

Important Notice

Time Change of Regular Board Meetings

Effective April 19, 2022, the Santa Clarita Valley Water Agency Board of Directors Board meetings will now start at 6:00 pm.

Please refer to the Board Agenda.

Thank you.



SCV WATER AGENCY REGULAR BOARD MEETING

Tuesday, April 19, 2022
Meeting Begins at 6:00 PM

Members of the public may attend by the following options:

In Person

Santa Clarita Valley Water Agency
Rio Vista Water Treatment Plant
27234 Bouquet Canyon Road
Santa Clarita, CA 91350

By Phone

Toll Free:
1-(833)-568-8864
Webinar ID: 160 326 6668

Virtually

Please join the meeting from your
computer, tablet or smartphone:
<https://scvwa.zoomgov.com/j/1603266668>

Have a Public Comment?

Public comments may be made virtually or in-person the night of the meeting, as well as in writing via mail to the address listed above or email to the Board Secretary at ajacobs@scvwa.org by 4:00 PM the day of the meeting.*

(Public comments take place during Item 3 of the Agenda and before each Item is considered. Please see the Agenda for details.)

This meeting will be recorded and the audio recording for all Board meetings will be posted to yourscvwater.com within 3 business days from the date of the Board meeting.

*All written comments received after 4:00 PM the day of the meeting will be made available at the meeting and posted on the SCV Water Website the following day at yourscvwater.com. Public comments can also be heard the night of the meeting.

Disclaimer: Attendees should be aware that while the Agency is following all applicable requirements and guidelines regarding COVID-19, the Agency cannot ensure the health of anyone attending a Board meeting. Attendees should therefore use their own judgment with respect to protecting themselves from exposure to COVID-19.

Santa Clarita Valley Water Agency
Rio Vista Water Treatment Plant
27234 Bouquet Canyon Road
Santa Clarita, CA 91350
(661) 297-1600

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**SANTA CLARITA VALLEY WATER AGENCY
REGULAR BOARD MEETING AGENDA**

**SANTA CLARITA VALLEY WATER AGENCY
RIO VISTA WATER TREATMENT PLANT
BOARD AND TRAINING ROOM
27234 BOUQUET CANYON ROAD
SANTA CLARITA, CA 91350**

TUESDAY, APRIL 19, 2022, AT 6:00 PM

IMPORTANT NOTICES

This meeting will be conducted in person at the address above. As a convenience to the public, members of the public may also participate virtually by using the **Agency's Call-In Number 1-(833)-568-8864, Webinar ID: 160 326 6668 or Zoom Webinar by clicking on the link <https://scvwa.zoomgov.com/j/1603266668>**. Any member of the public may listen to the meeting or make comments to the Board using the call-in number or Zoom Webinar link above.

However, in the event there is a disruption of service which prevents the Agency from broadcasting the meeting to members of the public using either the call-in option or internet-based service, this meeting will not be postponed or rescheduled but will continue without remote participation. The remote participation option is being provided as a convenience to the public and is not required. Members of the public are welcome to attend the meeting in person.

Attendees should be aware that while the Agency is following all applicable requirements and guidelines regarding COVID-19, the Agency cannot ensure the health of anyone attending a Board meeting. Attendees should therefore use their own judgment with respect to protecting themselves from exposure to COVID-19.

Members of the public unable to attend this meeting may submit comments either in writing to ajacobs@scvwa.org or by mail to April Jacobs, Board Secretary, Santa Clarita Valley Water Agency, 27234 Bouquet Canyon Road, Santa Clarita, CA 91350. All written comments received before 4:00 PM the day of the meeting will be distributed to the Board members and posted on the Santa Clarita Valley Water Agency website prior to the start of the meeting. Anything received after 4:00 PM the day of the meeting will be made available at the meeting and posted on the SCV Water website the following day.

OPEN SESSION BEGINS AT 6:00 PM

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**

3. PUBLIC COMMENTS – Members of the public may comment as to items within the subject matter jurisdiction of the Agency that are not on the Agenda at this time. Members of the public wishing to comment on items covered in this Agenda may do so at the time each item is considered. (Comments may, at the discretion of the Board’s presiding officer, be limited to three minutes for each speaker.) Members of the public wishing to comment on items covered in Closed Session before they are considered by the Board must request to make comment at the commencement of the meeting at 6:00 PM.

4. APPROVAL OF THE AGENDA

5. CONSENT CALENDAR PAGE

5.1	*	Approve Minutes of the March 29, 2022 Santa Clarita Valley Water Agency Special Board of Directors Meeting	7
5.2	*	Approve Minutes of the April 5, 2022 Santa Clarita Valley Water Agency Regular Board of Directors Meeting	9
5.3	*	Approve a Change Order for the Fairway Water Storage Tank Coating Project	17
5.4	*	Approve the Replacement of 5,000 Meters as Part of the AMI Meter Replacement Program	19

6. ACTION ITEMS FOR APPROVAL PAGE

6.1	*	Approve (1) a Resolution for Construction Contract with Pacific Hydrotech Corporation; and (2) a Purchase Order to Woodard & Curran, Inc. for Construction Management and Inspection Services; and (3) a Purchase Order to Lee & Ro, Inc. for Engineering Services During Construction for the Earl Schmidt Filtration Plant Washwater Return and Sludge Systems Project	21
6.2	*	Authorize the General Manager to Execute Construction Change Orders up to \$371,872 for the Valley Center Well PFAS Groundwater Treatment Improvements Project	43
6.3	*	Discussion of and Possible Amendment to the Board of Directors Policies and Procedures Related to Director Conduct	53
6.4		Discuss and Consider Electing a Second Vice President for the Remaining 2022 Calendar Year	

7. * CEQA PRESENTATION PRESENTED BY BEST BEST AND KRIEGER – SARAH OWSOWITZ – APPROXIMATELY 30 MINUTES PAGE
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8. GENERAL MANAGER’S REPORT ON ACTIVITIES, PROJECTS AND PROGRAMS

9. PRESIDENT’S REPORT

10. COMMITTEE MEETING RECAP REPORT FOR INFORMATIONAL PURPOSES ONLY PAGE

10.1	*	April 7, 2022 Engineering and Operations Committee Meeting Report	137
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11. AB 1234 WRITTEN AND VERBAL REPORTS PAGE

11.1 *	April 4-6, 2022 Special District Leadership Academy Conference – Directors Armitage and Braunstein	143
11.2 *	April 7, 2022 ACWA Business Development Committee ACWA Certification of Excellence Subcommittee Meeting – Vice President Gladbach	145
11.3 *	April 8, 2022 Delta Conveyance Design and Construction Authority (DCA) Board Briefing and Special Board of Directors Meeting – President Martin	149
11.4 *	April 11, 2022 Meeting with Mitch Rosenberg, to Discuss the Alignment of Board Best Practices Workshop – President Martin, Vice President Gladbach and Director Cooper	151
11.5	Other AB 1234 Reports	

12. CLOSED SESSION

- 12.1 Conference with Legal Counsel – Existing Litigation – Paragraph (1) of Subdivision (d) of Government Code Section 54956.9, Santa Clarita Valley Water Agency v. Whittaker Corporation, Case No: 2:18-cv-6825 SB (RAOx)

13. CLOSED SESSION ANNOUNCEMENTS

14. DIRECTOR REQUESTS FOR FUTURE AGENDA ITEMS

15. ADJOURNMENT

- * Indicates Attachment
- ◆ Indicates Handout

Note: The Board reserves the right to discuss or take action or both on all of the above Agenda items.

NOTICES

Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning April Jacobs, Secretary to the Board of Directors, at (661) 297-1600, or in writing to Santa Clarita Valley Water Agency at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that Agency staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the Agency to provide the requested accommodation.

April 19, 2022
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Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection at the Santa Clarita Valley Water Agency, located at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350, during regular business hours. When practical, these public records will also be made available on the Agency's Internet Website, accessible at <http://www.yourscvwater.com>.

Posted on April 13, 2022.

DRAFT

ITEM NO.
5.1

Minutes of the Special Meeting of the Board of Directors of the Santa Clarita Valley Water Agency – March 29, 2022

A special meeting of the Board of Directors of the Santa Clarita Valley Water Agency was held via teleconference at 6:30 PM on Tuesday, March 29, 2022. A copy of the Agenda is inserted in the Minute Book of the Agency preceding these minutes.

DIRECTORS PRESENT: Kathy Armitage, B. J. Atkins, Beth Braunstein, Ed Colley, William Cooper, Jeff Ford, Jerry Gladbach, R. J. Kelly, Gary Martin, Piotr Orzechowski and Lynne Plambeck via teleconference.

DIRECTORS ABSENT: None.

Also present via teleconference: Administrative Technician Terri Bell, Assistant General Manager Steve Cole, Board Secretary April Jacobs, Chief Financial and Administrative Officer Eric Campbell, Communications Manager Kathie Martin, Director of Finance and Administration Rochelle Patterson, Director of Operations and Maintenance Mike Alvord, Director of Technology Services Cris Perez, General Counsel Tom Bunn and Joe Byrne, Interim Director of Water Resources Dirk Marks, as well as additional SCV Water Agency staff and members of the public.

President Martin called the meeting to order at 6:31 PM. A quorum was present.

There were no changes to the March 29, 2022 Board Agenda and it was accepted as shown (Item 4).

Upon motion of Vice President Gladbach, seconded by Director Atkins and carried, the Board voted to appoint a successor to fill the vacant Division 3 seat by the following roll call votes (Item 5):

Director Armitage	No	Director Atkins	Yes
Director Braunstein	No	Director Colley	Yes
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Director Orzechowski	Yes
Director Plambeck	No		

The meeting was adjourned at 7:38 PM (Item 6).

April Jacobs, Board Secretary

ATTEST:

President of the Board

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Minutes of the Regular Meeting of the Board of Directors of the Santa Clarita Valley Water Agency – April 5, 2022

A regular meeting of the Board of Directors of the Santa Clarita Valley Water Agency was held at Santa Clarita Valley Water Agency 27234 Bouquet Canyon Road, Santa Clarita, CA 91350 at 6:30 PM on Tuesday, April 5, 2022. A copy of the Agenda is inserted in the Minute Book of the Agency preceding these minutes.

DIRECTORS PRESENT: Kathye Armitage (Via Zoom), B. J. Atkins, Beth Braunstein (Via Zoom), William Cooper, Jeff Ford, Jerry Gladbach, R. J. Kelly, Gary Martin, Piotr Orzechowski and Lynne Plambeck.

DIRECTORS ABSENT: Ed Colley.

Also present: Assistant General Manager Steve Cole, Board Secretary April Jacobs, Chief Engineer Courtney Mael, Chief Financial and Administrative Officer Eric Campbell, Communications Manager Kathie Martin, Director of Finance and Administration Rochelle Patterson, Director of Operations and Maintenance Mike Alvord, Director of Technology Services Cris Perez, Engineer Robert Banuelos, General Counsel Tom Bunn and Joe Byrne, General Manager Matthew Stone, Information Technology Supervisor Jeff Herbert, Information Technology Technician I Jonathan Thomas, Interim Director of Water Resources Dirk Marks, Water Resources Planner Rick Vasilopoulos, several SCV Water Agency staff and members of the public.

President Martin called the meeting to order at 6:30 PM. A quorum was present.

President Martin announced that there were no changes to the April 5, 2022 Board Agenda and it was accepted as shown. However, he did mention that there was a revised staff report on Item 6.4 and a staff report and PowerPoint handed out for Item 7 all of which were posted to the SCV Water Website and sent out via email (Item 4).

Upon motion of Director Cooper, seconded by Director Atkins and carried, the Board approved the Consent Calendar with the following two additions to the March 15, 2022 meeting minutes:

Under Item 7.4 – Add the wording **“with the public having the option to participate in-person or hybrid”**, after the wording “with SCV Water’s first anticipated in-person meeting being the April 5, 2022 regular Board meeting”.

