

**A REGULAR MEETING OF THE BOARD OF DIRECTORS
UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT
602 E. HUNTINGTON DRIVE, SUITE B, MONROVIA, CA 91016
8:00 A.M. – JULY 28, 2021**

AGENDA

**SPECIAL NOTICE
Teleconference Accessibility**

Pursuant to Executive Order N-29-20 issued by Governor Newsom in response to the COVID-19 pandemic, the Upper District will hold its board meeting via teleconference or the most rapid means of communication available at the time. Instructions to participate in the teleconference are below:

Attendee Zoom Webinar Link
<https://us02web.zoom.us/j/83841477174>

Meeting ID: 838 4147 7174

Telephone Dial:
1 (669) 900-6833 US

Meeting ID: 838 4147 7174

Public comments may be made through teleconference when prompted by the President during the public comment period. Public comments may also be provided by emailing venessa@usqvmwd.org in advance of the meeting. Please indicate "PUBLIC COMMENT" in the subject line.

If you have difficulty connecting to the teleconference line, please call (626) 443-2297 or email ruben@usqvmwd.org. It may take a few minutes to join Zoom or connect via telephone so please join early.

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL OF BOARD OF DIRECTORS
3. ADOPTION OF AGENDA [1]
4. PUBLIC COMMENT
Anyone wishing to discuss items should do so now. The Board of Directors may allow additional input during the meeting. A three-minute time limit on remarks is requested.
5. COMMITTEE REPORTS [2]
 - (a) Administration and Finance Committee
6. CONSENT CALENDAR [1]
 - (a) Minutes of a regular meeting of the Board of Directors held on July 14, 2021 at 8:00 a.m.
 - (b) Approval of the proposed amendments to Policy No. 2.15, Medical Benefits, of Upper District's Policy Manual, adoption of Resolution No. 7-21-622 reflecting the amended policy, and approval of one-time longevity payments to employees depending on their years of service. *(Staff memorandum and Resolution No. 7-21-622 enclosed.)*

7. ACTION/DISCUSSION ITEMS [1]

- (a) Introduction of Mr. Adel Hagekhalil, General Manager of the Metropolitan Water District of Southern California. *(Bio enclosed.)*

Recommendation

This item is for information only. No action is anticipated.

- (b) Update on MWD's Regional Recycled Water Program. *(Mr. John Bednardski, Chief Engineer and Group Manager of Engineering Services for the Metropolitan Water District of Southern California will provide a presentation at the meeting.)*

Recommendation

This item is for information only. No action is anticipated.

8. INFORMATION ITEMS (These items are for the information of the Board of Directors and require no action) [2]

- (a) Press Releases and News Articles.

9. ATTORNEY'S REPORT [2]

10. ENGINEER'S REPORT [2]

11. GENERAL MANAGER'S REPORT [2]

12. DIRECTOR'S COMMENTS [2]

13. FUTURE AGENDA ITEMS [1]

14. ADJOURN TO CLOSED SESSION – NONE

15. ADJOURNMENT - To a regular meeting of the Board of Directors to be held on August 11, 2021 at 8:00 a.m. via teleconference or the most rapid means of communication available at the time.

LEGEND: [1] INDICATES ACTION ANTICIPATED BY BOARD OF DIRECTORS ON THIS ITEM
[2] INDICATES INFORMATION ITEM - NO BOARD ACTION NECESSARY

PRESIDENT ED CHAVEZ, PRESIDING



American Disabilities Act Compliance *(Government Code Section 54954.2(a))*
To request special assistance to participate in this meeting, please contact the Upper District office at (626) 443-2297
or valeria@usgvmwd.org at least 24 hours prior to meeting.





MEMORANDUM



5. (a) COMMITTEE REPORTS

July 22, 2021

TO: BOARD OF DIRECTORS

FROM: ADMINISTRATION AND FINANCE COMMITTEE

SUBJECT: MINUTES OF THE ADMINISTRATION AND FINANCE COMMITTEE MEETING AND SPECIAL MEETING OF THE BOARD OF DIRECTORS – July 13, 2021

SPECIAL NOTICE - Teleconference Meeting

Pursuant to Executive Order N-29-20 issued by Governor Newsom in response to the COVID-19 pandemic, this meeting was held via teleconference.

ATTENDANCE:	Jennifer Santana, Chair Anthony Fellow, Vice-Chair Ed Chavez Charles Treviño Tom Love Evelyn Rodriguez Patty Cortez	Venessa Navarrette Martin Koczanowicz Nichol Delgado Priscilla Lu Genny Lynkiewicz Lenet Pacheco Valeria Rodriguez	Ruben Gallegos
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1. Call to Order.

2. Public Comment. None.

3. Quarterly Investment Update – June 30, 2021.

Genny Lynkiewicz, Chandler Asset Management, reported on district investments managed by Chandler as of the quarter ended June 30, 2021. She provided an economic update, discussing the change in interest rates, yield curve, employment, inflation, consumer activity, impact of the pandemic and other leading economic indicators. She also discussed the District’s investment portfolio and its current profile.

Director Santana and Ms. Lynkiewicz discussed potential inflation and anticipated high numbers due to the economic rebound and government monetary assistance.

Director Fellow proceeded to ask if the new COVID-19 variant is a possible threat to Upper District’s portfolio. Ms. Lynkiewicz explained that despite having different factors impacting Upper District’s portfolio, it gained value during the pandemic due to conservative investing. She reassured the committee that the District’s portfolio is well set but may encounter lower yields on reinvestments.

Ms. Lynkiewicz provided a summary of the district's portfolio holdings and its investment performance compared with the benchmark. She then stated that Upper District remains in compliance with the Government Code as well the District's Investment Policy.

This item was presented for information purposes only. No action was taken by the Committee.

4. Amendments to Policy Manual.

The Director of Finance and Administration summarized staff's recommendation to approve the proposed amendments to Policy No. 2.15, Medical Benefits, of Upper District's Policy Manual, adopt Resolution No. 7-21-622, reflecting the amended policy, and approve one-time longevity payments to employees depending on their years of service.

She then presented the following proposed changes to employee, director, and retiree benefits:

1. Implement a combined annual cap for medical, optical, dental, and hearing reimbursement of \$4,000 for individual plans, \$8,000 for a two-party plan, and \$12,000 for a family plan.
2. For employees and directors who began service with Upper District on or after July 1, 2021, Upper District will pay health coverage for employees, directors and one eligible dependent, with an option to upgrade to a family plan at the employee's or director's own expense.
3. For employees who began service with Upper District on or after July 1, 2021, Upper District will provide retiree health benefits until covered by Medicare.

Following discussion, the Administration and Finance Committee recommended that the Board of Directors approve staff's recommendation as presented.

5. Oral Reports - Preliminary Financial Report, June 30, 2021

The Director of Finance and Administration gave a presentation highlighting the District's net operating revenue, water sales, cash and investments, and fund balances for the fiscal year ended June 30, 2021. She reported that an additional contribution to the District's trust fund for other post-employment benefits was approved by the Board in June. She continued then explained the budget variances on program expenses and the drivers of those variances.

Director Santana and the Director of Finance and Administration briefly discussed the District's reserve funds and how the long range finance plan and reserve policy are used to manage reserve levels.

Director Fellow and the General Manager discussed the District's strategy for acquiring state and federal funds for conservation programs.

This item was presented for information purposes only. No action was taken by the Committee.

6. Other Matters.

None.

NEXT MEETING: Tuesday, August 3, 2021, at 4:00 p.m.

cc: General Manager

**A REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT
602 E. HUNTINGTON DRIVE, SUITE B, MONROVIA, CALIFORNIA 91016
8:00 A.M. – July 14, 2021**

Pursuant to Executive Order N-29-20 issued by Governor Newsom in response to the COVID-19 outbreak, the Upper District held a regular meeting of the Board of Directors via zoom teleconference on July 14, 2021, at the hour of 8:00 a.m.

ROLL CALL

DIRECTORS PRESENT: Chavez, Treviño, Garcia, Santana, and Fellow.

DIRECTORS ABSENT: None.

STAFF PRESENT: Tom Love, General Manager; Steve O'Neill, District Counsel; Jenny Savron, Consulting Engineer; Evelyn Rodriguez, Director of Finance and Administration; Patricia Cortez, Director of Government and Community Affairs; Venessa Navarrette, Executive Assistant; Nichol Delgado, Government and Community Affairs Assistant; Valeria Rodrigue, Administrative Assistant; and Ruben Gallegos, Project Assistant.

OTHERS PRESENT

Kelly Gardner, Roy Frausto, Stephanie Moreno, Tony Zampiello, Anthony Alberti, Arrica Jimenez, Ben Lewis, Dan Arrighi, Dave Michalko, David Muse, Javier Vargas, Lenet Pacheco and Jose Martinez.

ADOPTION OF AGENDA

On motion by Treasurer Treviño, seconded by Director Fellow, the agenda was unanimously adopted as presented by the following roll call vote:

FELLOW: AYE
TREVIÑO: AYE
GARCIA: AYE
SANTANA: AYE
CHAVEZ: AYE

PUBLIC COMMENT

None.

COMMITTEE REPORTS

None.

