There was no one from the public wishing to address the Board for items not listed on the Agenda.

President Ortega opened the meeting for public comment for items listed on the Agenda. **Public Comment on Items Listed on the Agenda**

There was no one from the public wishing to address the Board for items listed on the Agenda.

President Ortega called for approval of the Consent Calendar. He noted that Consent Calendar Items 5-A through 5-C are expected to be routine and to be acted upon by the Board of Directors at one time without discussion. If any Board member requests that an item be removed from the consent calendar, it will be removed so that it may be presented separately.

- A. Receive and File – Minutes of the August 10, 2023 Executive Committee Meeting
- B. Receive and File – July Outreach & Conservation Activities & Events
- C. Receive and File – June Secretary-Treasurer’s Report

**Approval of the Consent Calendar**

- A. Receive & File Minutes of the 08/10/23 Exec. Comm. Mtg.
- B. Receive & File July O&C Activities & Events
- C. Receive & File June Secretary-Treasurer’s Report

Director Grasha requested Item 5A to be pulled for separate discussion and asked for clarification on the decision to deny membership to Building Industry Association of Southern California(BIASC).

There was discussion amongst the board and staff regarding the BIASC membership and whose decision it is to join. Director Grasha requested that this item go before the full Board. President Ortega stated that this can be discussed at the next Executive Committee meeting.

Director Grasha moved for approval of Consent Calendar Items 5A through 5C. After a second by Director Bloomer, the motion carried by the following roll call vote:

AYES: Grasha, Bloomer, Bowman, Ortega  
 NOES: None  
 ABSENT: McKenna  
 ABSTAIN: None

Operations & Engineering Manager Tate presented the staff report.

In response to Director Grasha, Mr. Tate stated that the City of Cathedral City owns the land under the name of City Urban Revitalization Corporation.

Director Grasha made a motion to authorize and execute Quitclaim terminating easement interest with property owned by the City of Cathedral City. After a second from Director Bloomer the motion carried by the following roll call vote:

AYES: Grasha, Bloomer, Bowman, Ortega  
 NOES: None  
 ABSENT: McKenna  
 ABSTAIN: None

**Action Items:**

Request Board Authorization to Execute Quitclaim Terminating Easement Interest Within Property Owned by the City of Cathedral City

Legal Counsel Riddell presented the staff report.

**Action Items:**

(Cont.)

Request Board Action  
Regarding Claim Filed  
by Aiman-Smith &  
Marcy Law Firm

Director Grasha made a motion to deny the claim filed on behalf of Cari McCormick and forward to ACWA-JPIA for their handling. After a second from Director Bloomer the motion carried by the following roll call vote:

AYES: Grasha, Bloomer, Bowman, Ortega  
NOES: None  
ABSENT: McKenna  
ABSTAIN: None

General Manager Krause provided an update on Agency operations for the past several weeks.

**General Manager's Report**

Director Grasha noted his attendance at Arden Wallum's retirement celebration on August 3, a CVWD Board meeting on August 8, and MSWD special meeting on August 9.

**Directors Reports on Mtgs/Events Attended on Behalf of the Agency**

Director Bloomer noted her attendance at Arden Wallum's retirement celebration on August 3.

Vice President Bowman noted his attendance at Arden Wallum's retirement celebration on August 3, and MSWD special meeting on August 9.

President Ortega noted his attendance at Arden Wallum's retirement celebration on August 3, and a meeting with Assemblymember Greg Wallis on August 8.

At 8:50 a.m., President Ortega convened into 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 (Two Cases); (B) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Mission Springs Water District vs. Desert Water Agency; et al; and (C) Existing Litigation, Pursuant to Government Code Section 54956.9 (d) (1), AT&T vs. County of Riverside

**Closed Session:**

A. Existing Litigation –  
ACBCI vs. CVWD, et  
al. (2 Cases)  
B. Existing Litigation –  
MSWD vs. DWA  
Agency et al  
C. Existing Litigation -  
AT&T vs. County of  
Riverside

At 10:29 a.m., President Ortega reconvened the meeting into open session and announced there was no reportable action.

**Reconvene –No Reportable Action**

In the absence of any further business, President Ortega adjourned the meeting at 10:30 a.m.