Under Item 12 – Add, **“Director Armitage asked for information on what the process is for filing a seat for Directors who resign in their first two years of their term.”**

by the following roll call votes (Item 5):

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	Yes	Director Colley	Absent
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Director Orzechowski	Yes
Director Plambeck	Yes		

Upon motion of Director Cooper, seconded by Director Orzechowski and carried, the Board (1) approved Resolution No. SCV-268 awarding funding in an amount not to exceed \$12,751,494 for construction costs to Zim Industries, Inc., (2) authorized the General Manager to issue a purchase order for an amount not to exceed \$343,000 for engineering during construction and inspection services to Richard C. Slade & Associates LLC and (3) issued a purchase order for an amount not to exceed \$914,000 for construction management services to Black & Veatch for the Saugus #3 and #4 Wells Construction (Replacement Wells) Project by the following roll call votes (Item 6.1):

Director Armitage	Yes	Director Atkins	No
Director Braunstein	Yes	Director Colley	Absent
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Director Orzechowski	Yes
Director Plambeck	Yes		

RESOLUTION NO. SCV-268

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SANTA CLARITA VALLEY WATER AGENCY
APPROVING FUNDING FOR CONSTRUCTION CONTRACT TO
THE ZIM INDUSTRIES, INC., FOR THE SAUGUS #3 & #4 WELLS
CONSTRUCTION (REPLACEMENT WELLS) PROJECT**

<https://yourscvwater.com/wp-content/uploads/2022/04/SCV-Water-Approved-Resolution-040522-Resolution-SCV-268-2.pdf>

Upon motion of Director Ford, seconded by Director Atkins and carried, the Board adopted Resolution No. SCV-269 approving the Water Supply Assessment for the Castaic Mountainview Apartment Project and directed staff to forward the WSA to the County of Los Angeles Department of Regional Planning with the addition to the transmittal letter a statement that would emphasize the importance of the County and City to enforce AB 1881 Model Water Efficient Landscape Ordinance provision and the conditions of development by the following roll call votes (Item 6.2):

Director Armitage	No	Director Atkins	Yes
Director Braunstein	No	Director Colley	Absent
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Director Orzechowski	Yes
Director Plambeck	No		

RESOLUTION NO. SCV-269

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SANTA CLARITA VALLEY WATER AGENCY
ADOPTING THE SB 610 WATER SUPPLY ASSESSMENT
FOR CASTAIC MOUNTAINVIEW APARTMENT PROJECT**

(COUNTY PROJECT NO. R2014-01512-(5))

<https://yourscvwater.com/wp-content/uploads/2022/04/SCV-Water-Approved-Resolution-040522-Resolution-SCV-269-2.pdf>

Upon motion of Vice President Gladbach, seconded by Director Ford and carried, the Board adopted Resolution No. SCV-270 approving the Water Supply Assessment for the Lyons Canyon Development and directed staff to forward the WSA to the County of Los Angeles Department of Regional Planning with the addition to the transmittal letter a statement that would emphasize the importance of the County and City to enforce AB 1881 Model Water Efficient Landscape Ordinance provision and the conditions of development by the following roll call votes (Item 6.3):

Director Armitage	No	Director Atkins	Yes
Director Braunstein	No	Director Colley	Absent
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Director Orzechowski	Yes
Director Plambeck	No		

RESOLUTION NO. SCV-270

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SANTA CLARITA VALLEY WATER AGENCY
ADOPTING THE SB 610 WATER SUPPLY ASSESSMENT
FOR THE LYONS CANYON DEVELOPMENT
(COUNTY PROJECT NO. 2021-001195)**

<https://yourscvwater.com/wp-content/uploads/2022/04/SCV-Water-Approved-Resolution-040522-Resolution-SCV-270-2.pdf>

Upon motion of Director Kelly, seconded by Director Cooper and carried, the Board approved a cost-of-living adjustment of a 5.5% increase for FY 2022/23 for all employees except the General Manager by the following roll call votes (Item 6.4):

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	Yes	Director Colley	Absent
Director Cooper	Yes	Director Ford	Yes
Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Director Orzechowski	Yes
Director Plambeck	Yes		

Upon motion of Director Plambeck, seconded by Director Atkins and carried, the Board adopted Resolution No. SCV-271 authorizing the time change of regular Santa Clarita Valley Water Agency Board meetings from 6:30 PM to 6:00 PM effective at the April 19, 2022 regular Board meeting with the addition of a recital that states "WHEREAS, it is the intent of the Board that Board meetings end at a more reasonable time" by the following roll call votes (Item 6.5):

Director Armitage	Yes	Director Atkins	Yes
Director Braunstein	Yes	Director Colley	Absent
Director Cooper	Yes	Director Ford	Yes

Vice President Gladbach	Yes	Director Kelly	Yes
President Martin	Yes	Director Orzechowski	Yes
Director Plambeck	Yes		

RESOLUTION NO. SCV-271

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA CLARITA VALLEY WATER AGENCY
AUTHORIZING THE TIME CHANGE OF THE
REGULAR SANTA CLARITA VALLEY WATER AGENCY
REGULAR BOARD MEETINGS**

<https://yourscvwater.com/wp-content/uploads/2022/04/SCV-Water-Approved-Resolution-040522-Resolution-SCV-271-1.pdf>

Chief Financial and Administrative Officer Eric Campbell gave an informational report on examples of Ratepayer Assistance Programs. Directors discussed and gave staff some suggestions and guidance (Item 7).

Committee Meeting Recap Reports for Informational Purposes Only (Item 8).

There were no comments on the recap reports.

Written Reports for Informational Purposes Only (Item 9).

Director Armitage raised questions about the Low-Income Household Water Assistance Program's that was mentioned in the Finance, Administration, and Information Technology Section Report. She also provided some thoughts on the report from the Water Resources and Outreach Section report. She expressed her enthusiasm for the lawn replacement program, stating that she had recently completed it, and that she was pleased to see the outreach to Homeowners Associations to promote the Purple Prep Recycled Water Conservation Program. Finally, she expressed her delight to see that we are not only involved with the SCV Home & Garden Show and ACWA Conference, but also with the Placerita Canyon Open House.

There were no other comments on the written reports.

General Manager's Report on Activities, Projects and Programs (Item 10)

The General Manager reported the following:

First, he welcomed the Board back to live meetings.

He mentioned his short vacation last week and wanted to thank Assistant Manager Steve Cole and the entire team for handling things while he was away.

Next, he advised the Board that staff returned to their regular workplace schedules this week. Informing the Board that in the last several weeks SCV Water had received no additional COVID cases, although County Health reported numbers have bounced up a bit and the decline in hospitalizations has slowed in recent days. He remains cautiously optimistic, and glad for the reprieve after just over two years of various operational adjustments. He stated that it is nice to see people in 3D again.

He then updated the Board on the drought in California, stating that despite a stormy Monday last week, the Governor took further action to call on local water agencies to go to the 20% stage of their water shortage contingency plans, in light of the alarmingly dry spring and disappearing snowpack. Staff will be bringing an item related to this request to the Water Resources and Watershed Committee next week, and then to the full Board for consideration.

Next, he said on somewhat of a more hopeful note, after several years of efforts to put together a package of measures that would provide an alternative to proposed flow reductions as part of the State Water Resources Control Board's proposed updated Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, the State and Federal administrations and key water rights holders announced a milestone in developing a Term Sheet for the Voluntary Agreements Program to Update and Implement the Bay-Delta Water Quality Control Plan.

He explained that the State Water Resources Control Board is required to update its Bay-Delta Water Quality Control Plan to protect native fish, wildlife and other "beneficial uses" of water, including municipal, domestic and agricultural water supplies, stating that the MOU signed last week seeks to meet those objectives through an integrated program that includes habitat creation, new flows for the environment above existing regulatory requirements, funding for environmental improvements and water purchases, and a new collaborative science program for monitoring and adaptive management. Habitat creation would range from targeted improvements in tributaries to large landscape-level restoration in the Sacramento Valley. Improvements include creation of spawning and rearing habitat for salmon and smelt, completion of high priority fish screen projects, restoration and reactivation of flood plains, projects to address predation, and fish passage improvements.

Further he mentioned that the local water agency managers who signed the MOU have committed to bring the terms of the MOU to their Boards of Directors for their endorsement and to work to settle litigation over endangered species protections in the Delta. While this is a milestone in the process, it is not the end point. He informed the Board that staff will be providing an update to the Water Resources and Watershed Committee or the Board at the appropriate time.

President's Report (Item 11).

The President updated the Board on upcoming meetings, events and Board reminders.

He updated the Board on Director Armitage's request pertaining to timing of vacancies and appointments. He stated that the general rule is that if a vacancy occurs on the Board in the first two years of a four year term, and it occurs 130 days or more before the next general election, the vacant seat would be on that next election. If someone were appointed to fill the

vacancy, they would serve until the end of that year. For example, if an elected director were to resign today who's term ends in 2024, that seat would be up for election on the 2022 November ballot. If someone was appointed to fill the seat, that person would serve until the end of 2022. If the vacancy occurs less than 130 days before the next general election or anytime in the second half of a 4-year term, whomever is appointed would serve the remainder of the 4-year term.

In response to Director Armitage's question on timeline, the information received was that "as for the occurrence of a vacancy prior to the November 8, 2022 General Election and pursuant to GC 1780(d)(2), the 130th day includes July 1, 2022." Based on the Los Angeles County Registrar Records office, "the long-standing interpretation of such statutory language, the last moment a Director may resign in this timeline is 11:59 p.m. on June 30, 2022."

President Martin also advised the Board that the Notice of Vacancy for the Division 3 seat would be published on April 6, 2022 in *The Signal* and several other media outlets will receive a press release on the vacancy. It will also be posted to the SCV Water website, all SCV Water locations, will appear on our social media accounts and emailed to those who receive the Water Currents

AB 1234 Written and Verbal Reports (Item 12).

A written report was submitted by Director Plambeck which was included in the Board packet. Additional written reports were submitted by President Martin, Vice President Gladbach and Director Armitage which were posted on the SCV Water website and are part of the record.

Director Atkins reported that he attended the Southern California Water Dialogue meeting held virtually on March 23, 2022.

Director Cooper reported that he attended the SCV Chamber of Commerce 99th Annual Awards and Installation held at the Valencia Hyatt on March 18, 2022, attended the ACWA Board meeting in Sacramento on March 24 and 25, 2022 and attended the special SCV GSA Board meeting held at the Agency on March 30, 2022.

President Martin reported that he attended the Delta Conveyance Design and Construction Authority Board of Directors meeting held virtually on March 17, 2022, attended the SCV Chamber of Commerce 99th Annual Awards and Installation held at the Valencia Hyatt on March 18, 2022 and attended the special SCV GSA Board meeting held at the Agency on March 30, 2022.

Director Orzechowski reported that he attended the SCV Chamber of Commerce 99th Annual Awards and Installation held at the Valencia Hyatt on March 18, 2022.

Director Kelly reported that he attended the SCV Chamber of Commerce 99th Annual Awards and Installation held at the Valencia Hyatt on March 18, 2022.

There were no other AB 1234 Reports.

Director Reports (Item 13).

Director Armitage thanked staff for getting the Hybrid meetings in place and shared information on the Special District Leadership Foundations District Transparency Certificate of Excellence and how happy she is we are a certificate holder. Lastly, she advised staff while attending the Special District Leadership Academy this week, they were giving homework assignments so they will be coming back to staff with questions.

Vice President Gladbach thanked both Directors Armitage and Braunstein on attending the SDLF Leadership Academy this week and was glad they were getting a lot from their attendance, he mentioned that he was a member of the six member task force that put that together.

There were no other Director reports.

Director Requests for Approval for Event Attendance (Item 14).

There were no Director requests for event attendance.

The meeting was adjourned at 9:38 PM (Item 15).

April Jacobs, Board Secretary

ATTEST:

President of the Board


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BOARD MEMORANDUM

DATE: April 11, 2022

TO: Board of Directors

FROM: Mike Alvord 
Director of Operations & Maintenance

SUBJECT: Approve a Change Order for the Fairway Water Storage Tank Coating Project

SUMMARY

In December 2021, SCV Water Board of Directors adopted a resolution awarding a construction contract to Associated Tank Constructors, Inc. for the Fairway Water Storage Tank Coating Project in the amount of \$319,000, a project to remove and replace the interior lining and spot repair the exterior epoxy/urethane system to maintain the Fairway Tank's integrity and service life. Additional work beyond the original specifications has been required because of unforeseen conditions inside the tank. To date, one change order has been issued under the General Manager's authority for a total of \$9,250, which constitutes 2.9% of the original bid. This item concerns a second change order, which has been negotiated to an amount of \$50,000 (15.6%). The Agency's purchasing policy requires Board authorization for change orders that would increase total payments to a contractor by more than the greater of \$20,000 or 5% of the original contract amount.

DISCUSSION

A Request for Proposal was prepared, and the coating project was publicly bid on Planet Bids in accordance with the Purchasing Policy. The project was awarded to Associated Tank Constructors, Inc. and work has begun to remove the interior lining for replacement as well as spot repair to localized areas of the exterior. Upon sand blasting the center column and rafters inside the tank to remove the lining, it was discovered that additional repairs are needed to this area. The area of corrosion concern was identified around the center-most part of the roof support structure of the tank. The corrosion became apparent after the center of the tank was abrasive blast cleaned to bare metal. The recommendation is to replace 6 rafter ends with new sections and make weld repairs to pits on the top plate of the column.

On April 7, 2022, the Engineering and Operations Committee considered staff's recommendation to authorize the General Manager to execute Change Order Number 2 to the contract with Associated Tank Constructors, Inc.

FINANCIAL CONSIDERATIONS

Funds for this project are included in the FY 2021/22 Capital Improvement Program (CIP) for Storage Tank Improvements in the amount of \$455,000. Remaining fund balance available exceeds \$76,000.

RECOMMENDATION

The Engineering and Operations Committee recommend that the Board of Directors approve the General Manager to execute Change Order Number 2 to the contract with Associated Tank Constructors, Inc. to increase the construction contract amount by \$50,000 to \$378,250 for the Fairway Water Storage Tank Coating Project.


M65



BOARD MEMORANDUM

DATE: April 8, 2022

TO: Board of Directors

FROM: Mike Alvord 
Director of Operations & Maintenance

SUBJECT: Approve the Replacement of 5,000 Meters as Part of the AMI Meter Replacement Program

SUMMARY

On November 4, 2021, the Board of Directors authorized the purchase of approximately 5,000 Automated Metering Infrastructure (AMI) compatible meters for the SCV Water AMI Meter Replacement Program. This purchase coincided with a grant solicitation to convert approximately 20,000 meters to AMI technology over the next three years. In order to accomplish the task of converting this number of meters within this timeframe, staff solicited bids to install the initial 5,000 meters to meet grant requirements.

DISCUSSION

In 2021, staff applied for a Federal Bureau of Reclamation Water Smart Water-Energy Grant (WEEG) grant for an Automated Metering infrastructure project. The grant funding period is from July 1, 2022, through June 30, 2025. It is expected that over the next three years, approximately 20,000 meters will be converted to AMI compatible meters. The first 5,000 meters will be replaced with contract labor.