CONSENT CALENDAR

Director Fellow moved to approve Consent Calendar items (a) through (f). Treasurer Treviño seconded the motion, which was unanimously approved by the following roll call vote:

FELLOW: AYE
TREVIÑO: AYE
GARCIA: AYE
SANTANA: AYE
CHAVEZ: AYE

- (a) Minutes of a regular meeting of the Board of Directors held on June 23, 2021, at 8:00 a.m.
- (b) List of Demands.
- (c) Financial Reports – May 2021.
 1. Financial Statements.
 2. Director's Public Outreach.
- (d) Reinstate board member vehicle allowance effective July 1, 2021.
- (e) Approve proposed amendment to Investment Policy.
- (f) Approve staff recommendation to support H.R. 4099, which is consistent with Upper District's 2021-22 Legislative Policy Principles adopted by the Board in January 2021.

STRATEGIC PLAN UPDATE AND FISCAL YEAR-END REVIEW

The General Manager provided a presentation on Upper District's Strategic Plan update and fiscal year-end review. He also provided an overview of the district's goals, vision statement and core values.

The Director of Government Affairs and Community Outreach proceeded to highlight the district's water use efficiency and residential conservation programs. She reported on completed and pending installations for both the San Gabriel Valley Watersmart Home Program and the Water Fill Station Program. She also addressed the aggressive marketing towards disadvantaged communities, so they may benefit from the Watersmart Home Program.

The General Manager then discussed the water reliability goals and District involvement in water issues and programs. He reported purchasing 54,000 AF of untreated water in FY 2020/21 of which 10,000 AF is wet water. He then reported on the District's involvement in the Safe Clean Water LA program and Metropolitan Water District's (Metropolitan) Integrated Resource Plan and Recycled Water Program efforts.

The Director of Finance and Administration continued the presentation and reported on the District's major accomplishment on financial integrity for FY 2020/21. She stated that a rate structure addressing Metropolitan's readiness-to-serve charge is still being discussed with producers. She then highlighted the District's establishment of a reserve policy and the benefits of having a long-range financial plan. Additionally, she reported on the District fully funding post-employment benefits and maintaining healthy levels of reserves.

The Director of Government Affairs and Community Outreach continued the presentation by summarizing the District's outreach and engagement goals and objectives. She updated the Board on the reinstatement of Metropolitan's Colorado River Aqueduct and State Water tours for Spring 2022. She also reported that the District received a second EPA WaterSense Award in 2020.

The General Manager concluded the presentation by reporting on the District's workforce and governance goals and objectives. He discussed the human resources support the District receives on routine issues through ADP and Olivarez Madruga Lemieux & O'Neill. He also discussed district accomplishments under this category and stated that most of the District's strategic plan objectives have either been completed or continuing. He then suggested that the Board consider a strategic plan retreat in February 2022.

President Chavez praised staff for accomplishing so much despite COVID-19.

Director Fellow commended staff on the strategic plan update and emphasized the importance of communicating district projects and accomplishments to the public.

This item was presented for information purposes only. No action was taken on this item.

INFORMATION ITEMS

The following items listed on the agenda for the information of the Board were read and ordered received and filed:

- (a) Press Releases and News Articles.

ATTORNEY'S REPORT

District Counsel reported on transactional matters and recent consultations with staff regarding the District's Investment Policy and amendments to employee benefits. He also stated that the Governor's relaxed Brown Act requirements for meetings will end on September 30, 2021.

ENGINEER'S REPORT

The District Engineer reported that on July 9, 2021, the Baldwin Park Key Well groundwater elevation was 190.4 feet. She then reported on rainfall averages, key well elevation changes over time, no water deliveries into the Basin for the month of June, canyon storage, and water releases. He also reported that no notices of wells shutdown due to contamination were received.

The following is a summary of contamination ranges found in samples under Title 22 from 71 wells during May 2021.

<u>Contaminant</u>	<u>Range (ppb)</u>	<u>MCL (ppb)</u>
PCE	ND – 2.1	5*
TCE	ND – 2.8	5*

A detailed written engineer's report on hydrologic conditions was also provided to the Board.

GENERAL MANAGER'S REPORT

The General Manager reported on the City of Monrovia's Urban Water Management Plan presentation where many questions regarding water supply conditions were raised. He stated that Metropolitan recently reported an increase in demand for water. He also stated that an effective water conservation messaging strategy should be a priority this summer.

A General Manager's report was provided in the Board's agenda packet.

METROPOLITAN REPORT

Director Fellow discussed the recent retirement of Jeffrey Kightlinger and discussed his many accomplishments and efforts to provide quality water for Southern California.

He also updated the Board on the Shaw Law Group's report regarding the investigation on sexual harassment and misconduct of certain Metropolitan personnel.

Additionally, he reported that due to the lack of water and reductions in the State Water Project allocations, Metropolitan has lost water equivalent to the capacity of nine Diamond Valley Lakes during the last year. He emphasized that although Metropolitan was able to store enough water for the next two years, more conservation efforts and funding will be required.

A Metropolitan summary report was provided in the Board's agenda packet.

WATER QUALITY AUTHORITY REPORT

A Water Quality Authority summary report was provided in the Board's agenda packet.

WATERMASTER REPORT

A Watermaster summary report was provided in the Board's agenda packet.

AB 1234 COMPLIANCE REPORT

A summary report was provided in the Board's agenda packet.

DIRECTOR'S COMMENTS

Director Fellow recommended including equity and diversity in Upper District's mission statement.

Secretary Garcia encouraged the public to take the time retrofitting their sprinklers as an effective conservation effort.

Vice President Santana commended the strategic plan achievements and emphasized the importance of community outreach efforts the District has planned.

FUTURE AGENDA ITEMS None.

ADJOURN TO CLOSED SESSION None.

**RESUME REGULAR MEETING AND
REPORT ON CLOSED SESSION** None.

ADJOURNMENT President Chavez asked if there were other business to come before the Board. There being none, the meeting was duly adjourned to a regular meeting of the Board of Directors to be held on July 28, 2021, at 8:00 a.m. via teleconference or the most rapid means of communication available at the time.

ATTEST

PRESIDENT

SECRETARY

SEAL

DRAFT

Demands numbered 21161 through 21196 on the General Fund Account of the Upper District at Citizens Business Bank, in the amount of \$384,045.20 and demands numbered 978 through 982 on the Water Fund Account at the same bank in the amount of \$915,440.40.

21161	Aaron Read & Associates, LLC	Inv. 211547, State Legislative Advocacy Services, May 2021 (Board approved 12/09/20)		\$ 10,000.00
21162	Accent Computer Solutions, Inc.	Inv. 144907, IT Management Support, July 2021 (Board approved 10/06/15)		2,920.41
21163	ACI Consulting Corporation	Inv. IN-001058, Sage Support Inv. IN-001103, Sage Support	127.50 <u>297.50</u>	425.00
21164	ACWA/JPIA	Inv. 0668590, Health Insurance Premium - July 2021		29,685.33
21165	Best Best & Krieger, LLP	Inv. 907862, Lobbying Services through May 31, 2021 (Board approved 12/09/20)		7,500.00
21166	Discovery Science Center	Inv. 1462, 4th - 6th Grade Virtual Visit Program, May 2021 (Board approved 07/08/20)		3,720.00
21167	Douglas Kent and Associates	Inv. 1, Presentation, Firescaping: The Essentials of Community Protection		800.00
21168	Ecotech Services, Inc.	Inv. 1949, Leak Repair Kits (Board approved 08/07/18)		5,950.00
21169	Foothill Technology Center LLC	Inv. AUG 21LEA, Office Lease - August 2021 (Board approved 04/19/11)		20,751.00
21170	G3LA, LLC	Inv. 842, Water Conservation Webinar and Flyers		2,000.00
21171	Green Media Creations, Inc.	Inv. 1456, May 2021, Translation Services		350.00
21172	GRM Information Management	Inv. 0430152, Archiving and Shredding Services		110.87
21173	John Robinson Consulting, Inc.	Inv. USD201501-33, TO1 State/Federal Loan/Grants Reporting, May 2021 (Board approved 08/04/15)		600.00
21174	Kelly Services, Inc.	Temporary Staff Inv. 19022082, W/E 05/16/21 Inv. 20021949, W/E 05/23/21 Inv. 21016025, W/E 05/30/21 Inv. 22013289, W/E 06/06/21 Inv. 23011210, W/E 06/13/21 Inv. 24010165, W/E 06/20/21 (Board approved 02/07/19)	404.70 550.80 151.20 496.80 421.20 <u>637.20</u>	2,661.90
21175	L.A. County Auditor-Controller	Inv. FY 2021-22, LAFCO Cost Allocation		14,328.78
21176	La Opinion	Inv. 129490521, May 2021 Water Conservation Ads		1,500.00
21177	Marketplace Communications	Inv. 21692, 60th Anniversary Video Production Inv. 21729, 60th Anniversary Video Production (Board approved 05/26/21)	3,500.00 <u>10,000.00</u>	13,500.00
21178	Municipal Water District of Orange County	Inv. 16736, Water Policy Forum and Dinner Sponsorship		850.00
21179	Olivarez Madruga Lemieux O'Neill, LLP	Professional Legal Services, May 2021 Inv. 325-001-15071, Transactional Fees Inv. 325-996-15072, Transactional Fees Inv. 325-999-15073, Retainer (Board approved 5/17/11)	140.00 2,509.50 <u>4,000.00</u>	6,649.50
21180	QualityImprint	Inv. QI14530, 60th Anniversary Logo Items Inv. QI14551, 60th Anniversary Logo Items	495.00 <u>1,174.15</u>	1,669.15
21181	SGV Council of Governments	Inv. 7033, FY 2021-2022 Annual Dues		12,164.32
21182	San Gabriel Valley Newspaper	Inv. 515376, Water Conservation Ads, May 2021 Inv. 515377, FY 2022/21 Standby Charge Public Hearing Ad	6,000.00 <u>692.00</u>	6,692.00