**Adjournment**

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Sylvia Baca  
Assistant Secretary of the Board

## Executive Committee Meeting Minutes

August 24, 2023

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Directors Present: Paul Ortega, Kristin Bloomer  
Staff Present: Mark Krause, Steve Johnson, Esther Saenz, Jamie Hoffman  
Consultant Present: Ashley Metzger

Call to Order

1. Public Comments - None

2. Discussion Items

A. Review Agenda for September 5, 2023 Regular Board Meeting

The proposed agenda for the September 5, 2023 meeting was reviewed.

B. Building Industry Association of Southern California (BIASC) Membership

This was a continued item from August 10. It was noted that the Agency has not been a member of BIA since 2009 and was recently a DVBA member in 2020. Discussion ensued on Building Industry Association of Southern California (BIASC) membership and the Desert Valley Builder's Association (DVBA). In conclusion, the Committee decided to rejoin BIASC.

C. SCAQMD Rule 1196 Update: DWA Diesel Vehicles History Update and Revised Compliance Plan

Staff provided the Committee with an update on SCAQMD Rule 1196. Assistant General Manager Johnson provided a summary of the Rule and how it has impacted the Agency. The Committee and staff concurred that this item should be included on the agenda for the next Board meeting.

D. Interagency Collaboration with Mission Springs Water District

Consultant Metzger provided the Committee with a presentation on Board-to-Board coordination with MSWD. It was noted that the desired focus is to build upon current information sharing and collaboration efforts and in order to improve relations between DWA and MSWD.

Adjourn

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

**SEPTEMBER 5, 2023**

**RE: REQUEST ADOPTION OF RESOLUTION NO. 1311 EXTENDING  
THE AGENCY'S SERVICES PRIORITY POLICY FOR LOWER  
INCOME DEVELOPMENTS IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 65589.7**

On October 7, 2005, Governor Schwarzenegger signed SB 1087 into law, which became effective on January 1, 2006. The law required that developments which include housing units for lower income households be given priority when requesting water and sewer services.

In addition to the priority service requirement, providers of water and sewer service were required to adopt written policies and procedures, no later than July 1, 2006 and at least once every five years thereafter.

On June 20, 2006, the Board adopted Resolution No. 931, approving a services priority policy for lower income developments in compliance with SB 1087 and on August 2, 2011, the Board adopted Resolution No. 1048 extending that policy for another five years. The last resolution adopted by the Board extending this policy was in May 2016. Through the adoption of Resolution No. 1311, the Agency's policy will be reconfirmed.

Fiscal Impact:

None. Finance Director Saenz has reviewed this report.

Legal Review:

Legal Counsel has reviewed this report.

Recommendation:

Staff recommends that the Board of Directors adopt Resolution No. 1311 Extending the Services Priority Policy for another five years.

Attachments:

Attachment #1 – Resolution No. 1311

**RESOLUTION NO. 1311**

**RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT  
WATER AGENCY EXTENDING SERVICES PRIORITY  
POLICY FOR LOWER INCOME DEVELOPMENTS**

**WHEREAS**, Government Code Section 65589.7 requires providers of water and sewer services to grant priority for these services to “proposed developments that include housing units for lower income households;” and

**WHEREAS**, the Desert Water Agency is a water and sewer service provider subject to the requirements of Section 65589.7; and

**WHEREAS**, Section 65589.7 defines “proposed developments that include housing units for lower income households” as developments that include dwelling units to be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, at an affordable cost, as defined in Section 50052.5 of the Health and Safety Code, or an affordable rent, as defined in Section 50053 of the Health and Safety Code; and

**WHEREAS**, Section 65589.7 further requires that water and sewer providers adopt a written policy with specific objective standards for meeting the priority requirement for lower income developments no later than July 1, 2006, and at least once every five years thereafter; and

**WHEREAS**, the Board of Directors of Desert Water Agency adopted Resolution No. 931 on June 20, 2006 setting forth a written policy to ensure that developments with lower income developments would receive service priority in accordance with Section 65589.7; and

**WHEREAS**, the Board of Directors adopted Resolution No. 1048 on August 2, 2011, extending the same policy for another five years pursuant to Government Code Section 65589.7; and