In November 2021, the Engineering and Operations Committee and the Board of Directors authorized the purchase of 5,000 AMI compatible meters for the AMI Meter Replacement Program. Due to long lead times and supply constraints, these meters needed to be preordered in order to be in stock and ready for replacement by July 1, 2022 in accordance with grant requirements. Staff prepared and issued a Request for Proposal and the project to install 5,000 meters was publicly bid on Planet Bids on February 23, 2022, in accordance with the Purchasing Policy. SCV Water's staff estimate for replacing 5,000 meters was \$425,000. This estimate is based on standard prevailing wage rates, expected time for a meter replacement and 25% overhead.

On March 2, 2022, staff received bids from two contractors, Golden Meter Service Inc. and Concord Utility Service.

CONTRACTOR	BID AMOUNT
GOLDEN METER SERVICE INC	\$454,768.00
CONCORD UTILITY SERVICE	\$607,590.00

Staff reviewed the bids and recommends awarding the contract to Golden Meter Service Inc as to the lowest responsible bidder.

On April 7, 2022, the Engineering and Operations Committee considered staff's recommendation to authorize the General Manager to enter into a contract with Golden Meter Service Inc., related to the AMI Meter Replacement Program.

FINANCIAL CONSIDERATIONS

Funds for this project are included in the approved FY21/22 & FY22/23 two-year Capital Improvement Meter Replacement Budget.

RECOMMENDATION

The Engineering and Operations Committee recommends that the Board of Directors authorize the General Manager to enter into a contract with Golden Meter Service Inc in the amount of \$455,000 to replace approximately 5,000 meters as part of the AMI Meter Replacement Program.

M65



BOARD MEMORANDUM

DATE: April 8, 2022

TO: Board of Directors

FROM: Courtney Mael, P.E. *CM*
Chief Engineer

SUBJECT: Approve (1) a Resolution for Construction Contract with Pacific Hydrotech Corporation; and (2) a Purchase Order to Woodard & Curran, Inc. for Construction Management and Inspection Services; and (3) a Purchase Order to Lee & Ro, Inc. for Engineering Services During Construction for the Earl Schmidt Filtration Plant Washwater Return and Sludge Systems Project

SUMMARY

Santa Clarita Valley Water Agency (SCV Water) owns and operates the Earl Schmidt Filtration Plant (ESFP) which is located at 32700 North Lake Hughes Road near the community of Castaic in northern Los Angeles County, California. The ESFP treats State Project Water from Castaic Lake. The total design capacity is currently 56 million gallons of water per day (mgd). ESFP's existing washwater return and sludge collection systems require modifications to improve the treatment plant operations, ensure regulatory compliance, and reduce staff maintenance activities. Staff has evaluated the washwater return and sludge systems to identify the necessary improvements to ensure the Division of Drinking Water Cryptosporidium Action Plan goal of returning water with less than 2 Nephelometric Turbidity Units (NTUs) is achieved along with improving the operations and maintenance of the sludge collection system. The project was advertised online on the Agency's PlanetBids page and in the local newspaper and construction bids were received to construct the improvements at ESFP. Staff is recommending approval of a construction contract with Pacific Hydrotech Corporation. Staff is also recommending approval of a purchase order to Woodard & Curran, Inc. (W&C) for construction management and inspection services and to Lee & Ro, Inc. (L&R) for engineering services during construction.

DISCUSSION

SCV Water owns and operates two surface water treatment plants, the Rio Vista Water Treatment Plant (RVWTP) and the Earl Schmidt Filtration Plant (ESFP), that treats State Water Project surface water from Castaic Lake. Originally built in 1980, ESFP had a potable water treatment capacity of 33.6 million gallons per day (mgd). Since then, ESFP has undergone several treatment upgrades, including an expansion of plant capacity up to 56 mgd in 2006 when raw water ozonation, contact clarifiers, washwater treatment facilities, and other miscellaneous process modifications were added.

The ESFP washwater return system generally consists of two washwater return basins, a chemical injection and inline mixer system, and two package treatment units. The sludge in the washwater basins is currently manually collected. The system includes one sludge thickener tank and two sludge drying beds. The sludge from the package treatment units goes to the sludge thickener tank and drying beds. The treatment plant has ten clarifiers and ten filters with

a total treatment plant capacity of 56 mgd. The current washwater return system cannot consistently reduce turbidity in the washwater return line to less than 2 NTU. As a result, washwater return and sludge collection systems improvements are needed to improve the treatment plant operations, ensure regulatory compliance, and reduce staff maintenance activities.

The construction bid solicitation was advertised on November 10, 2021 on the Agency's PlanetBids page. Also, in accordance with the SCV Water Purchasing Policy, bid advertisement notices were in *The Signal* on November 13, 20 and 27, 2021. On February 23, 2022, eight bids were received, and a summary of the bids is presented below:

Bidder	Bidder Office Location	Total Bid Price
Pacific Hydrotech Corporation	Perris, CA	\$ 17,526,700
GSE Construction Co., Inc.	Livermore, CA	\$ 17,749,500
Blois Construction, Inc.	Oxnard, CA	\$ 18,458,600
Kiewit Infrastructure West Co.	Santa Fe Springs, CA	\$ 18,899,000
Steve P. Rados, Inc	Santa Ana, CA	\$ 19,244,000
Shimmick Construction Company, Inc.	Irvine, CA	\$ 19,517,000
Orion Construction Corp.	Vista, CA	\$ 19,689,000
Myers & Sons Construction, LLC	Sacramento, CA	\$ 21,747,000

The apparent lowest responsive bid is from Pacific Hydrotech Corporation for a total of \$17,526,700. The engineer's estimate for the project is \$18,000,000. Pacific Hydrotech Corporation is registered with the Department of Industrial Relations and has successfully completed construction projects for the Agency in the past.

On March 15, 2022, Blois Construction, Inc. (Blois) filed a formal bid protest (Attachment A). Blois is claiming that bids from both Pacific Hydrotech Corporation and GSE Construction Co., Inc. have failed to comply with the bidding instructions and therefore should be declared non-responsive and that the contract should be awarded to Blois.

Staff has reviewed Blois' protest letter and after discussion with legal counsel, staff is still recommending that Pacific Hydrotech Corporation's bid be accepted as it still appears to be lowest responsive responsible bid.

This project helps meet SCV Water's objective and Strategic Plan Objective B.1.1.7: "Complete design and initiate construction of the Earl Schmidt Sludge Collection System Project."

CEQA DETERMINATION

The proposed action today is authorizing the award of the construction contract to Pacific Hydrotech Corporation, and approval of a purchase order to Lee & Ro, Inc. for engineering services during construction and to Woodard & Curran, Inc. for construction management and inspection services for the Earl Schmidt Filtration Plant (ESFP) Washwater Return and Sludge Systems Project. The whole of the action also includes construction and operation of the Project. The term "Project" in CEQA refers to the whole of an action and to the underlying activity being approved, not to each governmental approval. (CEQA Guideline §15378(a), (c)–(d).) This definition ensures that the action reviewed under CEQA is not the approval itself but the development or other activities that will result from the approval.

The Project is a minor alteration limited to construction within the Agency's existing facility property. Construction and operation of this project is found to be categorically exempt under the provisions of CEQA and the State CEQA Guidelines as described below:

- The Project, aka the whole of the action, qualifies for an exemption under CEQA guidelines section 15301 Class 1 Minor Alterations to Existing Facilities because it is a minor alteration of an existing public facility and it concerns proposed new mechanical equipment involving negligible or no expansion of use, i.e. no additional extraction of water, beyond that existing at the time of the lead agency's determination.
- The Project, aka the whole of the action, also qualifies for an exemption under CEQA guidelines section 15303 Class 3 New Construction or Conversion of Small Structures because the project construction is limited to construction within SCV Water's existing facility property.
- None of the exceptions listed in Section 15300.2 of the CEQA Guidelines would apply to the action.

On April 7, 2022, the Engineering and Operations Committee considered staff's recommendation to approve (1) a resolution for construction contract with Pacific Hydrotech Corporation; and (2) a purchase order to Woodard & Curran, Inc. for construction management and inspection services; and (3) a purchase order to Lee & Ro, Inc. for engineering services during construction for the Earl Schmidt Filtration Plant (ESFP) Washwater Return and Sludge Systems Project.

FINANCIAL CONSIDERATIONS

The project is included in the SCV Water's FY 2021/22 Capital Improvement Budget for the Earl Schmidt Filtration Plant (ESFP) Washwater Return and Sludge Systems Project. The project's total estimated cost, including planning, design, construction management, construction, inspection and miscellaneous costs, is \$19,966,000. Pacific Hydrotech Corporation's bid is \$17,526,700.

RECOMMENDATION

The Engineering and Operations Committee recommends that the Board of Directors (1) approve the attached resolution for a construction contract with Pacific Hydrotech Corporation for \$17,526,700; and (2) authorize the General Manager to execute a purchase order with Woodard & Curran, Inc. for an amount not to exceed \$1,175,000 for construction management and inspection services; and (3) authorize the General Manager to execute a purchase order with Lee & Ro, Inc. for an amount not to exceed \$660,000 for engineering services during construction for the Earl Schmidt Filtration Plant (ESFP) Washwater Return and Sludge Systems Project.

Attachments

M65

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March 10, 2022

Jason Yim
Santa Clarita Valley Water Agency
26515 Summit Circle
Santa Clarita, CA 91350

**Re: Letter of Protest – Project No. 1000251 for the Construction of
ESFP Washwater Return & Sludge Collection**

Pursuant to Instructions to Bidders, section IB-17 – BID PROTESTS, Blois Construction, Inc. (Blois) hereby protests the bids submitted by Pacific Hydrotech Corp (PHC) and GSE Construction Co., Inc. (GSE) for Project No. 1000251 with a bid date of 2/23/2022. The bids submitted by both bidders failed to comply with the bidding instructions and therefore shall be declared non-responsive, and the contract be awarded to Blois as the lowest responsive and responsible bidder.

Upon review of the complete post-bid package from the Santa Clarita Valley Water Agency (SCVWA), this protest letter outlines the following substantial flaws, which demonstrate that both bids are not only materially unbalanced but also non-responsive under the strict guidelines of sections IB-06 Form and Content of Bid and IB-16-Award or Rejection of Bids:

IB-06 - Bids shall only be prepared using copies of the Bid Forms which are included in the Contract Documents and available on the electronic bid management system. The use of substitute bid forms will not be permitted. Bids shall be executed by an authorized signatory as described in these Instructions to Bidders. Deviations in the bid form may result in the bid being deemed non-responsive.

IB-16 - The AGENCY may reject any Bid which, in its opinion when compared to other bids received or to the AGENCY's internal estimates, does not accurately reflect the cost to perform the work. The AGENCY may reject as non-responsive any bid which unevenly weights or allocates costs, including but not limited to overhead and profit, to one or more particular bid items.



Addendum No 7, Item 1 changed the Bid Form in its entirety. One of the changes to the bid form was the renumbering of bid item numbers 8 & 9. The revised scope represented by Bid Item No 8 – Washwater Recovery Basin No. 3 and No. 4 represents the work to install brand new recovery basins at Earl Schmidt Filtration Plant (ESFP). The revised scope for Bid Item No 9 – Washwater Recovery Basin No. 1 and No. 2 represents the work to upgrade the existing recovery basins at ESFP.

Prices provided for Bid Item No 8 by PHC and GSE are \$614,900 and \$700,000 respectively. The pricing provided by Blois and all other bidders are in the range of \$3,000,000 or higher. The scope of Bid Item No 8 included construction of new Cast in Place Reinforced Concrete Structures, with the steel reinforcement cost alone (quoted by reinforcing steel sub-contractors at bid time) in the range of \$600,000. Therefore, it is evident that the pricing for Bid Item No 8 by both PHC and GSE have costs unevenly allocated to this bid item and thus both bids must be rejected by SCVWA.

Prices provided for Bid Item No 9 by PHC and GSE are \$4,576,900 and \$4,489,500. Blois and all other bidders priced Bid Item No 9 in the range of \$400,000, with an average price of \$575,000 (average price of all other bidders). The bids from PHC and GSE incorrectly attribute significantly more money (~6-7 times more) to Bid Item No 9 (basin upgrades) when compared to Blois and other bidders. SCVWA could be exposed to unnecessarily large payments in the early stages of the work; due to the out-of-balance Contractor's costs, if SCVWA accepts either PHC or GSE bids. The internal estimates of the Agency will also corroborate the uneven cost allocation.

The uneven cost allocation may be a result of a lack of review of bid documents by PHC & GSE or clear incompliance to adjust bid items as revised under Addendum No. 7. No matter the reason, however, the result is that PHC & GSE have unevenly weighted and or allocated costs, including but not limited to overhead and profit, to one or more particular bid items. The uneven cost allocation errors are defined as material according to the Public Contract Code (which is put in place to protect the competitive bidding requirements) as they have clearly been identified in the Instructions to Bidders as grounds for rejection. Therefore, due to the significant errors in both PHC's & GSE's bids, SCVWA must exercise its authority to reject both bids as non-responsive and award the Contract to Blois as the lowest responsive and responsible bidder.

General Engineering Contractors
License No. 256065
An Equal Opportunity Employer



Phone 805 656-1432
FAX 805 485-0338
www.bloisconstruction.com

If you have any questions or comments, please contact me at (805) 656-1432.