21183	Sing Tao Newspapers (LA) LTD	Inv. 85659, FY 2021/22 Standby Charge Public Hearing Ad		770.00
21184	South Coast AQMD	Inv. 3827606, Annual Renewal Fee; FY 2021-22 Inv. 3831060, Flat Fee for FY 2021-22 Emissions	440.15 <u>142.59</u>	582.74
21185	Stetson Engineerrrs, Inc.	Inv. 2533-182, General Engineering Support Services, May 2021		21,177.35
21186	Telacu Construction Management	Inv. 2, Retention Release, Demolition Project <i>(Board approved 02/10/21)</i>		8,000.00
21187	Tetra Tech, Inc.	Inv. 51705035, Task 23: Asset Management Plan Support Inv. 51745746, Task 23: Asset Management Plan Support <i>(Board approved 04/01/14)</i>	420.00 <u>420.00</u>	840.00
21188	Total Compensation Systems, Inc.	Inv. 9434, GASB 75 Full Valuation - 1st Installment		1,485.00
21189	Upper District Revolving Payroll Fund	Inv. MAY 21, Reimbursement for Payroll and Payroll Taxes for Employees Inv. MAY 21D, Reimbursement for Payroll Taxes for Directors	129,925.04 <u>10,540.78</u>	140,465.82
21190	Upper District Revolving Fund	Replenish Revolving Fund Account - June 2021 Office Supplies Computer Systems/Office Equipment/Maintenance & Service Director's Outreach Meeting/Travel/Conferences/Dues/Assessments Telephone/Utilities Water Conservation Program Expenses Water Recycling Programs Expenses Medical/ODA Reimbursement/Processing Fee Registrar-Recorder County Clerk Fee Reimbursement	867.54 2,737.96 3,985.00 381.17 1,622.01 1,603.87 39,868.21 4,482.95 <u>81.00</u>	55,467.71
21191	U. S. Bank Corporate Payment System	CalCard Charges through 06/22/21 Meeting, Travel, Conferences Computer Systems/Office Equipment/Supplies/Maintenance & Service Utilites Conservation Program Expenses, Education and Outreach	488.25 1,161.34 <u>392.32</u>	2,041.91
21192	Anthony Fellow	Director's Compensation, June 2021 9 Days District Business 9 Days MWD Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,295.00 2,295.00 167.41 (500.00) <u>(1,404.35)</u>	2,853.06
21193	Edward L. Chavez	Director's Compensation, June 2021 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 167.41 (1,600.00) <u>(849.95)</u>	267.46
21194	Charles M. Treviño	Director's Compensation, June 2021 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 167.41 (500.00) <u>(466.75)</u>	1,748.66
21195	Jennifer Santana	Director's Compensation, June 2021 10 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,550.00 167.41 (500.00) <u>(314.85)</u>	1,902.56
21196	Katarina M. Garcia	Director's Compensation, June 2021 9 Days District Business Meeting/Travel Expenses/Allowance Less Deferred Comp. Less Taxes Withheld	2,295.00 167.41 (500.00) <u>(347.74)</u>	1,614.67
		TOTAL		\$ 384,045.20

978	Central Basin MWD	Invoice No. USGV-MAY21, Purchase of 4.00 AF of Recycled Water in April 2021 <i>(Previously Paid 06/17/21)</i>	\$ 2,897.67
979	City of Industry City Hall	Invoice No. MAY-21, Purchase of 84.9 AF of Recycled Water in May 2021	25,215.30
980	Metropolitan Water District	Invoice No. 10455, Purchase of 808.7 AF of Treated Water Delivered through Service Connections in May 2021	867,360.78
981	San Gabriel Valley MWD	Invoice No. 529, 92.04 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in May 2021 @ \$200 per AF	18,408.00
982	Suburban Water System	Invoice No. 6637, Phase IIB Normal Operating Charge, June 2021	1,558.65
TOTAL			<u>\$ 915,440.40</u>

DRAFT



MEMORANDUM



6. (b)
Consent Calendar

DATE: July 9, 2021
TO: Administration and Finance Committee and Board of Directors
FROM: General Manager
SUBJECT: Amendments to Policy Manual.

Recommendation

Staff recommends that the Board of Directors approve the proposed amendments to Policy No. 2.15, Medical Benefits, of Upper District's Policy Manual and adopt Resolution No. 7-21-622 (Attachment 1) reflecting the amended policy. Staff also recommends that the Board of Directors approve one-time longevity payments to employees depending on their years of service.

Background

Consistent with Upper District's Strategic Plan goals and objectives, staff looked at current Upper District benefits and identified areas where Upper District can reduce costs and still maintain competitive benefits. At the June 2021 Administration and Finance Committee meeting, staff presented the following proposed changes to employee, director and retiree benefits:

1. Implement a combined annual cap for medical, optical, dental and hearing reimbursements of \$4,000 for individual plans, \$8,000 for a two-party plan, and \$12,000 for a family plan.
2. For employees and directors who began service with Upper District on or after July 1, 2021, Upper District will pay health coverage for employees, directors and one eligible dependent, with an option to upgrade to a family plan at the employee's or director's own expense.
3. For employees who began service with Upper District on or after July 1, 2021, Upper District will provide retiree health benefits until covered by Medicare.

Working with District Counsel, staff incorporated the proposed benefit changes in the Policy Manual. The proposed changes also include cleanup of existing language to clarify the policy and include some best practices recommended by ACWA JPIA. A redlined version of the relevant sections of the Policy Manual is provided as Attachment 2.

Listed below are the proposed one-time longevity payments for staff based on years of service:

- 5 years of service - \$50
- 10 years of service - \$100
- 15 years of service - \$150
- 20 years of service - \$200
- 25 years of service - \$250
- 30 years of service - \$300

Attachments

RESOLUTION NO. 7-21-622

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE UPPER
SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT
ESTABLISHING DISTRICT POLICY RELATING TO HEALTH
BENEFITS FOR QUALIFIED PROGRAM PARTICIPANTS**

WHEREAS, UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT ("Upper District") maintains a program that provides certain medical, dental and optical benefits for qualified program participants; and

WHEREAS, the current benefits structure was established and amended by Resolution Nos. 7-01-386 and 8-02-406; and

WHEREAS, the Upper District Board of Directors desires to make appropriate changes to its health insurance and benefits programs in order to sustain the value of the benefits provided while providing fiscal stability for the Upper District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT as follows:

Section 1. Qualified Program Participants:

- A. For the purpose of this resolution, qualified program participants are defined as follows:
1. Employee. All full-time employees of the Upper District are qualified program participants two months subsequent to the date that employment with the Upper District commences.
 2. Officers appointed by the Board of Directors (including the General Manager). All officers of the Upper District are qualified program participants upon assumption of official duty.
 3. Directors. All Directors of the Upper District are qualified program participants upon assumption of office.
 4. A dependent shall be any individual who is related to a director, officer, or employee in one of the following ways: (a) the current spouse or registered domestic partner; (b) a dependent child, under the age of 26; or (c) an unmarried dependent child who, regardless of age, is physically or mentally incapacitated and incapable of self-support at the time insurance benefits are provided. Eligibility of medical benefits provided to a surviving spouse shall cease upon remarriage of the surviving spouse.
 5. Retired officer and retired employee (other than an Upper District Director) is one of the following: (a) officers or full-time employees who began service with the Upper District, on or before June 30, 2021, who has served the Upper District continuously for a period of ten (10) years or more and is either deceased while serving the Upper District, or has

reached the age of 55 years or older while employed full-time by the Upper District; or (b) officers and full-time employees who began service with the Upper District, on or after July 1, 2021, and has served the Upper District continuously for a period of ten (10) years or more and is either deceased while employed full-time with the Upper District, or has reached the normal retirement age set by CalPERS while employed full-time with Upper District, but has not yet attained the age of 65 years or eligibility for Medicare (Medicare Age). Once the retired officer, retired employee, or their surviving spouse reaches Medicare Age, retiree medical benefits through the Upper District shall cease. Retiree medical benefits provided to a surviving spouse shall cease upon remarriage of the surviving spouse.

6. Retired director is a former elected or appointed member of the Upper District Board of Directors and is an individual who: (a) served in office after January 1, 1981, (b) was elected to the Board prior to January 1, 1995, (c) has served not less than twelve years or three full terms of office, and (d) attained the age of 50 years.
7. Due to requirements of the group health insurance carrier currently used by Upper District, when eligible for Medicare Part A and Part B, employees and retirees who began service with the Upper District on or before June 30, 2021, must enroll in Medicare Part A and Part B to continue to qualify for Upper District's group medical coverage.