**WHEREAS**, the Board of Directors adopted Resolution No. 1130 on May 17, 2016, extending the same policy for another five years pursuant to Government Code Section 65589.7; and

**WHEREAS**, this Board now wishes to extend the same policy for another five years, again pursuant to Government Code Section 65589.7;

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

**Section 1. Policy.** In accordance with Government Code Section 65589.7, Desert Water Agency shall grant water and sewer service priority to any “proposed developments that include housing units for lower income households.” For purposes of this policy, “proposed developments that include housing units for lower income households” shall be developments that include dwelling units to be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, at an affordable cost, as defined in Section 50052.5 of the Health and Safety Code, or an affordable rent, as defined in Section 50053 of the Health and Safety Code.

**Section 2. Repeal of Conflicting Resolutions or Policies.** All prior resolutions or policies inconsistent with this Resolution are hereby repealed but only to the extent that they conflict with this Resolution.

**Section 3. Effective Date.** This Resolution is effective upon its adoption.

**ADOPTED** this 5th day of September, 2023.

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Paul Ortega, President

ATTEST:

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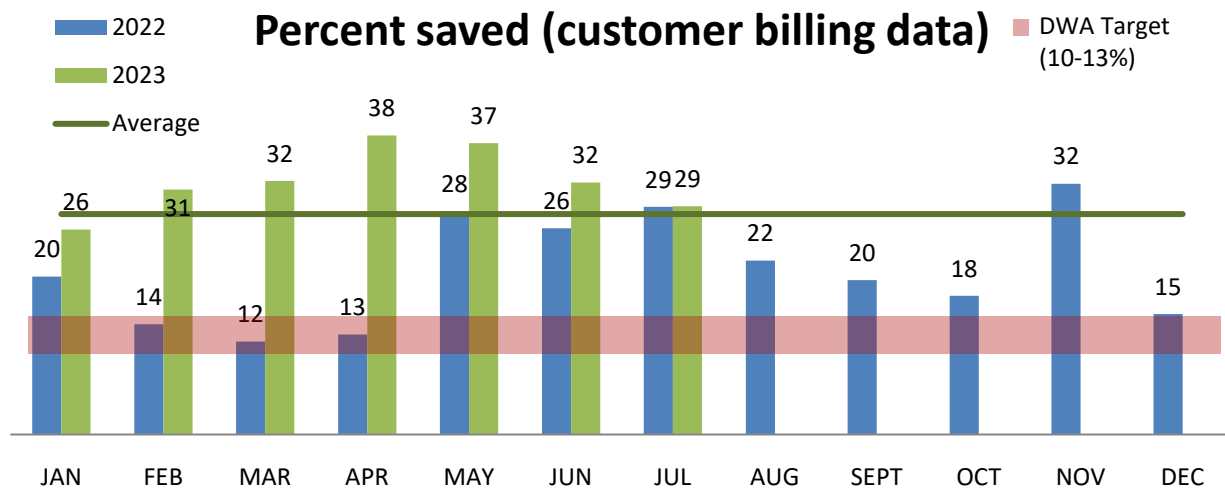
Gerald McKenna, Secretary-Treasurer

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

**SEPTEMBER 5, 2023**

**RE: JULY 2023 WATER USE REDUCTION FIGURES**

Desert Water Agency customers reduced water consumption per meter by 29% during July 2023 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 2014-2016 drought.



Over the past 12 months, consumption per meter is trending 28% lower compared to 2013. DWA is asking its customers to voluntarily save 10-13% compared to 2013 to help achieve long-term sustainability. DWA is in Level 1 of its Water Shortage Contingency Plan.



July 2023 conservation per meter percentage	29%
July 2023 consumption per meter	54 HCF
July 2013 consumption per meter	76 HCF
July 2023 gross consumption conservation percentage	24%
July 2023 metered potable consumption	2,953 AF
July 2013 metered potable consumption	3,874 AF
The percentage of the Total Monthly Potable Water Production going to residential use only for the reporting month	64%
Population (projected based on number of active residential meters and inclusive of seasonal residents)	74,416
Estimated R-GPCD	317
Number of public complaints of water waste or violation of conservation rules received during the reporting month.	61
Number of contacts with customers for actual/alleged water waste or for a violation of conservation rules.	16
Number of field visits for water waste follow up.	43
Number of citations for violation of conservation rules.	1

**Item 6A**  
**Tropical Storm Hilary**  
**Damage PowerPoint**

**GENERAL MANAGER'S REPORT  
SEPTEMBER 5, 2023**

**State Water Board Releases Draft Regulation for Making Conservation a Way of Life**

In 2018, the California Legislature (via [SB 606](#) and [AB 1668](#)) directed the Department of Water Resources (DWR) and the State Water Board to develop regulations that give water purveyors water use objectives and best management practices aimed at conserving water.