Sincerely,

A handwritten signature in blue ink, appearing to be 'CB', is written above the typed name.

Craig Blois, Secretary (Protesting Bidder's representative)
Blois Construction, Inc.
3201 Sturgis Road
Oxnard, CA 93030
805-656-1432
craigblois@bloisconstruction.com



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RESOLUTION NO. SCV _____

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SANTA CLARITA VALLEY WATER AGENCY
AWARDING A CONTRACT TO PACIFIC HYDROTECH CORPORATION
FOR THE EARL SCHMIDT FILTRATION PLANT (ESFP) WASHWATER
RETURN AND SLUDGE SYSTEMS PROJECT**

WHEREAS, Santa Clarita Valley Water Agency (Agency) owns and operates the Earl Schmidt Filtration Plant (ESFP) located in the Castaic area of Los Angeles County; and

WHEREAS, ESFP is a critical component of the Agency's water treatment facilities; and

WHEREAS, an upgrade to the existing washwater return and sludge collection systems at ESFP is required to meet operational flexibility and State Division of Drinking Water requirements; and

WHEREAS, Santa Clarita Valley Water Agency, as the CEQA Lead Agency, filed a Notice of Exemption with the State Clearinghouse on March 20, 2017, and the County of Los Angeles on March 17, 2017; and

WHEREAS, The Project, aka the whole of the action, qualifies for an exemption under CEQA guidelines Section 15301 Class 1 Minor Alterations to Existing Facilities because it is a minor alteration of an existing public facility and it concerns proposed new mechanical equipment involving negligible or no expansion of use, i.e. no additional extraction of water, beyond that existing at the time of the lead agency's determination; and

WHEREAS, The Project, aka the whole of the action, also qualifies for an exemption under CEQA guidelines section 15303 Class 3 New Construction or Conversion of Small Structures because the project construction is limited to construction within SCV Water's existing facility property; and

WHEREAS, none of the exceptions listed in Section 15300.2 of the CEQA Guidelines would apply to the action; and

WHEREAS, no further CEQA documentation is necessary for the Board to act with regards to the proposed actions; and

WHEREAS, all bid proposals submitted to the Agency pursuant to the Agency's specifications (Project No. 1000251) for procurement of the construction of the Earl Schmidt Filtration Plant (ESFP) Washwater Return and Sludge Systems Project, as amended by Addenda, were publicly opened electronically on the Agency's bid website page on PlanetBids on Wednesday, February 23, 2022 at 2:00 p.m., in full accordance with the law and the Agency's customary procedures; and

WHEREAS, the Board of Directors finds, after considering the opinion of staff, that the total bid of Pacific Hydrotech Corporation in the amount of \$17,526,700 is the lowest responsible bid of eight bids submitted, and that said bid substantially meets the requirements of said construction contract documents as amended by Addenda; and

WHEREAS, it is in the Agency's best interest that the Board of Directors, on behalf of the Agency, authorize its General Manager to accept the \$17,526,700 bid from Pacific Hydrotech Corporation and authorize purchase orders in the amounts of \$1,175,000 for construction management and inspection services with Woodard and Curran, Inc. and \$660,000 for Engineering During Construction support with Lee & Ro, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Agency's Board of Directors does authorize its General Manager to accept said low bid and does therefore authorize the Agency's General Manager or its Chief Engineer to issue a Notice of Award to Pacific Hydrotech Corporation, hereby found to be the "lowest responsible bidder" for the Earl Schmidt Washwater Return and Sludge Systems Project for the total sum of \$17,526,700 and authorize purchase orders in the amounts of \$1,175,000 for construction management and inspection services with Woodard and Curran, Inc. and \$660,000 for Engineering During Construction support with Lee & Ro, Inc.

RESOLVED FURTHER that the Agency's General Manager or its President and Secretary are thereupon authorized, upon receipt of appropriate payment and performance bonds, appropriate certificates of insurance and an executed Contract Agreement from Pacific Hydrotech Corporation, all of which must be approved by General Counsel, to execute the said Contract Agreement on behalf of the Agency.

RESOLVED FURTHER that the Agency's General Manager or Chief Engineer are thereafter authorized to execute and forward to Pacific Hydrotech Corporation an appropriate Notice to Proceed.

President

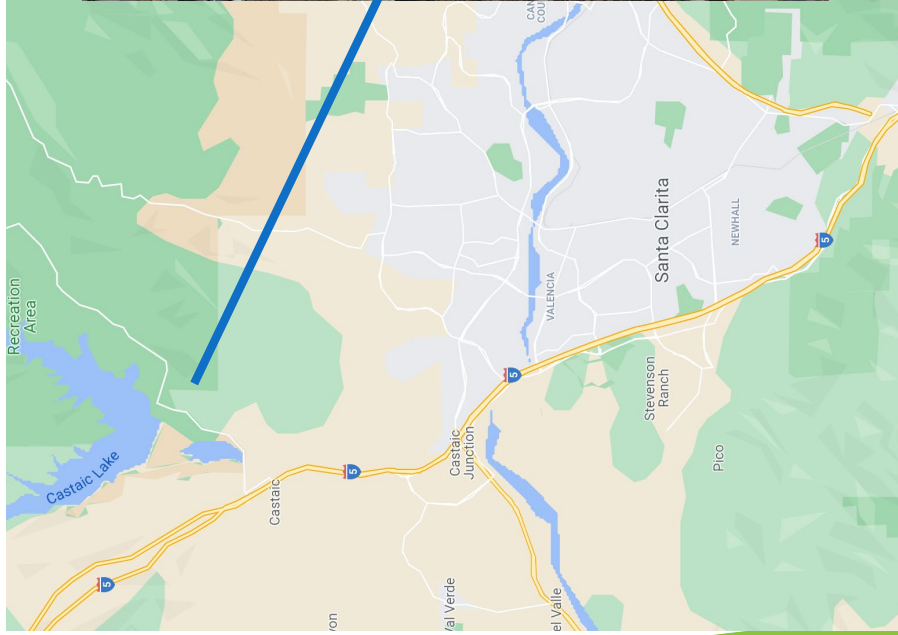


April 19, 2022

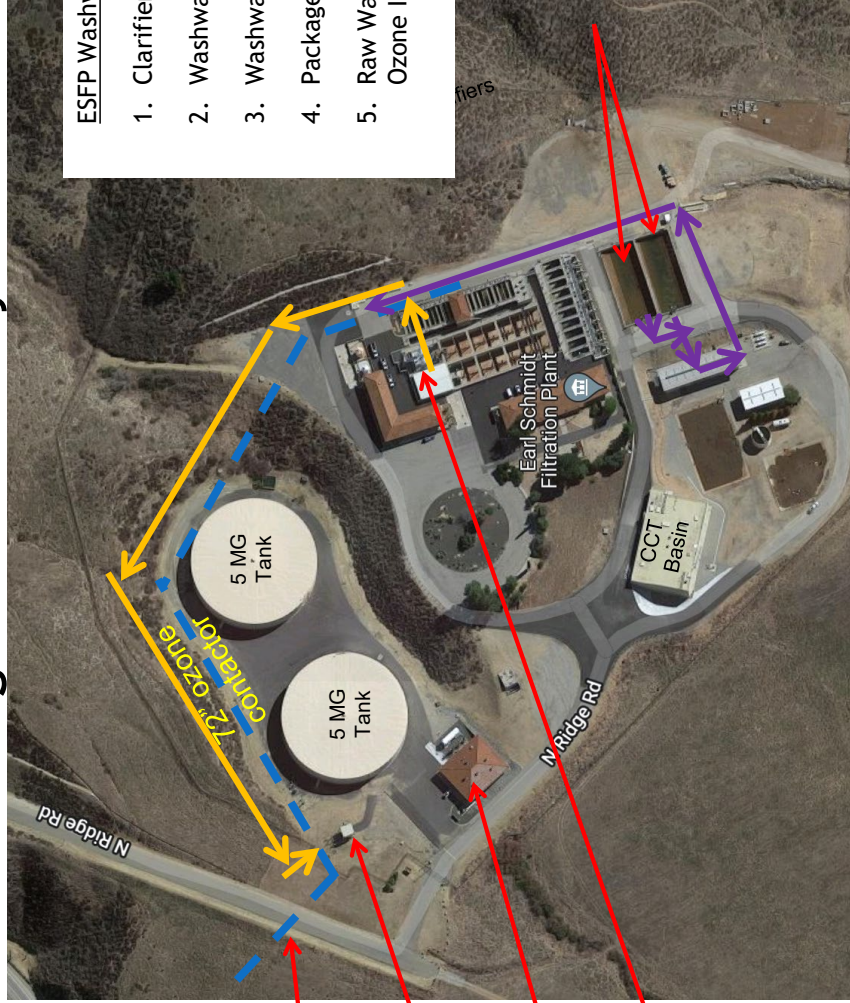
Earl Schmidt Filtration Plant (ESFP) Washwater Return and Sludge Systems Project

Board Meeting

ESFP Washwater Return and Sludge Systems Project Location Map



ESFP Washwater Return and Sludge Systems Project Existing Washwater System



ESFP Washwater Return Process

1. Clarifier/Filter Wash
2. Washwater Return Basins
3. Washwater Return Pumps
4. Packaged Treatment Units
5. Raw Water Pipeline prior to the Ozone Injection Station

Raw Water Line

Ozone Injection Station

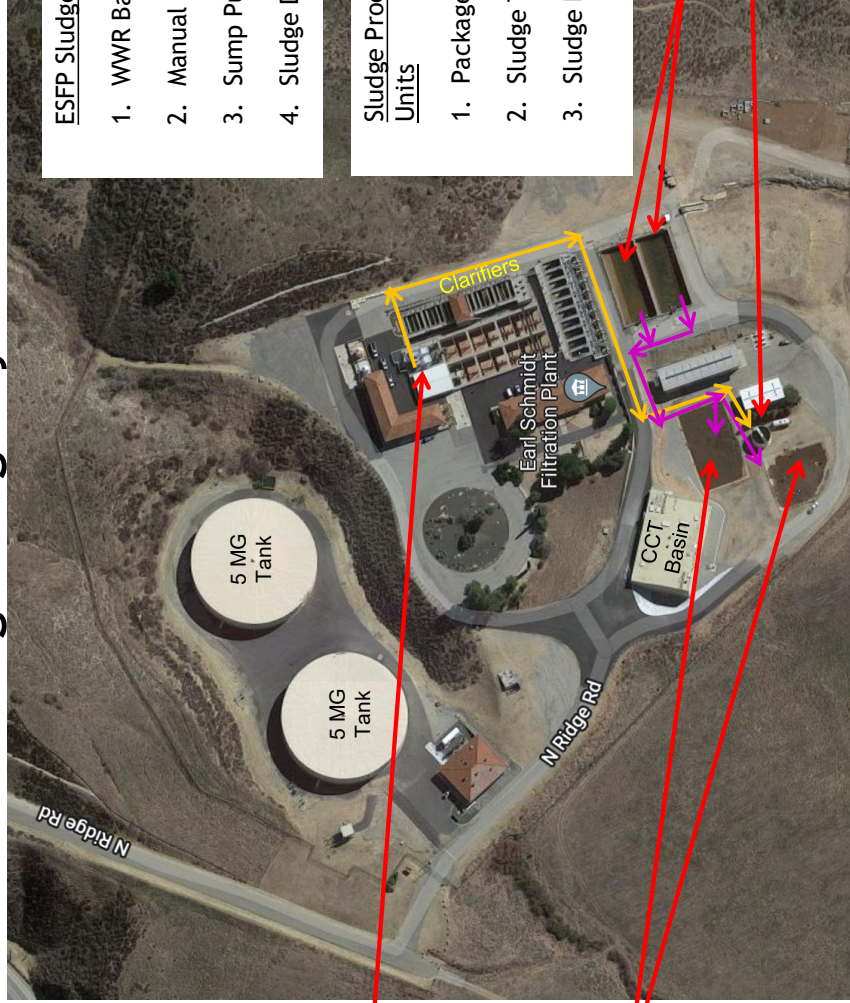
Ozone Building

Packaged Treatment Units

WWR Basins



ESFP Washwater Return and Sludge Systems Project Existing Sludge System



ESFP Sludge Process from WWR Basins

1. WWR Basins
2. Manual wash with hoses (2 people)
3. Sump Pump
4. Sludge Drying Beds

Sludge Process from Packaged Treatment Units

1. Packaged Treatment Units (PTU)
2. Sludge Thickener Tank
3. Sludge Drying Beds

Packaged Treatment Units

Sludge Drying Beds

WWR Basins

Sludge Thickener Tank



ESFP Washwater Return and Sludge Systems Project Bid Results

- Staff advertised project on PlanetBids on November 10, 2021
- Project was advertised in The Signal on November 13, 20 and 27, 2021
- Bids were electronically opened on February 23, 2022

Bidder	Bidder Office Location	Total Bid Price
Pacific Hydrotech Corporation	Perris, CA	\$ 17,526,700
GSE Construction Co., Inc.	Livermore, CA	\$ 17,749,500
Blois Construction, Inc.	Oxnard, CA	\$ 18,458,600
Kiewit Infrastructure West Co.	Santa Fe Springs, CA	\$ 18,899,000
Steve P. Rados, Inc	Santa Ana, CA	\$ 19,244,000
Shimmick Construction Company, Inc.	Irvine, CA	\$ 19,517,000
Orion Construction Corp.	Vista, CA	\$ 19,689,000
Myers & Sons Construction, LLC	Sacramento, CA	\$ 21,747,000