Section. 2. Medical Insurance:

- A. The District will pay, from funds under its jurisdiction, the premiums, dues, or other charges for a Health and Accident and Major Medical Payments Insurance Policy, as selected and approved, from time to time, by the Board of Directors, for each qualified program participant of the District and their eligible dependents, as defined in Section 1, for those qualified program participants who began service with the Upper District, on or before June 30, 2021.
- B. The District will pay, from funds under its jurisdiction, the premiums, dues, or other charges for a Health and Accident and Major Medical Payments Insurance Policy, as selected and approved, from time to time, by the Board of Directors, for qualified program participant of the District and one dependent only for those qualified program participants who began service with the Upper District on or after July 1, 2021. The qualified program participant has the option to upgrade their health coverage to cover all dependents as defined in Section 1 at the qualified program participant's own expense.
- C. A former elected member of the Board of Directors who has completed one or more terms of office, but less than 12 years, may elect to continue insurance benefits after leaving office for him/herself and his/her dependents, provided he/she agrees to, and does pay, the full premiums, dues, and costs thereof, consistent with the Consolidated Omnibus Budget Reconciliation Act (COBRA).

Section 3. Health Reimbursement:

- A. In addition to other compensation and benefits, the District shall reimburse qualified program participants, as defined in Section 1, for their out-of-pocket expenses paid on account of deductions/deductibles required under group insurance coverage provided by the Upper District for reasonable medical, health, accident, hospitalization, dental, hearing, and vision including eligible expenses allowed under Internal Revenue Code section 213(d), up to a maximum of Four Thousand Dollars (\$4,000.00) for each qualified program participant in each calendar year. A qualified program participant on a two-party plan with one (1) Dependent shall have a maximum of Eight Thousand Dollars (\$8,000.00) in eligible reimbursements each calendar year. A qualified program participant on a family plan with two (2) or more dependents shall have a maximum of Twelve Thousand Dollars (\$12,000.00) in eligible reimbursements in each calendar year.

Section 4. Effective Date:

- A. This resolution shall become effective immediately upon adoption.

Section 5. Repeals:

- A. Resolutions No. 7-01-386 and No.8-02-406 are hereby repealed and replaced by this Resolution.

PASSED, APPROVED AND ADOPTED this ___ day of ___, 2021.

Ed Chavez, President

ATTEST:

Katarina Garcia, Secretary

(SEAL)

APPROVED AS TO FORM:

Steven P. O'Neill, District Counsel

Upper San Gabriel Valley Municipal Water District MANUAL OF POLICIES			
Subject	Policy Number	Date Adopted	Date Revised
MEDICAL BENEFITS	2.15	05-03-11	04-02-13 11-04-14 12-08-15 09-06-16

Purpose

2.15.1 The District provides medical coverage and expense reimbursements to Board Members and understands the need to have those benefits and the process by which to receive reimbursement clarified.

Background

2.15.2 The Upper District maintains a program that provides certain medical, dental and optical insurance benefits for qualified program participants, and the Upper District Board of Directors desires to continue the program with appropriate amendments enacted to preserve the value of the benefits provided.

Policy

2.15.3 To the extent allowed by ACWA/JPIA under existing laws and for the purpose of this policy, qualified program participants are defined as follows:

- (a) Employee. All full-time employees of the District are qualified program participants two months subsequent to the date that employment with the District commences. For purposes of this policy only, "full time" is defined as scheduled to work, and normally working, forty (40) hours per week because this is the regular schedule of full-time Upper District employees.
- (b) Officers appointed by the Board of Directors (including the General Manager). All officers of the District are qualified program participants immediately upon assumption of official duty.
- ~~(d)~~—(c) Directors. All Directors of the District are qualified program participants upon assumption of office for pre-retirement health care coverage.
- (d)—A dependent shall be any individual who is related to a director, officer, or employee in one of the following ways: -(1) the current spouse or registered domestic partner; (2) a dependent child, under the age of 26; or (3) an unmarried dependent child who, regardless of age, is physically or mentally incapacitated and incapable of self-support at the time insurance benefits are provided. Eligibility of medical benefits provided to a surviving spouse shall cease upon remarriage of the surviving spouse.

- (e) ~~Retired officer and retired employee (other than an Upper District Director) is one of the following: (a) For all former officers or full-time employees who began service with the Upper District, on or before June 30, 2002, a retired officer and retired employee (other than Director) is an individual who has served the Upper District for ten (10) or more years and is either deceased or has retired at the age 55 years or older. (a1) For all former officers or full-time employees who began service with the Upper District, on or before June 30, 2021, a retired officer and retired employee (other than Director) is an individual who has served the Upper District continuously for a period of ten (10) years or more and is either deceased while serving-employed full-time with the Upper District, or has reached the age of 55 years or older while serving-employed full-time with the Upper District; or (2) officers and full-time employees who began service with the Upper District, on or after July 1, 2021, and has served the Upper District continuously for a period of ten (10) years or more and is either deceased while employed full-time with the Upper District, or has reached the normal retirement age set by CalPERS while employed full-time with Upper District, but has not yet attained the age of 65 years or eligibility for Medicare (Medicare Age). Once the retired officer, retired employee, or their surviving spouse reaches Medicare Age, retiree medical benefits through the Upper District shall cease. Retiree medical benefits provided to a surviving spouse shall cease upon remarriage of the surviving spouse.~~
- (e)(f) Retired director is a former elected or appointed member of the Upper District Board of Directors and is an individual who: (a1) served in office after January 1, 1981, (b2) was elected to the Board prior to January 1, 1995, (c3) has served not less than twelve years or three full terms of office, and (d4) attained the age of 50 years.
- (f)(g) Due to requirements of the group health insurance carrier currently used by Upper District, when eligible for Medicare Part A and Part B, employees and retirees who began service with the Upper District, on or before June 30, 2021, must enroll in Medicare Part A and Part B to continue to qualify for Upper District's group medical coverage.

2.15.4 For the purpose of this policy, Medical Insurance is defined as follows:

- (a) The District will pay, from funds under its jurisdiction, the premiums, dues, or other charges for a Health and Accident and Major Medical Payments Insurance Policy, as selected and approved, from time to time, by the Board of Directors, for each qualified program participant of the District and their eligible dependents, as defined in Section 2.15.3, for those qualified program participants who began service with the Upper District, on or before June 30, 2021.
- (b) The District will pay, from funds under its jurisdiction, the premiums, dues, or other charges for a Health and Accident and Major Medical Payments Insurance

Policy, as selected and approved, from time to time, by the Board of Directors, for each qualified program participant and one dependent only, for those qualified program participants that began service with the Upper District on or after July 1, 2021. The qualified program participant has the option to upgrade their health coverage to cover all dependents as defined in Section 2.15.3 at the qualified program participant's own expense.

(a)(c) Employees must enroll in the plan they wish to retire into during the open enrollment period prior to retirement. No dependents may be added to the plan upon or after retirement.

7(edb) A former elected member of the Board of Directors who has completed one or more terms of office, but less than 12 years, may elect to continue Insurance Benefits after leaving office for him/herself and his/her dependents, provided he/ or she agrees to, and does pay, the full premiums, dues, and costs thereof, consistent with the Consolidated Omnibus Budget Reconciliation Act (COBRA).

2.15.5 Pursuant to Resolution No. 7-21-622, 7-01-386, the Health Reimbursement Arrangement (HRA) Medical Reimbursement Policy health reimbursement arrangement (HRA) is set forth as follows:

(a) In addition to other compensation and benefits, the Upper District shall reimburse qualified program participants, as defined in Section 2.15.3, for their out-of-pocket expenses paid on account of deductions/deductibles required under group insurance coverage provided by the Upper District for reasonable ~~and necessary~~ costs incurred for the prevention, diagnosis, or treatment of a disease, illness, or injury, for major medical, health, accident, ~~and hospitalization,~~ dental, hearing, and vision ~~-including eligible medical~~ expenses allowed under Internal Revenue Code Section 213(d), up to a maximum of ~~Two-Four Thousand Five Hundred Dollars (\$2,54,000.00)~~ for each ~~such~~ qualified program participant in each calendar year. A qualified program participant on a two-party plan with one (1) dependent shall have a maximum of Eight Thousand Dollars (\$8,000.00) in eligible reimbursements each calendar year. A qualified program participant on a family plan with two (2) or more dependents shall have a maximum of Twelve Thousand Dollars (\$12,000.00) in eligible reimbursements in each calendar year.

- Reimbursements are only available to directors and/or employees who are enrolled in a group health plan.
- At the end of each calendar year, employees and directors may opt out of the HRA, waiving future reimbursement.
- Employees and directors may permanently opt out of the HRA and waive future reimbursement.
- An expense, such as a deduction, already paid with pre-tax dollars will not be reimbursed on a pre-tax basis.