On August 18, the State Water Board released the [draft regulation](#), which kicks off the one-year formal rulemaking process. The draft regulation outlines water use efficiency requirements for urban retail water suppliers, including urban water use efficiency standards, variances, an urban water use objective, and commercial, industrial, and institutional (CII) measures.

The regulations and resulting water use objective could result in a significant (>15% over 2020) water conservation requirement for DWA with compliance required as early as January 1, 2025.

DWA staff will attend an informal workshop with State Water Board and DWR officials on September 7 to get information and provide preliminary verbal feedback. The State Water Board will hold a public hearing on October 4 to present on the draft regulation. Staff plans to provide oral comments at the public hearing. DWA will also submit written comments to the State Water Board by the October 17 deadline.

ACWA is encouraging members to focus their comments on:

- Feasibility
- Affordability
- Flexibility
- Legislative intent

Staff has begun coordinating with neighboring agencies and Reeb Government Relations.

The Conservation & Public Affairs Committee will discuss this issue on September 6. Staff will share a copy of the comment letter with the Board of Directors upon submittal.

## **SWP Deliveries and Whitewater Hydro Generation Update**

To date, the total SWP delivery amount to the Whitewater facilities is approximately 167,000 AF, and approximately 5,275 AF to Mission Creek facilities. Water deliveries were shut off to both facilities on August 16 due to the approaching tropical storm Hilary. As a result of extensive damage to the Whitewater River channel and spreading basins, water deliveries to the Coachella Valley have been suspended until October.

As part of the SWP deliveries, water was diverted through the Whitewater Hydro Plant. The following is a summary of the plant's electrical generation and SCE settlement payments:

April – The plant generated approximately 310,000 kWh of electricity, with a SCE settlement payment of \$27,415.

May - The plant generated approximately 492,230 kWh of electricity, with a SCE settlement payment of \$43,446.

June - The plant generated approximately 672,300 kWh of electricity, with a SCE settlement payment of \$62,788.

July – The plant generated approximately 653,900 kWh of electricity, with a SCE settlement payment of \$60,411.

To date, the SCE settlement total is \$194,060, split between DWA and CVWD.

For the month of August, prior to shutting down water deliveries, the plant generated approximately 416,280 kWh of electricity, and we are anticipating an SCE settlement of approximately \$38,640.

## SYSTEM LEAK DATA

(PERIOD BEGINNING AUG 8, 2023 THRU AUG 21, 2023)

STREET NAME	NUMBER OF LEAKS	PIPE DIAMETER (INCHES)	YEAR INSTALLED	PIPE MATERIAL	PIPE CONSTRUCTION
ANDREAS RD	4	6	1958	STEEL	BARE/UNLINED
PATENCIO RD	4	6	1951	STEEL	BARE/UNLINED
MOUNTAIN VIEW PL	4	6	1953	STEEL	BARE/UNLINED
CERRITOS RD	3	6	1955	STEEL	BARE/UNLINED
LURING DR	3	4	1946	STEEL	BARE/UNLINED
CERRITOS RD	2	6	1959	STEEL	BARE/UNLINED
VIA ALTAMIRA	2	4	1954	STEEL	BARE/UNLINED
PARK DR	2	4	1946	STEEL	BARE/UNLINED
PALM CANYON DR S	2	10	1938	STEEL	BARE/UNLINED
NICOLA RD E	1	4	1955	STEEL	BARE/UNLINED
JACQUES DR	1	4	1959	STEEL	BARE/UNLINED
STEVENS RD	1	8	1951	STEEL	BARE/UNLINED
LOUELLA RD	1	6	1955	STEEL	BARE/UNLINED
TERRY LN	1	4	1956	STEEL	BARE/UNLINED
TAHQUITZ CYN WY	1	8	1946	STEEL	BARE/UNLINED
AVENIDA CABALLEROS	1	14	1953	STEEL	BARE/UNLINED
INDIAN CANYON DR	1	6	1951	STEEL	BARE/UNLINED
PATENCIO RD	1	4	1954	STEEL	BARE/UNLINED
SAN LUCAS RD	1	4	1948	STEEL	BARE/UNLINED
PAROCELA PL	1	4	1946	STEEL	BARE/UNLINED
WARM SANDS PL	1	4	1946	STEEL	BARE/UNLINED
INDUSTRIAL PL	1	4	1948	STEEL	BARE/UNLINED
MESQUITE AVE	1	6	1956	STEEL	BARE/UNLINED
<b>TOTAL LEAKS IN SYSTEM:</b>	<b>40</b>				