*** Engineer's Estimate \$18,000,000**



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ESFP Washwater Return and Sludge Systems Project Bid Protest

- On March 15, 2022, Staff received an official bid protest letter from Blois Construction, Inc. (Blois)
- Blois claims that bids from both Pacific Hydrotech Corporation (PHC) and GSE Construction Co., Inc. have failed to comply with the bidding instructions and therefore should be declared non-responsive and that the contract should be awarded to Blois
- Staff and legal Counsel have reviewed the protest letter and still recommends the Board of Directors award a construction contract to Pacific Hydrotech Corporation's for \$17,526,700



ESFP Washwater Return and Sludge Systems Project Woodard & Curran, Inc. Proposal

Construction Management Services:

Construction Management and Inspection Services	\$925,000
Material Testing and Other Direct Costs	\$250,000
Subtotal	<u>\$1,175,000</u>

Total Recommended Time and Materials Not to Exceed Budget \$1,175,000



ESFP Washwater Return and Sludge Systems Project Lee & Ro, Inc. Proposal

Engineering Services During Constructions:

Pre-construction and progress meetings	\$142,000
Engineering Services	\$293,000
PLC and SCADA Systems	\$190,000
<u>Project Closeout and Record Drawings</u>	<u>\$35,000</u>
Subtotal	\$660,000

Total Recommended Time and Materials Not to Exceed Budget \$660,000



ESFP Washwater Return and Sludge Systems Project Anticipated Project Schedule

- Construction Award Phase:
 - April 7, 2022: Engineering & Operations Committee
 - April 19, 2022: Board Meeting (Instead of April 26, 2022 to help with Price Volatility)
- Construction Phase:
 - May 2022: Notice to Proceed
 - May 2022 to November 2023: Construction (540 calendar days)



ESFP Washwater Return and Sludge Systems Project Project Recommendation

The Engineering and Operations Committee recommends that the Board of Directors:

1. Adopt the resolution awarding a construction contract to Pacific Hydrotech Corporation for the Earl Schmidt Filtration Plant Washwater Return and Sludge Systems Project for \$17,526,700; and
2. Authorize the General Manager to issue a purchase order to Woodward & Curran, Inc. for an amount not to exceed \$1,175,000 for construction management and inspection services; and
3. Authorize the General Manager to issue a purchase order to Lee & Ro, Inc. for an amount not to exceed \$660,000 for engineering services during construction.



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BOARD MEMORANDUM

DATE: April 7, 2022

TO: Board of Directors

FROM: Courtney Mael *CM*
Chief Engineer

SUBJECT: Authorize the General Manager to Execute Construction Change Orders up to \$371,872 for the Valley Center Well PFAS Groundwater Treatment Improvements Project

SUMMARY

On March 16, 2021, the Santa Clarita Valley Water Agency Board of Directors adopted a resolution awarding a construction contract to GSE Construction Co., Inc. (GSE) for the Valley Center Well PFAS Groundwater Treatment Improvements project. During the well rehabilitation work, the contractor encountered an unforeseen condition causing additional work beyond the original contract documents. To date, there has not been any change orders issued under the General Manager's authority. The Agency's Purchasing Policy requires Board authorization for change orders over four percent (4%) of the original contract amount. Staff is recommending authorization of the General Manager to execute construction change orders up to \$371,872.

DISCUSSION

On March 16, 2021, the Board of Directors awarded a construction contract in the amount of \$2,996,800 to GSE and construction is nearing completion. During the well rehabilitation work, the contractor encountered residual scale and biogrowth on the well screen and the well consultant is recommending that the contractor provide additional brushing and chemical treatment to remove it. As a result, the contractor has submitted a change order for \$252,000 to perform the additional work.

In addition to the well rehabilitation change order work, staff recommends maintaining the current general manager's change order authority of \$119,872 to account for potential future change orders, if any, to minimize potential start-up delay. Without the change order contingency, any future change order request regardless of the amount will need to go through the Board approval process, which may delay the start-up activities for a few weeks and potentially resulting in a higher change order amount to account for construction delays.

CEQA DETERMINATION

The proposed action today is authorizing a change order to the construction contract to GSE Construction Co., Inc. for the Valley Center Well PFAS Groundwater Treatment Improvement project. The whole of the action also includes operation of the project. The term "Project" in CEQA refers to the whole of an action and to the underlying activity being approved, not to each governmental approval. (CEQA Guideline §15378(a), (c)-(d).) This definition ensures that the action reviewed under CEQA is not the approval itself but the development or other activities that will result from the approval.

The project construction is a minor alteration limited to construction within the Agency's existing facility property. Construction and operation of this project is found to be categorically exempt under the provisions of CEQA and the State CEQA Guidelines as described below:

- The project, aka the whole of the action, qualifies for an exemption under CEQA guidelines section 15301 Class 1 Minor Alterations to Existing Facilities because it is a minor alteration of an existing public facility and it concerns proposed new mechanical equipment involving negligible or no expansion of use, i.e. no additional extraction of water, beyond that existing at the time of the lead agency's determination.
- The project, aka the whole of the action, also qualifies for an exemption under CEQA guidelines section 15303 Class 3 New Construction or Conversion of Small Structures because the project construction is limited to construction within SCV Water's existing facility property.
- None of the exceptions listed in Section 15300.2 of the CEQA Guidelines would apply to the action.

FINANCIAL CONSIDERATIONS

The project is included in the Agency's FY 2021/22 Capital Improvement Budget for the Valley Center Well PFAS Groundwater Treatment Improvements project. The project's total estimated cost, including planning, design, construction management, construction, inspection and miscellaneous costs, is \$4,700,000. As of March 31, 2021, the project's total expenses are \$3,609,000.

RECOMMENDATION

That the Board of Directors authorize the General Manager to execute construction change orders up to \$371,872 for the Valley Center Well PFAS Groundwater Treatment Improvements project.

MBS



April 19, 2022

Construction Update on the Valley Center Well PFAS Groundwater Treatment Improvements Project

Board Meeting

Valley Center Well PFAS Groundwater Treatment Improvements Project Location Map



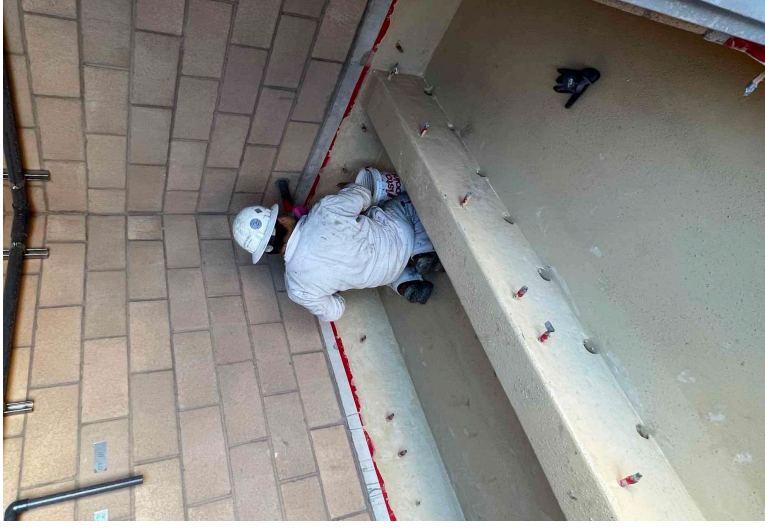
Valley Center Well PFAS Groundwater Treatment Improvements Project



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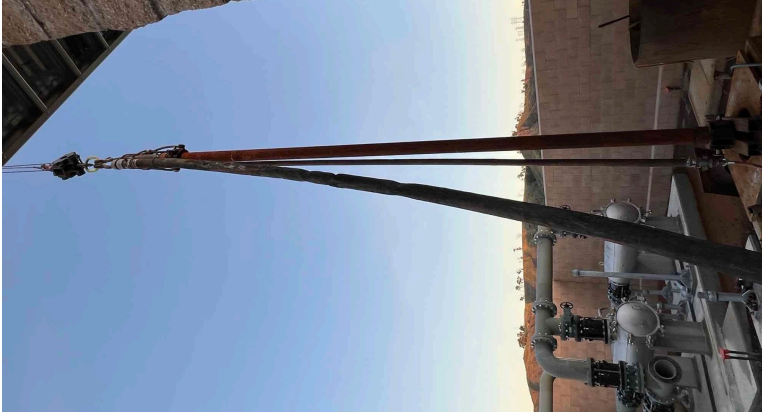
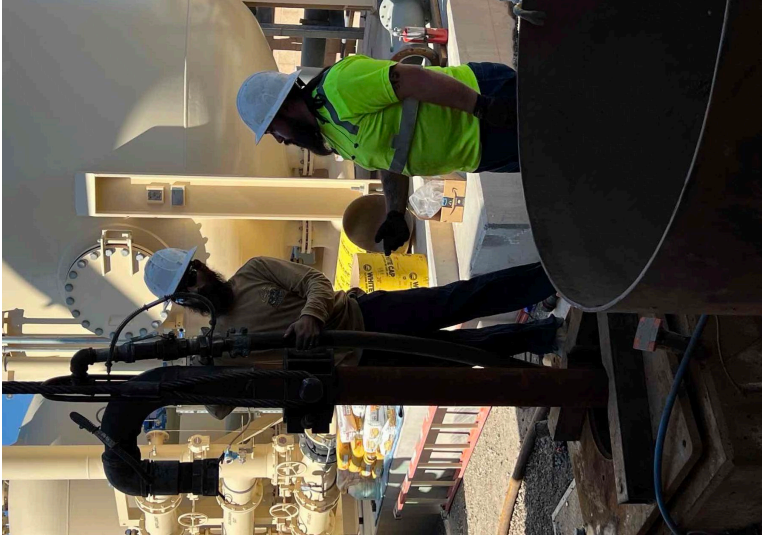
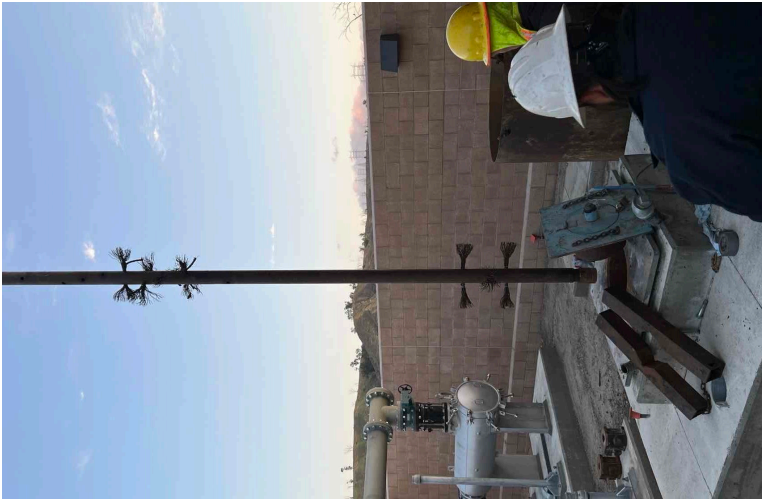
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Valley Center Well PFAS Groundwater Treatment Improvements Project



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Valley Center Well PFAS Groundwater Treatment Improvements Project



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Valley Center Well PFAS Groundwater Treatment Improvements Project

<u>Item</u>	<u>Total</u>
Original Contract Amount (Board approved March 16, 2021)	\$2,996,800
General Manager (GM) Change Order Authority (4%)	\$119,872

Change Order No. 1 Budget (well rehab chemical treatment)	\$252,000
Current GM Change Order Authority	\$119,872
Proposed Total Change Order Budget	\$371,872



Valley Center Well PFAS Groundwater Treatment Improvements Project Recommendation

That the Board of Directors:

- Authorize the General Manager to execute construction change orders up to \$371,872.



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BOARD MEMORANDUM

DATE: April 19, 2022
TO: Board of Directors
FROM: Joseph Byrne and Thomas Bunn III
General Counsel
SUBJECT: Discussion of and Possible Amendment to the Board of Directors Policies and Procedures Related to Director Conduct

SUMMARY

At the March 15, 2022 Board of Directors meeting, a request was made to add an item to a future Board meeting on possible amendments to the Board of Directors Policies and Procedures (Board Policies) related to the conduct of Directors. The below are relevant sections in the current Board Policies that address Director conduct. This information is being provided in advance of the Board discussion of any potential changes to the Board Policies to help facilitate the discussion. Legal Counsel will be present to address any legal questions and follow up if the Board reaches consensus on any potential amendments to the Board Policies. In addition, attached is a complete copy of the current Board Policies.

DISCUSSION

Board Principles: Section II(C) of the Board Policies, entitled “Board Principles,” contains twenty principles and states in relevant part: “The members of the Board of Agency affirm their commitment to act in accordance with the following practices identified as being compatible with the efficient and effective operation of the Agency:.”

Director Responsibilities: Section II(D) of the Board Policies, entitled “Director Responsibilities,” has the following seven separate subsections:

1. Responsibilities of Public Office;
2. Conflicts of Interest;
3. Fair Treatment and Use of Authority;
4. Use of Confidential Information;
5. Political Contributions;
6. Filing and Disclosure Under Government Code section 87200; and
7. Use of Agency Property.

Duties of Directors: Section IV(A) of the Board Policies, entitled “Duties of Directors,” provides four specific duties of Directors.

Director’s Relationship with Agency Staff: Section IV(E) of the Board Policies, entitled “Director’s Relationship with Agency Staff,” provides direction on interaction with Agency staff.