~~(b) 2.15.6 Pursuant to Resolution No. 7-01-386 the Limited Dental, Hearing and Vision Benefits is set forth as follows:~~

~~(a) In addition, Upper District will reimburse qualified program participants, through its dental, hearing, vision health reimbursement arrangement (HRA) program, for their out-of-pocket expenses for reasonable and necessary costs incurred for the prevention, diagnosis or treatment of a disease, illness or injury related to dental, hearing and vision needs as allowed under Internal Revenue Code Section 213(d), up to a maximum of Two Thousand Dollars (\$2,000.00) for each such qualified program participant, for each insurance year, subject to the following conditions:~~

~~HRA reimbursements are only available to directors and/or employees who are enrolled in a group health plan, other than the HRA.~~

~~At the end of each calendar year, employees and directors may opt out of the HRA, waiving future reimbursement.~~

~~Employees and directors may permanently opt out of the HRA and waive future reimbursement from the HRA.~~

~~(b) Subject to the foregoing, the Upper District will provide, to each such qualified program participant, as defined in Section 2.15.3, payment for a reasonable diagnostic, preventative and restorative dental care, reasonable hearing care including hearing examinations, hearing aids, and professional services in connection with diagnostic, preventative, retroactive and corrected hearing care, and/or reasonable vision care including eye examinations, lenses, frames and professional services in connection with diagnostic, preventative, retroactive and corrected vision care to a maximum of Two Thousand Five Hundred Dollars (\$2,500.00) per calendar year for each qualified program participant.~~

~~(cc) To the maximum stated herein, the Upper District shall pay reasonable dental, hearing and/or vision care fees and the charges as stated above but in no event shall the Upper District's payment exceed the fees charged for said services or the maximum limits per qualified program participant, provided herein.~~

~~Regarding the maximum reimbursement limits stated herein, the Upper District shall pay reasonable medical, dental, hearing, and/or vision care fees and expenses as stated above, but in no event shall the Upper District's payment exceed the fees charged for said services or the maximum limits per qualified program participant, as provided herein.~~

~~(b) (fd) The Upper District shall permit and encourage a professional relationship between the dentist, audiologist and/or optometrist and~~

~~qualified program participant to be maintained without interference.~~—The Upper District shall not be liable for any act or omission by any health care provider, dentist, audiologist, and/or optometrist, his employees or agents, or any person performing medical, dental, hearing, and/or vision or other professional services to qualified program participants and/or their dependents under this ~~resolution~~policy.

~~(d)~~ ~~(e)~~—The Upper District will honor only those ~~paid dental care, hearing care and/or vision care bills or invoices from the dentist, audiologist or optometrist~~invoices submitted for payment that are submitted directly to the Upper District or its third party administrator by the qualified program participant. Said bills or invoices should be submitted promptly after completion of compensable medical, dental, hearing, and/or vision procedures—expenses and must show the extent and nature of services provided and the actual charges to the qualified program participant and/or dependent, as applicable. Such payment shall be made by the Upper District or its third party administrator only upon receipt of evidence that is deemed satisfactory, showing the rendition of the covered services and the amount that the qualified program participant has paid or become obligated to pay thereafter.”

~~(e)~~(e) Any misuse of the HRA Plan by directors or employees will result in immediate and permanent removal from participation in the Upper District’s HRA Reimbursement Policy, and employees shall be subject to discipline, up to and including, termination from Upper District employment.

General Manager
Adel Hagekhalil

Adel Hagekhalil is general manager and chief executive officer for the Metropolitan Water District of Southern California, the largest wholesale drinking water agency in the country. Metropolitan is a state-established cooperative that delivers water to 26 member public agencies, serving 19 million people across Southern California.

As general manager, Hagekhalil is responsible for leading Metropolitan's daily and long-term operations and planning to provide safe, reliable water to Southern California. He oversees Metropolitan's \$1.9 billion annual budget, 1,800 employees, and extensive system of conveyance, storage, treatment and delivery infrastructure.

Hagekhalil is a registered civil engineer and national board-certified environmental engineer, having earned both a bachelor's and master's degree in civil engineering from the University of Houston, Texas. Before joining Metropolitan, he was appointed in 2018 by Los Angeles Mayor Eric Garcetti to serve as the executive director and general manager of the city's Bureau of Street Services. His responsibilities included oversight of the management, maintenance and improvement of the city's network of streets, sidewalks, trees and bikeways. Hagekhalil also focused on climate change adaptation and multi-benefit integrated active transportation corridors.

Previously, he served nearly 10 years as assistant general manager of the Los Angeles' Bureau of Sanitation, leading the city's wastewater collection system, stormwater and watershed protection program, water quality compliance, advance planning and facilities. He also helped develop the city's 2040 One Water LA Plan, an award-winning regional watershed approach to integrate water supply, reuse, conservation, stormwater management and wastewater facilities planning.

Hagekhalil is a member of the American Public Works Association as well as the Water Environment Federation, which recognized him in 2019 as a WEF Fellow for his contribution to enhancing and forwarding the water industry. He also served for more than a decade as a board member on the National Association of Clean Water Agencies, including a term as president.

Hagekhalil and his wife, Lubna, reside in Fullerton. They have three children.



The Metropolitan Water District of Southern California

NEWS RELEASE

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July 21, 2021

METROPOLITAN RELEASES INDEPENDENT REPORT ON ALLEGATIONS OF WORKPLACE HARASSMENT, DISCRIMINATION AND RETALIATION

An independent report of allegations of systemic Equal Employment Opportunity-related discrimination, harassment and retaliation at the Metropolitan Water District of Southern California is now available following an intensive eight-month review of agency workplace conditions.

Metropolitan's Board of Directors voted on July 13 to make public the [report](#), which includes recommendations to address the report's observations. The 67-page report, produced by the Sacramento-based Shaw Law Group, will be presented and discussed at a special July 27 meeting of the board's Organization, Personnel and Technology Committee.

"We look forward to reviewing the report and discussing its recommendations to support our board's unequivocal commitment to ensuring every employee feels safe and valued," Metropolitan board Chairwoman Gloria D. Gray said. "Providing a work environment that promotes and respects equity, inclusion, and diversity--both in policy and in practice--has been and will continue to be my highest priority."

Metropolitan's Ethics Officer Abel Salinas selected the Shaw Law Group on behalf of the board of directors in December 2020 and oversaw the board-directed independent review of the district's EEO policies and procedures as well as employee allegations of EEO-related concerns, after several employees publicly expressed concerns of systemic workplace harassment, retaliation and related issues.

As part of its review, the law firm conducted interviews with more than 190 employees; directed a district-wide workplace assessment survey; reviewed existing policies and the process by which EEO claims are handled by management; examined the board's current oversight of employment practices and diversity, equity and inclusion initiatives; and assessed Metropolitan's compliance with industry best practices.

more

“We are one at Metropolitan,” said General Manager Adel Hagekhalil. “That means every employee matters, is valued and should have the opportunity to succeed. I offer my deepest gratitude to all Metropolitan employees and stakeholders who participated in the interviews and climate survey, especially those brave individuals who shared their stories and shed light on a situation that compelled the board to call for this review of the agency’s policies and practices. I also want to thank the Shaw Law Group for this important report and recommendations that will help us ensure that we have a safe, positive work environment. I am committed to working with the board, our employees, and our bargaining groups to take the decisive action that is necessary to resolve the issues raised by our workers and articulated in this report.”

###

The Metropolitan Water District of Southern California is a state-established cooperative that, along with its 26 cities and retail suppliers, provide water for 19 million people in six counties. The district imports water from the Colorado River and Northern California to supplement local supplies, and helps its members to develop increased water conservation, recycling, storage and other resource-management programs.

Representative Josh Harder: Harder Votes to Pass Bipartisan Clean Water Bill Impacting Modesto, Lathrop, Sacramento, Stockton and Others

July 21, 2021

Press Release

Landmark bipartisan bill will establish national drinking water standard for poisonous PFAS chemicals

WASHINGTON — Today, Representative Josh Harder (CA-10) voted to pass a landmark bipartisan bill that aims to protect every Central Valley family from dangerous chemicals in their water. While California requires the reporting of PFAS, neither the state or the federal government set safe drinking water standards. The **PFAS Action Act of 2021** will establish a national drinking water standard for select per- and polyfluoroalkyl substances (PFAS) that currently impact water systems in Modesto, Lathrop, Sacramento, Stockton and others. According to the Environmental Working Group (EWG) over 200 million Americans are drinking contaminated water.

“Every family deserves access to clean, safe drinking water. It’s as simple as that,” said **Rep. Harder**. “This legislation will do a world of good for families in Modesto, Lathrop, and across the Central Valley. We know where this problem is, we know how to fix it, we’ve got bipartisan support do it, so let’s get it done.”

The PFAS Action Act would do the following to protect our air, land, and water from harmful PFAS contamination:

- Require the U.S. Environmental Protection Agency (EPA) to establish a national drinking water standard for PFOA and PFOS within two years that protects public health, including the health of vulnerable subpopulations.
- Designate PFOA and PFOS chemicals as hazardous substances within one year and requires EPA to determine whether to list other PFAS within five years.
- Designate PFOA and PFOS as hazardous air pollutants within 180 days and requires EPA to determine whether to list other PFAS within five years.
- Require EPA to place discharge limits on industrial releases of PFAS and provides \$200 million annually for wastewater treatment.
- Prohibit unsafe incineration of PFAS wastes and places a moratorium on the introduction of new PFAS into commerce.
- Require comprehensive PFAS health testing.
- Create a voluntary label for PFAS in cookware.



PLANS DEMONSTRATE WATER SUPPLY SUSTAINABILITY TO MEET FUTURE NEEDS

BY ROWLAND WATER DISTRICT JUL 19, 2021 MEMBER SUBMITTED NEWS

ROWLAND HEIGHTS – Two plans developed by Rowland Water District ensure continued delivery of safe, clean water to all customers for years to come, even during emergencies and extreme drought.

The Board of Directors recently adopted updates to the District's Urban Water Management Plan (UWMP), first implemented in 2015, and Water Shortage Contingency Plan.

The UWMP assesses current and future demand, along with available water supplies through 2045. The plan demonstrates how the District can responsibly and sustainably meet demand by increasing the use of recycled water and reducing reliance on supplies imported from hundreds of miles away.