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**

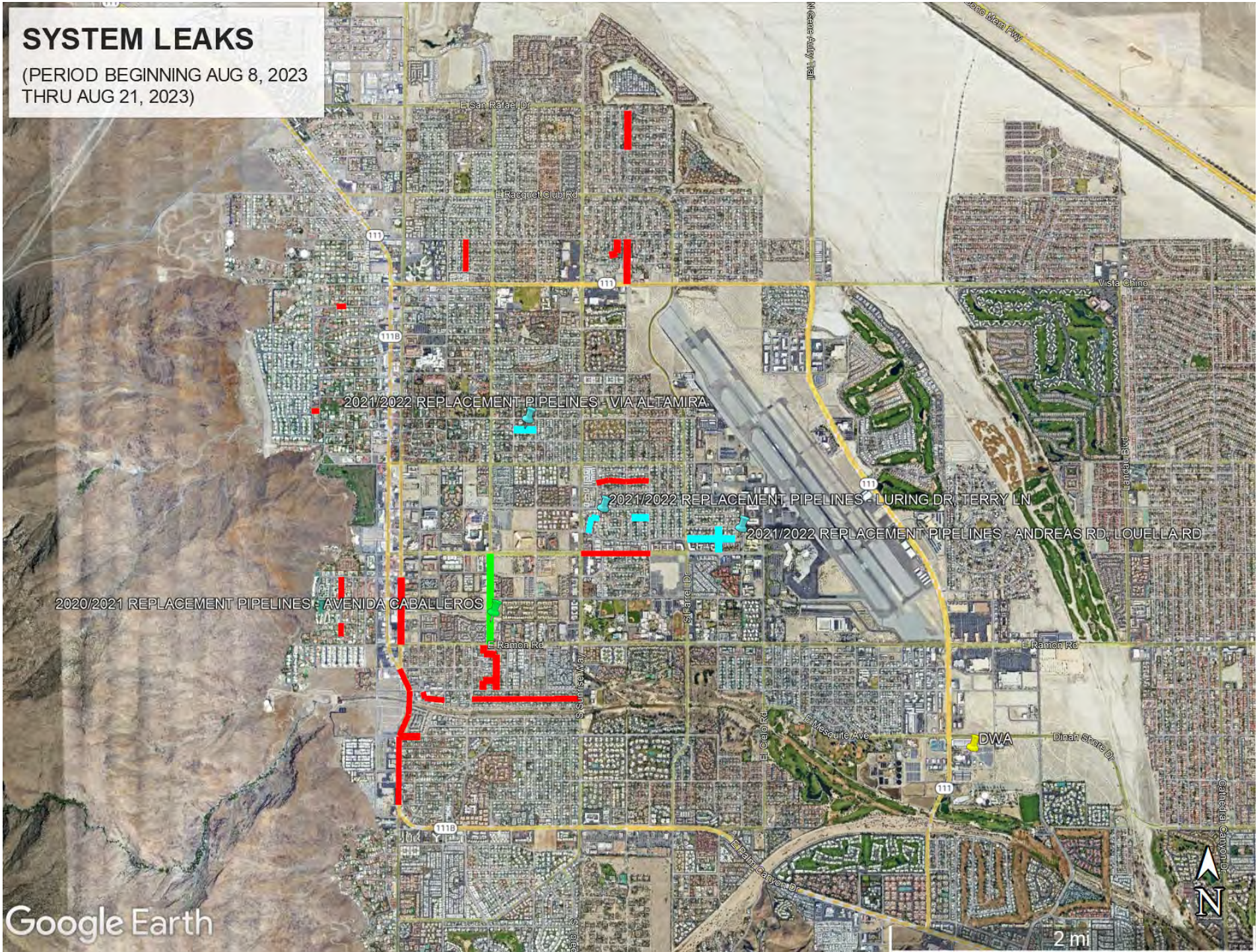
Streets highlighted in salmon are being proposed as part of the  
**2022/2023 Replacement Pipeline Project**