FINANCIAL CONSIDERATIONS

None.

RECOMMENDATION

None.

Attachment

**POLICIES AND PROCEDURES
FOR THE
BOARD OF DIRECTORS
OF THE
SANTA CLARITA VALLEY WATER AGENCY
(SCV WATER)**

March 1, 2022

Adopted: January 2, 2018

Updated: July 17, 2018

Updated: April 2, 2019

Updated: August 20, 2019

Updated March 1, 2022

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I. INTRODUCTION

A. Purpose of the Board Policies and Procedures

The adoption of written guidelines regarding the conduct of public officials provides a sound foundation on which to build public trust and confidence. The policy of the Santa Clarita Valley Water Agency (“Agency”) is to maintain the highest ethical standards for its Directors. The proper operation of the Agency requires that decisions and policy be made within the proper channels of governmental structure, that public office not be used for personal gain, and that Directors remain objective and responsive to the needs of the public they serve. Accordingly, it is the policy of the Agency that each of its Directors maintains the highest standards of personal honesty and fairness in carrying out their duties.

The purpose of these policies are to describe and guide the policies and practice of the Agency’s Directors and to further the efficient operation of the Agency. They are not intended to be all-inclusive. These policies describe key legal and procedural duties of the Directors, set forth the basic ethical standards to be followed, and provide guidance for dealing with ethical issues. These policies are adopted by the Agency’s Board of Directors and the Board of Directors has the right to amend, change, and supplement them at any time. These Policies and Procedures shall control to the extent the provisions are not in conflict or inconsistent with laws or regulations applicable to the Agency. If any policy or procedure is found to be unenforceable, such a decision shall not affect the remaining portions of these Policies and Procedures.

B. Agency Description

The Agency is a special act agency created by the State of California pursuant to SB 634, Chapter No. 833, 2017, and codified in the California Water Code Appendix (the “Act”). It is the successor agency to the Newhall County Water District and Castaic Lake Water Agency and it came into existence on January 1, 2018. The Agency’s functions include the ability to acquire, hold, and utilize water and water rights and to provide, sell, manage, and deliver surface water, groundwater, and recycled water for municipal, industrial domestic, and other purposes at retail and wholesale throughout its boundary.

As stated in the Act, the purpose of the Agency is to unify and modernize water resource management in the Santa Clarita Valley through the efficient, sustainable, and affordable provision, sale, management, and delivery of surface water, groundwater, and recycled water for municipal, industrial, domestic, and other purposes at retail and wholesale within the territory of the Agency and to do so in a manner that promotes the sustainable stewardship of natural resources in the Santa Clarita Valley.

The Agency encompasses an area of approximately 195 square miles in the northwestern portion of Los Angeles County and the southeastern portion of Ventura County. The city of Santa Clarita and the communities of Canyon Country, Castaic, Newhall, Saugus, Stevenson Ranch, Valencia and Val Verde are located within the Agency. The boundaries of the Agency are shown on Plate 1.

Unless otherwise provided for by action of the Board of Directors, all meetings of the Board of Directors shall be held at the principal place of business of the Agency. The official address and principal place of business of the Agency is:

SANTA CLARITA VALLEY WATER AGENCY
27234 Bouquet Canyon Road
Santa Clarita, CA 91350
(661) 297-1600; Fax (661) 297-1611

Access to the Agency's office and facilities may be restricted subject to known or expected security conditions.

C. Governing Body

Thirteen Directors serve as the governing Board of Directors of the Agency (hereinafter referred to collectively as "Board"). Twelve of the Directors hold elective office and represent one of three divisions. The current division boundaries are shown on Plate 1. One of the Directors holds appointed office as a result of nomination by the Los Angeles County Waterworks District 36, a retail water purveyor within the boundary of the Agency (Act, Section 8). The number of Directors of the Board will reduce to nine elected Directors by January 1, 2023 as described in Section 8 of the Act. An employee of the Agency may not be sworn in as Director unless he or she resigns as an employee. Any Director who is elected or appointed to a public office of another public entity, the duties of which may require action contradictory to or inconsistent with the interests of the Agency, is required to resign from the Board.

II. DIRECTORS, OFFICERS AND ADMINISTRATION

A. Introduction

The Board is the governing body of the Agency. As the governing body, the Board generally implements its actions by a majority vote of the membership of the Board (seven) and may act by ordinance, resolution or motion (Act, Section 13(a)). Pursuant to Section 14 of the Act, the Board may only take certain actions by an affirmative vote of four-fifths of the Board (eleven). In certain other limited matters, the Board is required by law to have a two thirds vote (nine).

B. Officers and Appointments

The officers of the Board are the President and Vice President. The Board may in its discretion appoint from its members additional officers, including a second Vice President, and may define the duties of those officers (SB 634, Section 12). The Board also appoints a General Manager, Secretary, and a Treasurer or Auditor (Act, Section 16), and employs a General Counsel (Act, Section 13(a)). The Board in most situations processes its business through the General Manager, General Counsel and Secretary and then to various Committees of the Board as needed for processing and recommendations for action to the Board.

C. Board Principles

The Board of Directors of the Agency recognizes its actions affect the Agency's ability to fulfill its mission. The Board has identified the following practices it deems essential in order for the Board to positively affect the Agency's ability to efficiently and effectively operate. The members of the Board of Agency affirm their commitment to act in accordance with the following practices identified as being compatible with the efficient and effective operation of the Agency:

1. Stay true to the Agency's mission.
2. Maintain a high level of integrity and follow through with all commitments.
3. Work only as a Board, with no rogue, tangential, or hidden agendas.
4. Always strive for consensus, but remember unanimity is not required.
5. Once the Board has made a decision, acknowledge it.
6. Understand the Board's role is to set policy and ensure staff understands this, while facilitating staff's ability to implement policy.
7. Abide by the separation of responsibilities between the Board and the General Manager and staff.

8. Clearly understand the expectations and the responsibilities of the Board President and other Board officers.
9. Correctly identify the issues.
10. Realistically select important issues that are worthy of the Board and staff's time and energies.
11. Make sure all major policy decisions are well thought out from a legal perspective, all options have been explored, and that advantages and disadvantages for the community have been explored and weighed.
12. Accept the responsibility to bring to the Board any issues related to the Agency's mission.
13. Communicate all facts accurately and fully.
14. Encourage open discussion by all Board members on all subjects.
15. Ensure that every member has a chance to give and explain his or her point of view.
16. Truly listen to each other and genuinely try to understand other points of view.
17. Attend and actively participate in meetings, keeping absences to a minimum.
18. Come to meetings prepared, having reviewed the materials provided by staff.
19. Ask the General Manager or designee for background and/or additional information as needed prior to Board or Committee meetings.
20. Never hesitate to ask questions at a Board or Committee meeting or request additional information.

D. Directors Responsibilities*

1. Responsibilities of Public Office

Directors are obligated to uphold the Constitution of the United States and the Constitution of the State of California. Directors shall comply with applicable laws regulating their conduct, including conflict of interest, financial disclosure (Political Reform Act; Government Code §81000 *et seq.*), and open government laws for public agencies (see: Ralph M. Brown Act, Government Code §54950 *et seq.*), and shall fulfill the reporting requirements related to campaign finances and expenditures (Political Reform Act; Government Code §81000

* *See also*, Section IV F, "Ethics Training for Directors"

et seq.). Directors shall strive to work in cooperation with other public officials unless prohibited from so doing by law or officially recognized confidentiality of their work.

Directors and persons elected but who have not yet assumed office as Directors shall fully comply with the provisions of the State’s open meeting laws for public agencies, also known as the Brown Act.

2. Conflict of Interest

Each Director of the Agency shall file Statements of Economic Interests in accordance with the requirements of the Political Reform Act (Government Code §81000 *et seq.*).

To the extent prohibited by law, Directors shall not have a financial interest in a contract with the Agency, be a purchaser at a sale by the Agency, or be a vendor of the Agency (Government Code §§1090-1099). A financial interest may be direct or indirect and unless the financial interest is considered a “non-interest” or a “remote interest,” any contract entered into with the Agency where a Director has a financial interest is void. Recusal is not an option in such situations. Directors shall not recommend the employment of a relative by the Agency, nor recommend the employment of a relative to any person known to be bidding for or negotiating a contract with the Agency.

No Director shall make, participate in making, or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest with respect to the matter. If a Director becomes aware of a potential conflict of interest, the Director shall notify the Board President, the General Manager and/or the Agency’s General Counsel, either before the Board meeting at which the matter will be discussed or immediately upon becoming aware of the potential conflict during the meeting (Government Code §§1090-1099; Political Reform Act, Government Code §§87100-87105).

A Director who has a financial interest in a decision or action being considered by the Board shall publicly identify the financial interest that gives rise to the actual or potential conflict of interest in detail sufficient to be understood by the public, recuse himself or herself from discussing, voting on, or otherwise participating in the decision, and leave the meeting room until after the discussion, vote, or other disposition of the matter is concluded (unless the matter is on the consent calendar and is uncontested). Such action by a Director to disqualify him or herself from participation in the decision shall be noted in the Board minutes (Government Code §§1090 – 1099; Political Reform Act, Government Code §§87100 – 87105).

3. Fair Treatment and Use of Authority

Directors, in the performance of their official duties, shall not discriminate against or harass any person on the basis of race, religious creed, color, age, marital status, national origin, ancestry, gender, sexual orientation, medical condition, mental disability, or physical disability. A Director shall not grant any special consideration, treatment, or advantage to any person or

group beyond that which is available to every other person or group in similar circumstances (Government Code §12940).

A Director shall not directly or indirectly use or attempt to use the authority or influence of his or her position for the purpose of intimidating, threatening, coercing, commanding or influencing any other person for the purpose of preventing such person from acting in good faith to report or otherwise bring to the attention of the General Manager or the Board any information that, if true, would constitute a work-related violation by a Director or Agency employee of any law or regulation; gross waste of Agency funds; gross abuse of authority; a specified and substantial danger to public health or safety due to an act or omission of an Agency official or employee; use of an Agency office or position or Agency resources for personal gain; or a conflict of interest of a Director or Agency employee. Further, a Director shall not use or threaten to use any official authority or influence to effect any action as a reprisal against another Director or an Agency employee who reports or otherwise brings to the attention of the General Manager any information regarding any of these subjects (Cal. Const. Art. XVI, §6; Penal Code §§68; 424; Government Code §12940).

4. Use of Confidential Information

A Director is not authorized, without approval of the Board, to disclose information that qualifies as confidential information under applicable provisions of law to a person not authorized to receive it (Brown Act; Government Code §54963; Government Code §1098).

Qualified confidential information includes, but is not limited to, information that has been received for or during a closed session meeting of the Board; information protected from disclosure under the attorney/client or other evidentiary privilege; information that is exempt from disclosure under the California Public Records Act (“CPRA”) (Brown Act; Government Code §54963(a), (e) and (f); and CPRA, Government Code §6254(k)).

5. Political Contributions

Directors shall not solicit or direct political contributions or in-kind services at Agency functions or from Agency employees or from vendors or consultants that have a material financial interest in a contract while that matter is pending before the Board (Government Code §1090). A Director shall not use the Agency’s seal, trademark, stationary, or other indicia of the Agency’s identity or facsimile thereof in any solicitation for political contributions (Government Code §3205).

6. Filing and Disclosure Requirements Under Government Code §87200

Directors are subject to the filing and disclosure requirements of Government Code §87200 *et seq.* Under that section, any person who holds an office specified in §87200 shall, as specified by the Fair Political Practices Commission, file a statement disclosing his or her investments, interests in real property and income during the period of time since the previous statement filed per FPPC regulations. Section 87200 applies to all “public officials who manage public investments.” (Government Code §87200). It is not limited to those officials engaged in

“the actual hands-on management of funds,” but also includes those who “set or approve policy relating to the investment of funds.” (Condrashoff Advice Letter, FPPC No. I-09-111, at pp.*6-7, *see also*, FPPC Regulation 18701 subds, (b)(1)(A), (b)(4).). Directors approve the Agency’s investment policy annually. Therefore, all Directors are “public officials who manage public investments” and are subject to §87200’s filing and disclosure requirements (*Accord*, Condrashoff Advice Letter, *supra* [advising that water agency Director is subject to §87200 because agency board bears responsibility for adopting investment policy.]).

7. Use of Agency Property

A Director shall not use or permit the use of Agency-owned vehicles, equipment, telephones, materials or property for personal benefit or profit. A Director shall not ask or require an Agency employee to perform services for the personal benefit or profit of a Director or employee (Government Code §8314).

Each Director must protect and properly use any Agency asset within his or her control, including information recorded on paper or in electronic form. Directors shall safeguard Agency property, equipment, monies, and assets against unauthorized use or removal, as well as from loss due to criminal acts or a breach of trust (Cal. Const. Art. XVI Art. 6; Penal Code §424).

E. Elected Directors

1. Qualifications

To hold the office of divisional Director, any candidate seeking election must be an elector residing within the boundaries of the division (Act, Section 9(c)). Consistent with the Uniform District Election Law, candidates must be an elector residing within the boundaries of the division at the time of filing a declaration of candidacy.

2. Nomination of Candidates

Candidates seeking election to the office of Director of the Agency must file nomination papers with the Los Angeles County Registrar-Recorder during the period beginning on the 113th day before the election date and ending at 5:00 p.m. on the 88th day prior to the election date (Election Code §10510).