"This plan charts a course for careful management of our water supply," said Rowland Water District General Manager Tom Coleman. "Our customers can take comfort knowing we're making decisions today that guarantee reliable service 25 years into the future."

In addition to the sustainability focus of the UWMP, the Board also approved a Water Shortage Contingency Plan (WSCP). The WSCP outlines how the District will continue to provide water service to customers despite extreme conditions or sudden disruptions to water supplies. Emergency measures such as water restrictions are also detailed in the WSCP.

"If there is a major earthquake or extended drought, we have plans in place to respond appropriately and keep delivering water to our customers," Coleman added. "We understand how important it is to always have water available, especially during a crisis."

All California water agencies serving 3,000 customers or more must develop and update a UWMP and WSCP every five years. Please visit www.rowlandwater.com to view the adopted plans.

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FUNDING RECEIVED FOR STUDY TO IMPROVE THE LONG-TERM HEALTH OF LAKE ELSINORE

BY ELSINORE VALLEY MUNICIPAL WATER DISTRICT JUL 16, 2021 MEMBER SUBMITTED NEWS

To maintain and restore Lake Elsinore's natural habitat, Elsinore Valley Municipal Water District (EVMWD) spearheaded an effort to secure funding for a study focusing on improvement of the aquatic environment in Lake Elsinore. Along with the City of Lake Elsinore and the Riverside County Flood Control and Water Conservation District, EVMWD partnered with the US Army Corps of Engineers to embark on the Lake Elsinore Continuing Authorities Program 206 Aquatic Ecosystem Restoration Study.

"This project is one of many that the City and EVMWD are setting in motion to fund and discover long-term solutions that can improve the water quality and ecosystem of our lake," said Mayor Bob Magee, City of Lake Elsinore. "We are thankful for the support and partnership of Senator Melissa Melendez and Assemblymember Kelly Seyarto as we work together to restore our most valuable asset – Lake Elsinore."

The feasibility study is estimated to cost up to \$1.5 million, with 50 percent of the cost share covered by the U.S. Army Corps of Engineers. With the leadership of State Senator Melissa Melendez and Assemblyman Kelly Seyarto, \$750,000 was provided through Senate and Assembly Bill 129, the State Budget Act of 2021. This funding covers the remaining cost shared by EVMWD, the City of Lake Elsinore and the Riverside County Flood Control and Water Conservation District. Overall, the Corps can spend up to \$10 million on this study and future construction, which is 65 percent federally funded. The study is estimated to be completed in the next two years. Based on the results of the study, the agencies will determine an appropriate construction project, which could take place in the next three to five years.

"This project has been five years in the making and is incredibly important to the overall ecosystem health of Lake Elsinore," said Phil Williams, president of the EVMWD Board of Directors. "We deeply appreciate the tremendous support from Senator Melissa Melendez and Assemblyman Kelly Seyarto and their hard work in Sacramento. This funding will cover the complete local cost share of the first phase of this valuable project."

Lake Elsinore, the natural body of water that shares the name with the city, serves as both a recreational and environmental asset in southwest Riverside County. It is home to more than 250 bird species, sport fish, and native flora and fauna. Participating in the project will allow the agencies to study, design and construct an ecosystem and riparian habitat restoration project on Lake Elsinore.

"Lake Elsinore is Southern California's largest natural, freshwater lake and a significant environmental asset for the entire state," said Greg Thomas, general manager of EVMWD. "Our board of directors actively seeks and always appreciates federal and state investment in the restoration of the lake. Thanks to the efforts of Senator Melendez and Assemblyman Seyarto, local taxpayers and ratepayers won't have to pay for restoration work on their own."

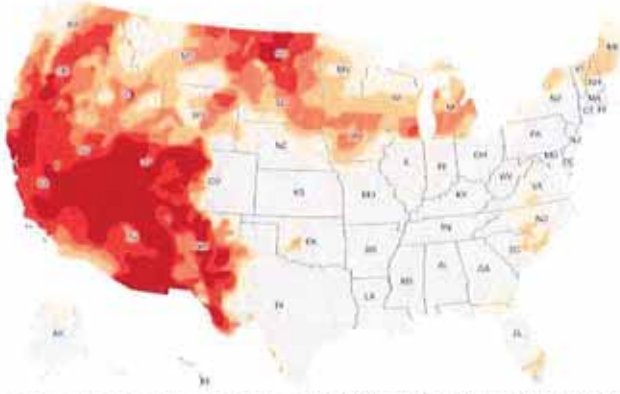
The study will be used to identify possible habitat restoration projects for the lake. The agencies are investigating long-term solutions by considering a 100-year planning horizon and evaluating the benefits for the lake that a project like this would provide.

###

EVMWD provides service to over 159,000 water and wastewater customers in a 97-square mile service area in Western Riverside County. The District is a sub-agency of the Western Municipal Water District and a member agency of the Metropolitan Water District of Southern California. Visit the District's Web site at www.evmwd.com for additional information.

Historic drought in U.S. West will persist through October

SGV Tribune | By: Brian K. Sullivan, Bloomberg | July 15, 2021



Drought now covers almost 95% of 11 western states, including all of California, Nevada, Arizona, Utah, Oregon, and Idaho, according to the U.S. Drought Monitor. (US Drought Monitor/CNN)

The historic drought stretching across California and the U.S. West will likely last through October, with only minor improvements expected in parts of Arizona and New Mexico.

Drought now covers almost 95% of 11 western states, including all of California, Nevada, Arizona, Utah, Oregon, and Idaho, according to the U.S. Drought Monitor. Above-normal temperatures and a dearth of rainfall is expected from August to October, according to the National Oceanic and Atmospheric Administration's monthly report.

Driven by record-high temperatures, drought has already cost more than \$1 billion, according to the National Centers for Environmental Information. The parched landscape has created water shortages for farmers and communities, crimped hydroelectric generation and raised the risk of wildfires.

"Drought over the western U.S. is expected to mostly persist," Dan Collins, a meteorologist with the Climate Prediction Center, said during a conference call with reporters Thursday. The temperatures are setting more records from coast to coast, with the contiguous U.S. having its warmest June in the 127-year record. California, Nevada, Idaho, Utah, and Arizona are also having record hot months. In the East, so did Massachusetts, New Hampshire, and Rhode Island. Recent rains for the annual monsoon in Arizona and New Mexico have caused floods, but will help improve conditions, Collins said.

While the monsoon has sparked flash flood warnings across parts of Arizona, New Mexico and Utah Thursday, the rain isn't expected to be above average or wash away drought concerns, he said.

With drought worsening, should California have much tougher water restrictions?

LA Times | By: Ari Plachta | July 15, 2021



A truck crosses the Enterprise Bridge at Lake Oroville, which was 33% full and 40% of historical average when this photo was taken on June 30 in Oroville.
(Brian van der Brug/Los Angeles Times)

When Gov. Gavin Newsom asked Californians to voluntarily conserve water last week as he stood in front of the retreating shoreline at Lopez Lake in San Luis Obispo County, some must have had déjà vu.

It was only six years ago when former Gov. Jerry Brown stood in a field near Lake Tahoe that was bereft of normally plentiful snow and called for water restrictions amid the state's punishing years-long drought.

But by that point, Brown was done asking. In April 2015, he ordered cities and towns across the state to cut water use by 25%, the first mandatory statewide water restrictions in California history that browned lawns and shortened showers to the tune of more than 500 billion gallons saved that year.

As Californians wonder when mandatory water restrictions might be coming, officials and experts including those who played roles in addressing the 2012-2016 drought say the pace and strategy of Newsom's current response sufficiently incorporates insights gained from the past.

The governor's approach, however, has also frustrated some scientists who consider his actions too little too late as record-high temperatures intensify the water shortage, particularly in northern and central parts of the state.

Newsom, who is facing a September recall election, called on Californians on July 8 to voluntarily cut their water usage by 15% compared with last year and expanded his regional drought state of emergency to 50 counties, home to roughly 42% of the population.

"We're optimistic that Californians are going to step up as they have in the past," said Natural Resources Agency Secretary Wade Crowfoot. "And if the drought persists and conditions get worse, we'll obviously have to contemplate other actions including mandatory restrictions."

Conditions already appear to be outpacing the previous drought: Scant winter rainfall led to minimal snowpack on the Sierra Nevada mountains, and spring heat evaporated much of the runoff that was expected to flow into reservoirs.

Felicia Marcus, who worked closely with Brown as chair of the state water board during California's last record-breaking drought, called Newsom's voluntary conservation a prudent start.

"You can always do more — like to save fish — or you could have done more earlier in the year. There are always coulda-shoulda-wouldas, but this is a welcome step," said Marcus, who is now a visiting fellow at Stanford University.

Marcus says she expects state officials to decide on mandatory restrictions by monitoring available water supplies and scouring data to see whether communities are heeding Newsom's voluntary call to conserve.

"We need to accelerate everything that we thought we had to do even five years ago in the face of climate change, because it's clearly coming harder and faster than we were expecting," Marcus said. "I think it takes a certain ... planning for the worst and not just hoping for the best."

Peter Gleick, a longtime water scientist and founder of the Pacific Institute in Oakland, is more critical of Newsom's decision making.

He said research shows a 15% voluntary cut in water use would be relatively painless for both the agricultural sector and Californians in urban areas.