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



# SYSTEM LEAKS

(PERIOD BEGINNING AUG 8, 2023  
THRU AUG 21, 2023)





## General Manager's Meetings and Activities

### Meetings:

08/16/23	DCP Coordination Meeting	Conf Call
08/16/23	DCP Update Meeting	Conf Call
08/17/23	Exchange Agreement Meeting with MWD & CVWD	Conf Call
08/18/23	Sites Joint Reservoir Committee & Authority Board Meeting (Johnson)	Conf Call
08/21/23	DWA Weekly Staff Meeting	DWA
08/21/23	MWD, CVWD & DWA Water Delivery Coordination	Conf Call
08/21/23	Legislative Update	Conf Call
08/22/23	Procurement Policy Review	DWA
08/22/23	Snow Creek Security Update Meeting (Johnson)	DWA
08/23/23	CV-SNMP Update Meeting (Krause)	Conf Call
08/23/23	Sites Joint Reservoir Committee & Authority Board Special Meeting	Conf Call
08/24/23	Executive Committee Meeting	DWA
08/24/23	CVWD & DWA:Tribal Mediation Tech Cmte Planning	Conf Call
08/24/23	Follow-up with CVWD Mediation Tech Meeting (Krause)	Conf Call
08/24/23	SCAQMD Rule 1196 Update with BB&K (Johnson)	Conf Call
08/25/23	Legislative Update (Krause)	Conf Call
08/28/23	Tribal Mediation Small Negotiation Team	Agua Cal. Hotel
08/29/23	Conservation Rebate Update Meeting (Johnson)	DWA
08/29/23	IT Executive Update	DWA
08/29/23	Snow Creek Security Update Meeting (Johnson)	DWA
08/29/23	CVWD & DWA Tribal Mediation Coordination	Conf Call
08/30/23	Technology Transformation Presentation Review	DWA
08/30/23	Procurement Policy Review	DWA
08/30/23	DCP Coordination Meeting	Conf Call
08/30/23	Sites Reservoir Operations Review with MWD & CVWD	Conf Call
09/01/23	SWC Update (Johnson)	Conf Call
09/05/23	DWA Bi-Monthly Board Meeting	DWA

### Activities:

- 1) DWA Surface Water Rights
- 2) Water Supply Planning – DWA Area of Benefit
- 3) Sites Reservoir Finance
- 4) DCP Financing
- 5) Lake Perris Seepage Recovery Project Financing
- 6) Recycled Water Supply - Strategic Planning
- 7) AQMD Rule 1196
- 8) DWA Organizational Restructuring
- 9) DWA Tax Rate Analysis
- 10) DWA Remote Meter Reading Fixed Network
- 11) State and Federal Contractors Water Authority and Delta Specific Project Committee (Standing)

Activities:  
(Cont.)

- 12) Whitewater River Surface Water Recharge
- 13) Replacement Pipelines Projects
- 14) DC Project – Finance JPA Committee (Standing)
- 15) DWA/CVWD/MWD Operations Coordination/Article 21/Pool A/Pool B/Yuba Water (Standing)
- 16) DWA/CVWD/MWD Exchange Agreement Coordination Committee (Standing)
- 17) SWP 2023 Water Supply
- 18) ACBCI Water Rights Lawsuit
- 19) Whitewater Hydro Operations Coordination with Recharge Basin O&M
- 20) Whitewater Spreading Basins – BLM Permits
- 21) Delta Conveyance Project Cost Allocation
- 22) MCSB Delivery Updates
- 23) SWP East Branch Enlargement Cost Allocation
- 24) RWQCB Update to the SNMP