3. Candidate’s Statement

Each candidate for the office of Director of the Agency who elects to include a printed statement in the voters’ pamphlet mailed by the Los Angeles County Registrar-Recorder shall pay the costs of printing, handling, translating and mailing of such candidate’s statement. Payment shall be made to and in the amount determined by the Los Angeles County Registrar-Recorder as authorized by the California Election Code. Directors who are candidates shall not include false or misleading information in a candidate’s statement.

4. Election Date of Elected Directors

The election for the office of Director is conducted on the date of the General Election, the first Tuesday of November of each even-numbered year. The first election of the Agency will be held in November 2020 (Act, Section 8,9,10).

5. Term of Office for Elected Directors

The term of office for all elected Directors is four years and as described in Section 9 of the Act. Elected Directors shall take office on the first Monday of the January after the election (Act, Section (9)(c)).

6. Vacancies of Elected Directors[†]

(a) Vacancy

A vacancy shall exist when a declaration of resignation executed by an elected Director is received by the Secretary; upon the death of an elected Director; or as otherwise provided by law. Pursuant to Section 9(c) of the Act, a vacancy will occur if an elected director moves outside of the division he or she represents and does not reestablish residency in that division within 180 days.

(b) Replacement Process for Elected Directors

In the event a vacancy should occur, the Board may appoint a qualified person to fill the vacancy. Such appointment shall require the approval of a majority vote of the remaining Directors. Appointment by the Agency's Board shall occur within 60 days following the effective date of the vacancy (Government Code §1780(c) and (d)(1)). The Board may decide by majority vote not to appoint a successor to fill a vacancy provided that the electoral division in which the vacancy occurs has at least four remaining Board members (Act, Section 8(d)(3)). This only applies to seats vacated by initial elected members serving during their initial terms of office. If the Board does take such action consistent with Section 8 of the Act, the Board member seat is eliminated and may not be filled by the Board of Supervisors as it could be under normal circumstances as described below. If a Board seat is eliminated, then the vote required for Board actions shall be computed based on the number of remaining Board members.

At least 15 days before an appointment is made, a notice of the vacancy must be posted in three or more conspicuous places within the division in which the vacancy exists. Posting on the Agency's website and news releases to local newspapers may be used in place of posting in three or more conspicuous places as set forth above. Applicants may also be solicited by newspaper advertisement (Government Code §1780(d)(1)).

The Agency shall announce a schedule for receipt of applications and interviews of applicants. Applicants shall complete and file an application on an Agency form with the Secretary on or before an established due date. Interviews of applicants shall take place during

[†] Appointed Directors, See § II F(3).

open public meeting(s) with the order of interview determined by lot (Government Code §1780 (d)(1)).

In the event the Board does not appoint a qualified person to fill the vacancy, the Board may, upon approval of a majority of the remaining Directors, within 60 days of the vacancy call an election or at such later time as determined reasonable by the Board of Directors. The election shall be held on the next election date that is 130 or more days after the date the Agency's Board calls the election (Government Code §1780(e)(1)).

In the event that the Board neither makes an appointment nor calls an election within 60 days of the vacancy and the Board does not decide by majority vote to not fill the vacancy as allowed by the Act, then the Board of Supervisors of Los Angeles County may, within 90 days of the vacancy, make an appointment or order the Agency to call an election. The election shall be held on the next election date that is 130 or more days after the date the Board of Supervisors calls the election.

If no action is taken by either the Agency's Board within 60 days of the vacancy or the Board of Supervisors within 90 days of the vacancy, then the Agency shall call an election to fill the vacancy. The election shall be held on the next election date which is 130 or more days after the date the Agency calls the election.

(c) Term of Office of Replacement Elected Directors

Persons elected to fill a vacancy shall hold office for the unexpired balance of the term of office. Persons appointed to fill a vacancy shall hold office until the next election date that is scheduled 130 or more days after the date the county elections official is notified of the vacancy. If that election does not coincide with the end of the term of the Director who caused the vacancy, then the election shall be for the balance of the unexpired term.

(d) Adjustment of Division Boundaries for Elected Directors

The Board shall adjust the electoral division boundaries following the decennial census by resolution pursuant to Chapter 8 (commencing with Section 22000) of Division 21 of the Elections Code. If division boundaries are approved such that a Director is no longer a resident of the division from which he or she was elected, the Director may continue in office to the end of the term.

F. Appointed Directors

1. Qualifications of Appointed Director

To hold the office of appointed Director, a person must be nominated by the Los Angeles County Waterworks District No. 36, Val Verde ("Purveyor"), and he or she must be an elector residing within Los Angeles County or Ventura County. An appointed Director may be a director, officer, agent, or employee of the Purveyor (Act, Section 10(e)).

An employee of the Agency may not be sworn in as an appointed Director unless he or she resigns as an employee.

2. Initial Appointed Director and Term of Office

The term of the initial appointed Director expires January 1, 2019 and the subsequent term of office for any successor appointed Director is four years. The position of appointed Director on the Board shall be eliminated and abolished effective January 1, 2023 (Act, Section 10(d)). The position of appointed Director will be automatically eliminated prior to January 1, 2023 if (1) the Los Angeles County Board of Supervisors votes to eliminate the position or (2) the Agency acquires the Purveyor or the Purveyor is annexed or consolidated into the Agency (Act, Section 10(d)).

3. Nomination of Candidates for Appointed Directors/Vacancies

A successor appointed Director shall be nominated by the Purveyor and appointed by the Board consistent with the requirements of Section 10 of the Act. A vacancy shall exist when a declaration of resignation executed by the appointed Director is received by the Secretary; upon the death of an appointed Director; or as otherwise provided by law. A successor appointed Director who is appointed to a vacant office of appointed Director shall serve out the remaining term of that office.

G. Selection and Succession of President and Vice President

At the first regular meeting in January of 2018 and 2019, or as soon as practicable thereafter, and every two years thereafter, the Board shall elect one of its members to serve as President and one of its members to serve as Vice President. Both the President and the Vice President shall serve at the pleasure of the Board beginning after election and ending on the date a successor is chosen. The term of the first President and Vice President will be one year, and all subsequent terms will be two years. The President shall serve as chairperson of all meetings of the Board. In the absence of the President, the Vice President shall serve as the chairperson.

If for any reason the office of President is vacant, the Board shall select another Director to serve the unexpired term as President. If for any reason the office of Vice President is vacant, the Board shall select another Director to serve the unexpired term as Vice President.

The Board may, in its discretion, also appoint a second Vice President to serve as an officer of the Board. In such an instance, the two Vice Presidents shall serve in an equal capacity unless otherwise decided by the Board.

H. Committees

Except as provided below, a Committee consists of not more than six (6) Directors appointed, at a Board meeting or otherwise, by the President. As the number of Directors reduces, pursuant to Section 9 of the Act, the maximum number of committee members shall always be one less than a majority of the number of Directors. The Board shall promptly be notified of the appointment of Directors to all Committees. A Committee shall be defined at the

time of creation as either standing or special (Ad Hoc) (Brown Act; Government Code §54952(a)).

A standing Committee is one appointed to monitor, review and report on a general subject area on an ongoing basis. A special Committee is one created to undertake a specific, limited, and often sensitive or complex assignment, and shall exist for a specified length of time or until its assignment is declared complete by the President (Brown Act; Government Code §54952(b)). Additional related assignments may be given to special Committees prior to completion of the original assignment.

The President shall designate a Chair for each Committee. Each standing Committee shall establish the date, time, and place of regular meetings required for the conduct of business by the Committee. The date, time and place of each meeting of a special Committee shall be determined by the Chair on an as-needed basis (Brown Act; Government Code §54952(a) & (b)).

Committees shall only have the power to recommend action to the Board and consequently do not establish policy for the Agency (Brown Act; Government Code §54952(b)).

Notwithstanding the limitations above, at the discretion of the Board, a Committee may consist of more than a majority of the Directors appointed, at a Board meeting or otherwise, by the President. However, if the President appoints more than a majority of Directors to a Committee, such Committee may only meet if its meetings are noticed as joint meetings with the Board of Directors.

I. Appointment of Agency Officers

1. Secretary

The Agency shall, by resolution, appoint a person to the office of Secretary, who shall be hired by the Agency as an employee. The Secretary may not be a Director. The Secretary is responsible for recording actions of the Board in regular or special meetings, preparing agendas, receiving and preparing written correspondence, attesting to the signature of the President on documents, certifying resolutions, receiving and filing statements with the Fair Political Practices Commission, and performing other duties as directed by the Board. The Secretary may administer oaths of office and affirmations in connection with the taking of testimony at any hearing, investigation, or other matter pending before the board.

2. Assistant Secretary

The Agency's General Counsel shall serve as Assistant Secretary. The Assistant Secretary shall act only in the absence of the Board's regular Secretary, with responsibilities limited to taking Board minutes and certifying Agency and/or Board actions, generally as a counter-signatory to other Agency officers.

3. Treasurer

The Agency shall, by resolution, appoint a Treasurer. The Treasurer may not be a Director. The Treasurer is responsible for management and investment of Agency funds according to the Investment Policy adopted by the Board.

4. Assistant Treasurer

The Agency shall appoint an Assistant Treasurer. The Assistant Treasurer may not be a Director. The Assistant Treasurer is responsible for performing investment actions and preparing reports as directed by the Treasurer and signs Agency orders for withdrawal as authorized by resolution. The Assistant Treasurer shall install and maintain a system of auditing and accounting that will completely and at all times show the financial condition of the Agency in accordance with generally accepted accounting principles and legal requirements.

J. Bonding of Officers and Other Employees

The General Manager, Assistant General Manager, Chief Financial and Administrative Officer, Director of Finance and Administration and Controller shall be covered by a Fidelity Insurance Policy in the amount of not less than \$1,000,000 per individual. All other employees (except as exempted by classification by the Agency General Manager) and Directors shall be covered by a Fidelity Insurance Policy in the amount of not less than \$1,000,000. The cost of such insurance shall be paid by the Agency.

K. Other Professional Services

1. Appointment of Auditor

The Board shall appoint an accounting firm with sufficient expertise to perform the annual audit of the Agency's financial records, issue an audit opinion and serve as consultant on accounting procedures ("Auditor"). The executed contract for the Auditor shall include terms of an agreed fee schedule.

During performance of the annual audit, the Auditor shall review Per Diem payments to Directors and expense reimbursements to Directors and management staff to ensure compliance with the Agency's written procedures. The scope of the annual audit shall include sufficient testing of material and non-material transactions to demonstrate compliance with Board established policies and procedures related to purchasing, investments and reserves.

2. Appointment of General Counsel

The Board appoints legal counsel as General Counsel whose duties are to advise the Agency's Board and General Manager concerning their respective legal responsibilities and to present either written or oral recommendations to the Board and/or General Manager, as appropriate, on matters of legal concern. The Agency's General Counsel shall report to the Board of Directors and take direction from the Board, and may also take direction from the General Manager.

3. Employment of Consultants

Other consultants may be employed pursuant to procedures established in an Agency Purchasing Manual. The services of the consultants shall thereafter be at the request of the Board or the General Manager.

4. Ratepayer Advocate

The Agency shall develop a rate setting process by January 1, 2019 that includes an independent ratepayer advocate to advise the Board and provide information to the public before the adoption of new wholesale and retail water service rates and charges. The ratepayer advocate shall be selected by and report directly to the Board and shall be independent from Agency staff. The Board shall further define the role of the ratepayer advocate and may not eliminate the position before January 1, 2023. After such date, the Board may eliminate the position (Act, Section 14(b)–14(d)).

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III. BOARD AND COMMITTEE MEETINGS

A. Board Meetings

1. Quorum and Voting

Seven (7) or more Directors constitute a quorum of the Board. No Board meeting may be called to order nor may any action be taken without the presence of a quorum. As the number of Directors reduces consistent with Sections 9 and 10 of the Act, a majority of the number of authorized Director positions shall constitute a quorum of the Board.

The Board shall act, at properly noticed Board meetings, only by ordinance, resolution, or motion. Adoption of any ordinance, resolution, or motion requires an affirmative vote by a majority of the Board unless the action being taken specifically requires otherwise. Directors should vote (yes, no, or abstain) on all proposed Board actions unless a Director declares the matter to be a conflict of interest prior to discussion of the subject, in which case the affected Director should recuse him or herself from discussing and/or voting on the matter and leave the room until after the discussion, vote and disposition of the matter is concluded (Political Reform Act, Government Code §§87100-87105).

Voting on ordinances shall be by roll call vote, with the yes's and no's recorded in the minutes. When conducting a roll call vote, the Secretary shall call for the vote of each Director and for the vote of the President last.

Voting on resolutions and motions may be by voice or electronic system vote, ruled upon as either passing or failing by the President. The President or the Board Secretary shall announce if an action was unanimous and if it was not, which Directors voted against the action. On demand of any Director, a roll call vote shall be called to confirm the ruling of the President as to the outcome of a voice or electronic system vote.

Directors may participate in Board meetings by teleconference with Board approval, at the request of the Board president, or by approval of the Board President if circumstances are such that obtaining Board approval is not practicable. Unless requested by the Board President, Directors wishing to participate in a Board meeting using teleconference shall submit a written request to the Board President that indicates why it is important for them to attend by teleconference. The Board President shall place the item on the next Board agenda for consideration. It is the Board's preference that Directors participate in Board meetings in person. Any teleconferenced meeting shall comply with all of the requirements of the Brown Act.