"It should have been done two months ago or three months ago. It's not as though we haven't seen this drought coming," Gleick said. "I'm sorry it's not more than 15%. I'm also sorry it's not mandatory, because we are in a worse position now than we were in the third and fourth year of the previous severe drought."

The question of why Newsom hasn't declared a statewide drought emergency can be answered in large part by looking to the past at the blowback Brown received from local water districts tasked with implementing his mandatory restrictions.

"When that 25% reduction came into place there was a lot of criticism from local agencies who said, 'We don't need to reduce, we've got extra supplies' and 'You're punishing us for the work

we've already done to prepare,'" said Rachel Ehlers, water policy analyst at the Legislative Analyst's Office.

Ehlers, Crowfoot and other longtime observers of water politics say that smaller water agencies that depend on a single well or groundwater source often look more kindly on state intervention during difficult drought times. But large urban districts such as the Metropolitan Water District of Southern California that heavily invested in reservoirs and recycling plants have made clear that they — and their budgets, which are dependent on supplying water to customers — preferred to be left alone.

Those stances, along with 2018 legislation that required local water districts to do more intensive water management planning, led the state to be more attuned to utilities and their unique circumstances, Ehlers said.

Southern California, for example, has been spared from Newsom's emergency order. Conditions haven't been as dry, and utility executives say water supply storage has granted them more flexibility.

"We spent a lot of effort learning from the last drought and put in this framework where water utilities had to develop their own plans for reacting to shortages," said Brad Coffey, group manager at the Metropolitan Water District of Southern California. "So, let's think about the wisdom of allowing those plans to come into effect, rather than stepping in and kind of nullifying those plans by deciding to do something else on a statewide scale."

Brown's pioneering mandatory restrictions are far more likely to be remembered by Californians for yellowed grass than water agency politics.

With the help of local lawn-removal incentives and social pressure, his ambitious 25% reduction goal nearly became a reality. Between June 2015 and April 2016, residential water uses in California's urban areas fell 24.5% according to UC Davis researchers.

Some conservation efforts, such as new drought-tolerant lawns, led to permanent change. Urban water use levels are currently at 15% lower per capita than those in 2013.

That means statewide conservation is crucial when considering the very real possibility of future dry years, said State Water Resources Control Board Deputy Director Erik Ekdahl.

"You're going to have to have a really wet year next year to get us back to average, and there's no guarantee of that. What happens if it's dry or even below normal? God forbid another critically dry year," Ekdahl said. "Then we're in a really bad situation everywhere."

Policy and political considerations aside, Newsom is simply operating on a tighter drought timeline this time, said state Sen. John Laird (D-Santa Cruz), who served as Brown's Secretary of Natural Resources.

"The year after year of dryness came upon Gavin Newsom a little quicker," said the Democrat, who represents Monterey and Santa Cruz counties.

"He's following a similar path [as Brown]. But regardless of these two situations, if you're a governor you're limited to what's in your toolbox. The big thing you have is the bully pulpit to tell Californians that they have to save."

In drought-stricken California, who owns water rights can still be a mystery

LA Times | Michael Kiparsky | July 15, 2021



The Owens River flows through wetlands and pastures near Mammoth Lakes. (Brian van der Brug/Los Angeles Times)

As we careen deeper into drought, California will face increasing impacts to urban and agricultural economies, rivers and forests, and wildlife.

In response, government agencies will need to determine how to allocate water among competing needs. Water users will scramble to buy and sell water — if they can — or reduce their use. But the current lack of information hobbles the ability to make difficult decisions about water management. For California to cope with persistent shortages, water rights data need to be accessible to decision-makers and the public.

Most residents assume that because their home water use is metered, we would understand water use in the state as a whole, and that water management is a routine matter. This could hardly be further from the truth.

In contrast to household taps, diversions from rivers and streams typically are unmeasured or unreported. Further, most essential documents are inaccessible, so we simply don't know who can legally use water at a given time and place. Here in the land of Google, basic water information remains trapped, obscuring water management.

It seems absurd: A fundamental resource underpinning our economic, social, and environmental well-being is managed with 19th century information technology. The relevant public records are effectively buried. More than 10 million pages of paper files sit in storage rooms, collecting dust. Legal records for older rights — some dating to the 19th century but still binding today — are scattered in 58 county courthouses and other repositories.

The situation is the result of underfunded agencies, haphazard attention to information technology, and years of political inertia. Given the lack of data, it is immensely difficult to resolve conflicts or manage shortages.

Water rights help determine who may use water, when, where and for what purpose. The right to divert and use water is mediated by the state's responsibility to protect public health and the environment. In the absence of accessible legal information, neither regulators nor water users can have clarity about their options.

Under California's legal system, drought management should be an organized and rational process of determining the water needed for fish and wildlife, allocating the remaining available water to the most senior users, telling lower priority diverters to stop withdrawals, and facilitating water trading and alternative water sources. Instead, because of the lack of information, California is unable to align available supply systemically. Basically, it's chaos.

Other Western states routinely manage water shortage informed by relevant information. California does not. It makes no sense economically or environmentally.

A first step to efficient water management is building a system that makes this basic information available to all. New research from UC Berkeley School of Law shows that it can be done. Over the last two years, in partnership with the Los Angeles Department of Water and Power, we digitized more than 130,000 pages of documents and built an indexed, searchable database that makes legal documents from the Mono Basin water region accessible. Now, anyone can view the complete basis for water rights that previously would have taken weeks or months for attorneys to unearth and see how water rights in the basin relate to one another. Shockingly, this has never been done before in California.

For a small investment, the content and functions of our database could be expanded statewide. Other states have long made this kind of information available and routinely manage their water using relevant data. California can do this, too. The cost would be trivial compared with water infrastructure expenditures and a tiny share of the state's current budget surplus.

During California's last drought, the Legislature established requirements for integration of existing data and allowed state agencies to require water use reporting. These are laudable goals, but without a place to put reporting data there is no reasonable way for the state to request it from water users. A modernized water rights information system can receive reporting data and is a necessary complement to such mandates. Without it, they offer little value.

The current state budget proposal contains \$3 billion for drought-related investments. A small fraction of that can transform water information. That funding needs to be supported and protected in the final bill.

There is no excuse for flying blind when it comes to water. Modernizing water rights information is a critical step toward enabling California to manage resources and plan for a drought-ridden future.

Californians will adapt to living with drought, as we always have

Cal Matters | By: Jay Lund | July 14, 2021



IN SUMMARY

Managing droughts well requires extensive and organized preparation, which California sometimes lacks. Our losses will be greater if we manage poorly because of delay, complacency, or panic.

Climate change is exacerbating droughts and accelerating the transformation and decline of California's native forest and aquatic ecosystems. As a state, we are poorly organized to manage these effects, which need extensive

focused preparation. We need to adapt (and we will make mistakes in doing so). Our human, economic and environmental losses will be much greater, however, if we manage poorly because of delay, complacency, or panic.

We are a bit better prepared for this drought than for the 2012-2016 drought, but Californians, individually and collectively, will always need to expect and prepare for drought.

With its long dry season from April until October, every year California has a worse drought than the eastern United States has ever seen. Californians weather a single dry year pretty well, but a series of dry years brings problems for the environment, for agriculture, for rural communities depending on shallow wells, and sometimes for cities forced to ration water use.

We're celebrating six years of providing free, fair, and accessible news that informs Californians and empowers them to engage with their state government. We couldn't have reached this moment without our supporters. Support our mission with a donation during our birthday month.

The 2012-2016 drought brought direct economic losses of about \$9 billion over five years — a nearly undetectable blip in a \$2.3 trillion annual statewide economy — and no direct deaths. Those dry years, however, killed more than 100 million trees and set the stage for major wildfires and poor air quality, causing dozens of deaths and much greater property damage — mostly after the drought was declared over.

Here's what we can do better to prepare for (but not eliminate losses from) droughts to come:

Support local effective implementation of the Sustainable Groundwater Management Act (passed during the previous drought) to eliminate long-term overdraft of our aquifers, which will help sustain farms and rural communities. This will require retiring much lower-valued agricultural land in the San Joaquin Valley to allow groundwater to recover between droughts. Relying on spring runoff to recharge aquifers will be woefully insufficient.

Promote consolidation of rural water systems, which are inherently small and vulnerable. About a third to half of them should be connected to larger neighboring water supplies to increase reliability and water quality and to lower costs. The state and counties need to exercise will and offer funding to accelerate consolidations.

Bring together scattered science-supported efforts by numerous state and federal environmental agencies to improve aquatic ecosystems. The waterfowl community sets a good example, where many agencies and stakeholders have developed integrated joint ventures with farmers to maintain wetlands for migrating birds and rice crops. But it took them 50 years.

Adapt infrastructure and water system operations for a warmer climate. Increasing coastal wastewater reuse, and strategically increasing groundwater recharge and water conveyance, will make California more adapted to drought. Everyone using less water will help, but urban use is only 20% of all human water use in California, so more than urban conservation is needed.

Such adaptation is nothing new to Californians.

By adopting irrigation in the late 1800s, California became a global agricultural leader.

By constructing large reservoir and aqueduct systems, California's cities brought the movie, aircraft, electronics, and computer industries to this attractive climate, making our state an economic powerhouse.

By investing in conservation and new water infrastructure, our cities are seeing decades of declining per capita water use, and often absolutely declining water use. Still, roughly half of urban water use is for landscape irrigation.

Well-managed drought in California still will have economic damages, and sometimes severe local damages. But with diligent preparation, drought should not be a statewide catastrophe.

Lawsuit Will Test Application of Requirement That a County Consider Public Trust Resources in Permitting Groundwater Extraction

Somach Simmons & Dunn | By: Aaron A. Ferguson, Ellen M. Simmons | July 14, 2021

Last month, California Coastkeeper Alliance (Coastkeeper) filed suit seeking to enjoin Sonoma County from issuing groundwater well permits until it adopts a program to consider and protect public trust resources in the Russian River watershed. This case is the first of its kind to attempt to enforce the holding of *Environmental Law Foundation v. State Water Resources Control Board* (2018) 26 Cal.App.5th 848, in which the Third District Court of Appeal held that the County of Siskiyou, when issuing groundwater well permits, is obligated to apply the public trust doctrine by considering whether groundwater pumping could adversely impact the Scott River, a navigable water.

Considering the limited flows in navigable waters and use of groundwater wells to supplement reduced supplies, the extent to which counties must further condition groundwater extraction will become an increasingly important issue.

Environmental Law Foundation v. State Water Resources Control Board (2018)

The public trust doctrine is based on the principle that the public has a right to the use of navigable waters without obstruction or interference by private parties. While groundwater does not qualify as navigable, the court in *Environmental Law Foundation* found that groundwater extraction may injure public trust resources when it adversely impacts a navigable water. The court subsequently concluded that the public trust doctrine could coexist with the Sustainable Groundwater Management Act (SGMA), given that SGMA was not sufficiently comprehensive to preempt the common law. In effect, *Environmental Law Foundation* upheld the County of Siskiyou's obligation to apply the public trust doctrine when issuing groundwater well permits when the groundwater extraction threatens to impact public trust uses of the Scott River, a navigable water. This holding from *Environmental Law Foundation* has not been tested in subsequent proceedings.

California Coastkeeper Alliance v. County of Sonoma

Coastkeeper's legal claims rely on the application of *Environmental Law Foundation's* holding that a county must consider the impacts of new wells when issuing well permits. The petition sets forth two causes of action: (1) Sonoma County failed to comply with its duty to consider adverse effects to public trust resources and uses when issuing water well permits, and (2)

Sonoma County failed to comply with the public trust duty to prevent harm to public trust resources and uses where feasible.

Coastkeeper alleges that Sonoma County's groundwater well permit issuance requirements do not reference or consider public trust resources or uses. Further, it claims that there is no indication in the County's files, application materials, or policies that the public trust was considered when issuing 404 groundwater well permits between the decision in *Environmental Law Foundation* in August 2018 and August 2020. In particular, Coastkeeper's petition posits that agricultural and rural residential groundwater wells significantly reduce flows in the Russian River and threaten federally-listed endangered species, including the Coho salmon, California tiger salamanders, and California freshwater shrimp.

The Coastkeeper proceedings will provide valuable insight into the application of the key holdings in *Environmental Law Foundation* in challenges against counties that have not explicitly included consideration of the public trust doctrine in permitting groundwater wells. This will be particularly important given the current drought conditions in the State of California. Considering the limited flows in navigable waters and use of groundwater wells to supplement reduced supplies, the extent to which counties must further condition groundwater extraction will become an increasingly important issue.

For more information, please contact Ellen M. Simmons at esimmons@somachlaw.com or Aaron A. Ferguson at aferguson@somachlaw.com.

DWR to Use Innovative Airborne Technology to Map State's Groundwater Basins

CA Department of Water Resources | July 14, 2021



A helicopter takes off with airborne electromagnetic (AEM) equipment to survey a groundwater basin in California.

SACRAMENTO, Calif. – The California Department of Water Resources (DWR) is using an innovative, helicopter-based technology to gather information about the state's groundwater aquifer structure to support drought response and the implementation of the Sustainable Groundwater Management Act (SGMA).

DWR's use of airborne electromagnetic (AEM) surveys advances Governor Newsom's Water Resilience Portfolio goal of using technology to support the State's understanding of groundwater resources.

"The data collected during these surveys will provide a better understanding of California's groundwater systems, and in turn support more informed and sustainable groundwater management and drought preparedness and response approaches," said Steven Springhorn, DWR's SGMA Technical Assistance Manager.

Beginning this month, DWR will conduct AEM surveys of groundwater basins in the Salinas Valley, Paso Robles, and Cuyama Valley. During the surveys, a low-flying helicopter tows a large hoop with scientific equipment approximately 100 feet above the ground surface. The helicopter, flown by experienced and licensed pilots, will make several passes over the survey areas and may be visible to residents.

Surveys will be conducted over the next several years in high- and medium-priority groundwater basins around the state, where data collection is feasible.

Survey data creates an image of the subsurface down to a depth of about 1,000 feet below ground surface and provides information about large-scale aquifer structures and geology. This information supports the implementation of local groundwater sustainability plans (GSPs), which can help local agencies sustainably manage groundwater during drought. For more information, please watch DWR's [short 2-minute video](#) on the introduction to the AEM method, provided in both English and Spanish.

For more information about the AEM surveys, visit DWR's [AEM project website](#). For questions, please email AEM@water.ca.gov.

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OCWD; Fullerton begin operation of first PFAS extraction plant in Orange County

California Water News Daily | July 14, 2021

The Orange County Water District (OCWD) and the City of Fullerton have begun operation of the Kimberly Well 1A PFAS Treatment Plant, Orange County's first wellhead filtration treatment plant to remove perfluorooctanoic acid (PFOA) and perfluoro octane sulfonate (PFOS) from local well water.

"OCWD cannot be prouder of our amazing staff that designed and deployed this state of the art PFAS treatment system in record time to combat the PFAS chemicals which were released into the environment by third parties," said OCWD President Steve Sheldon. "We worked closely with the city of Fullerton to construct this treatment facility to remove PFOA and PFOS from groundwater while continually meeting all state and federal drinking water standards. I want to commend our professional staff on a job very well done."

The Kimberly Well 1A PFAS Treatment Plant uses an ion exchange treatment system made of highly porous resin that acts like powerful magnets that adsorb and hold onto contaminants. During treatment, contaminants such as PFOA and PFOS are removed. Construction began in November 2020 and the facility treats up to 3,000 gallons of water per minute.

Last year, dozens of wells in Orange County were removed from service after the state of California lowered the Response Level advisories of PFOA and PFOS. This drove local water suppliers to rely on imported water from Northern California and the Colorado River to meet the needs of their customers.

"Bringing this treatment facility online is very important. It means Fullerton can increase its use of local groundwater, which is less expensive and more reliable than imported water," said OCWD Director and City of Fullerton Mayor Bruce Whitaker.

The Fullerton facility is the first of 25 PFAS treatment facilities being designed and constructed by OCWD in the next two years. OCWD is funding 100% of design and construction costs and 50% of operation and maintenance costs for its water suppliers like Fullerton.

LA and OC mayors urge Congress to adopt Biden infrastructure plan

SGV Tribune | By: City News | July 13, 2021



Pasadena Mayor Victor Gordo checks out his new nameplate and council seat, just a few minutes after he was sworn in as mayor on Monday, Dec. 7 in Pasadena, CA. (Staff photo by Bradley Bermont/SCNG)

LOS ANGELES — Los Angeles Mayor Eric Garcetti and a coalition of bipartisan mayors from all 50 states signed a letter Tuesday to urge Congress to adopt President Joe Biden’s Bipartisan Infrastructure Framework, which would fund infrastructure projects with \$1.2 trillion over eight years.

“This framework would be the largest long-term investment in our nation’s infrastructure and competitiveness in nearly a century — \$1.2 trillion over eight years — to help make our economy more sustainable, resilient, and just,” the U.S. Conference of Mayors said in the letter, which was signed by 369 mayors.

“The Bipartisan Infrastructure Framework is crucial to making meaningful progress on one of the most pressing and unifying challenges facing our country — the need for comprehensive investment in public transportation; roads; bridges; passenger and freight rail; drinking water and wastewater; clean energy and electrification; legacy pollution cleanup; cyber-attack and extreme weather-resiliency; and universal broadband access,” the letter continued. “Thus, we believe that this framework deserves bipartisan support in the United States Senate and the United States House of Representatives.”

If adopted, the plan would modernize and expand transit and rail networks to reduce greenhouse gas emissions and improve sustainable transportation options.

It would also repair and rebuild roads and bridges, build a national network of electric vehicle charges along highways and in rural and disadvantaged communities, electrify school and transit buses, connect every American with high-speed internet, upgrade the nation’s power infrastructure, create an Infrastructure Financing Authority, and eliminate lead service lines and pipes to deliver clean drinking water.

Along with Garcetti, the letter was signed by:

- Pasadena Mayor Victor Gordo
- Santa Monica Mayor Sue Himmelrich
- Long Beach Mayor Robert Garcia

- Beverly Hills Mayor Robert Wunderlich
- Carson Mayor Lula Davis-Holmes
- Industry Mayor Cory Moss
- El Monte Mayor Jessica Ancona
- Glendora Mayor Karen Davis
- Irvine Mayor Farrah Khan
- Lakewood Mayor Jeff Wood
- Lynwood Mayor Marisela Santana
- Paramount Mayor Brenda Olmos
- Santa Ana Mayor Vicente Sarmiento
- South Gate Mayor Al Rios
- Torrance Mayor Patrick Furey
- West Hollywood Mayor Lindsay Horvath