2. Regular Board Meetings

(a) Meeting Schedule

The Board shall hold regular meetings on the first and third Tuesdays of each month, or as the Board otherwise designates. Unless otherwise provided for by resolution or ordinance,

each regular meeting shall begin at 6:30 p.m. and be held at the principal place of business of the Agency.

The General Manager and/or a majority of the Board may determine which additional persons (employees, consultants etc.) should attend a Board meeting. The General Manager, or designated Board or staff representative, shall reply to questions raised by the public at Board meetings, if appropriate, or as directed by the President.

The President, in consultation with the Agency's General Counsel, shall be responsible for assuring that the requirements of the Brown Act are observed at all Board meetings.

The Board may adjourn any regular meeting to be continued at a specific time and place. A notice of adjournment and continuance shall be conspicuously posted on or near the door of the location where the regular meeting was held within 24 hours of the adjournment (See Brown Act; Government Code §54954.2(b)(3)).

(b) Agenda

Before each Board meeting the General Manager and Secretary shall prepare the agenda. The agenda is sent to General Counsel and to the Board President for approval. When the President is not available, the agenda is sent to the Vice President for approval.

Agenda items desired by any Director shall be submitted to the President, who shall either place the agenda items, appropriately phrased, on a Board meeting agenda, or submit the agenda item, appropriately phrased, to the Board for its determination of whether and when to consider the agenda item or, alternatively, to assign the agenda item to a Committee for review. In making determinations as to agenda items, the President shall consider Agency priorities and the availability of Agency resources (Brown Act; Government Code §54954(a)).

The agenda shall be posted by the Secretary at least 72 hours before the start of a regular meeting on the Agency website and on a message board at the outermost Rio Vista Water Treatment Plant entrance gate, which is located at the intersection of Central Park and Bouquet Canyon Road (Brown Act; Government Code §54954.2(a)).

(c) Action on Items not on the Posted Agenda

The Board may take action on items of business not appearing on the posted agenda only under any one of the following conditions:

- Upon a determination by a majority vote that an emergency situation exists (Brown Act; Government Code §54956.5).
- Upon a determination by a two-thirds vote or, if less than two-thirds of the Directors are present, a unanimous vote of those present that there is a need to take immediate action on a matter that came to the attention of the Board subsequent to the agenda being posted (Brown Act; Government Code §54954.2).

- The item was posted on the agenda of a regular meeting that occurred not more than five (5) calendar days prior to the date action is taken, and at the prior meeting the item was continued to the meeting at which action is taken (Brown Act; Government Code §54954.2(b)(3)).

3. Special Board Meetings

A special meeting of the Board may be called by the President or by a majority of the Board. Written notice must be delivered at least 24 hours before the time of the meeting to each Director, and to each local newspaper of general circulation and radio or television station requesting the notice in writing (Brown Act; Government Code §54956).

The written notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered by the Board at such special meeting (Brown Act; Government Code §54956).

The call and notice must be posted at least 24 hours before the time of the meeting on the Agency's website and on a message board at the outermost Rio Vista Water Treatment Plant entrance gate, which is located at the intersection of Central Park and Bouquet Canyon Road (53 Ops.Cal.Atty.Gen. 245 (1970)).

The written notice may be dispensed with as to any Director who, at or prior to the time the meeting convenes, files with the Secretary a written waiver of notice. The written notice may also be dispensed with as to any Director who is actually present at the meeting at the time it convenes (Brown Act; Government Code §54956(b)).

4. Emergency Board Meetings

If the Board calls an emergency meeting due to a work stoppage, a crippling activity, or other activity that severely impairs public health or safety, the President or his or her designee shall give notice of the meeting by telephone to each local newspaper of general circulation and radio or television station that has requested notice of special meetings, at least one hour prior to the meeting (Brown Act; Government Code §54956(b)).

If the Board calls an emergency meeting due to crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring one-hour notice may endanger the public health or safety, then notice shall be given at or near the time that the Directors are notified of the emergency meeting (Brown Act; Government Code §54956(b)).

B. Committee Meetings

1. Standing Committees

(a) Regular Meetings

Regular meetings of standing Committees shall be open to the public. The Chair shall cause notice of each standing Committee meeting and the agenda for the meeting to be posted on the Agency's website and on a message board at the outermost Rio Vista Water Treatment Plant entrance gate, which is located at the intersection of Central Park and Bouquet Canyon Road not less than 72 hours in advance of the Committee meeting (Brown Act; Government Code §54952(b)).

The chair shall further cause notice to be delivered to each Committee member and to others who receive notice of Committee meetings not less than 72 hours in advance of the meeting. Unless the Agency has received a written request for mailed notice, the latter notice may be delivered orally or by email.

(b) Special Meetings

In the event a special meeting of a standing Committee is called, written notice must be delivered at least 24 hours before the time of the meeting to each Committee member and to others who receive notice of Committee meetings. The written notice may be dispensed with as to any Director who, at or prior to the time the meeting convenes, files with the Secretary a written waiver of notice. The written notice may also be dispensed with as to any Director who is actually present at the meeting at the time it convenes (Brown Act; Government Code §54956(b)).

Notice must also be posted at least 24 hours before the time of the meeting on the Agency's website and on a message board at the outermost Rio Vista Water Treatment Plant entrance gate, which is located at the intersection of Central Park and Bouquet Canyon Road (Brown Act; Government Code §§54952(b); 54954(a); 54954.2).

The notice shall specify the time and place of the special meeting and the business to be discussed. No other business shall be considered.

2. Special Committees

Meetings of special Committees composed entirely of Directors need not be open to the public unless, in the discretion of the Committee or its Chair, such meetings are specifically ordered to be noticed and open to the public in the same manner and to the same extent as standing Committee meetings (Brown Act; Government Code §54952; *Joiner v. City of Sebastopol* (1981) 125 Cal.App.3d 799).

3. Other Directors' Attendance at Regular or Special Meetings of a Standing Committee

Any Director may attend any open and public regular or special meeting of a standing Committee of the Agency. A Director who is not a Committee member, however, may not participate in any manner, either verbally or non-verbally, in Committee affairs. In order to avoid a "serial" meeting in violation of the Brown Act, a Director who is not a member of the Committee shall not participate in the "public comment" section of a Committee meeting nor use a series of communications of any kind, directly or through intermediaries to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the Committee (Brown Act; Government Code §54952.2(b)(1)).

A Director who is not a Committee member shall not attend meetings of any special Committee unless the meeting is noticed and open to the public.

The Chair of the Committee or the Vice Chair of the Committee shall promptly expel from a Committee meeting any Director who violates these policies.

4. Committee Reports

The Committee Chair, or designated representative, shall report at regular Board meetings on committee activities. Such report may be either oral or in writing. The opportunity for committee reports shall be included on the Board's regular meeting agenda, either upon request by the Committee chair or as a standing agenda item.

C. Distribution of Agenda Packets

Any person may request a copy of the agenda or a copy of all the documents constituting the agenda packet, or both, of any meeting of the Board or of a Board standing Committee. Upon receipt of the written request, the Secretary shall cause the requested materials to be mailed at the time the agenda is posted pursuant to legal requirements under the Ralph M. Brown Act, or upon distribution to all or a majority of Directors or members of a Board standing Committee, whichever occurs first (Brown Act; Government Code §§54954.2(a), 54957.5; *Carlson v. Paradise Unified Sch. Dist.* (1971) 18 Cal.3d 196).

Any request for mailed copies of agendas or agenda packets shall be valid for the remainder of the calendar year in which it is filed, and must be renewed each following January 1 for each subsequent year. The Board may establish a fee for mailing the agenda and/or the agenda packet, which fee shall not exceed the cost of providing the service.

As provided in the Brown Act, in the event a requester fails to receive the agenda or agenda packet, such failure shall not constitute grounds for invalidation of the actions taken by the Board at the meeting for which the agenda or agenda packet was not received.

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IV. ORGANIZATIONAL POLICIES

A. Duties of Directors

Directors shall:

1. Attend Board meetings or inform the Secretary if unable to attend.
2. Serve on Committees of the Board as appointed by the President. If a Director is unable to serve effectively, he or she should so advise the President.
3. Read and be familiar with the subject matter on the meeting agenda. If possible, questions of clarification should be addressed to staff prior to the meeting. Directors shall also have access to engineering, legal and financial consultants for information, subject to any Board-imposed reasonable limitations, which take into account the cost of such consulting services. The President or General Manager should provide approval for anything that would require a substantive amount of work.
4. Express approved policy of the Board when called upon to do so. Public comment by or the opinion of a Director shall not be binding on the Board.

B. Duties of the President

The President shall:

1. Preside over and reasonably control all meetings of the Agency's Board, and recognize all speakers and the makers of all motions, resolutions and ordinances.
2. Call for public participation during meetings of the Board.
3. Rule on passage or failure of motions, resolutions, or ordinances brought before the Board.
4. Ensure that all Directors have an equal opportunity to speak during discussion of issues. The President may be involved in discussion on any matter, but his or her right of expression shall be no greater than that of any other Director.
5. Appoint Directors to Committees of the Board subject to the provisions of these policies and assign Committee Chairs and Vice Chairs.
6. Set the time and place for special meetings of the Board.
7. Represent or designate another Director to represent the Agency in any public ceremony.

8. Serve as the public spokesperson of the Agency and express approved policy of the Agency when called upon to do so. Public comment by or the opinion of the President shall not be binding on the Board.
9. Cast the Agency's vote for election of special district representatives to serve on the Local Agency Formation Commission (LAFCO) and other organizations as appropriate.
10. Nominate or appoint, as appropriate, Directors to serve on Committees and advisory boards at organizations such as Association of California Water Agencies, California Special Districts Association and others, and approve attendance at non-preapproved events.
11. Sign checks of the Agency as authorized by resolution.
12. Review the travel and other reimbursable expenses of the Directors and the General Manager as necessary.

C. Duties of the Vice President

The Vice President shall:

1. Perform all the duties of the President during any absence of the President.
2. Express approved policy of the Agency when called upon to do so. Public comment by or the opinion of the Vice President shall not be binding on the Board.
3. If for any reason the office of President is vacant, act in place of the President until a new President is elected.
4. Review and approve, subject to the concurrence of the General Manager, the President's requests for expense reimbursement.
5. Sign checks of the Agency as authorized by resolution.

D. General Manager's and Directors' Relationship

The Board shall by contract or resolution employ a General Manager, who serves at the pleasure of the Board (Act, Section 16). The General Manager acts as the chief executive officer of the Agency and its operations and has full charge and control of the Agency's water system and facilities, including their construction, operation and maintenance, all in accordance with Agency policies and procedures established by the Board. The General Manager has the power to do the following:

1. Advise, recommend and carry out policy.

2. Plan, organize and direct Agency operations.
3. Employ and supervise Agency personnel.
4. Serve as the primary liaison to the Board and, in so doing, implement and follow Board policy and direction and keep the Board informed and advised of all Agency activities.
5. Take full charge and control of the construction, maintenance and operation of the water system and other facilities of the Agency, including Administrative Actions pursuant to the California Environmental Quality Act (“CEQA”), including initial studies; notices of preparations; exemption; determination and completion;
6. Except for Board appointed positions, exercise full power and authority to employ and discharge employees and assistants, consistent with the Employee Manual’s guidelines.
7. Investigate and take appropriate corrective and disciplinary actions with regard to improper activities within the Agency.
8. Manage Agency financial operations and expend Agency funds in conformity with a Board-approved annual Agency budget, which is a general expenditure projection.
9. Review budget status and revenue and expenditure patterns on a quarterly basis. Promptly inform the Board when forecasted revenues or expenditures materially vary from the budget and propose corrective action when appropriate.
10. Make purchases and maintain capital assets, subject to the Purchasing Manual’s guidelines.
11. Serve as the Agency’s primary spokesperson or designate an appropriate spokesperson regarding community and news media inquiries and coordinate all Agency activities with other governmental agencies.
12. Manage the safeguarding, conservation and maintenance of all Agency property.
13. Declare, in writing, that an emergency exists, whenever a condition occurs which adversely affects, either in a dire manner or potentially, the ability of the Agency to perform its services, or which puts Agency property or personnel in jeopardy, or which may jeopardize the health and safety of the community.
 - (a) The General Manager, following a declaration of emergency, may take whatever steps and commit whatever funds are necessary to meet the emergency.

- (b) The General Manager shall inform the Board of such emergency, as well as the steps and expenditures incurred.

- 14. Tangible Personal Property. The General Manager may dispose of tangible personal property of the Agency that has a fair market value, as reasonably determined by the General Manager or his/her representative, of \$100,000 or less subject to compliance with any applicable legal requirements. Disposal of tangible personal property with a fair market value of \$100,000 or more must be authorized by the Board of Directors.

- 15. Real Property
 - (a) The Board reserves for itself the sole authority to convey and dispose of all interests in real property, except as provided below.

 - (b) Easements. The General Manager is authorized to grant easements upon real property, including, but not limited to, easements for construction, inspection, access, storage, operations, maintenance, and emergency service, as follows:
 - (1) Temporary easements not to exceed five years in duration; and

 - (2) Permanent grants of easements upon real property, including by way of quitclaim, for access and use of Agency property and rights-of-way with a fair market value, as reasonably determined by the General Manager or his/her representative, of \$100,000 or less.

 - (c) Accepting and Acquiring Real Property. The General Manager is authorized to accept and acquire, by dedication or purchase, real property, which includes but is not limited to deeds, and grants of interests in and easements upon real property, on behalf of the Agency and in a form approved by General Counsel to the Agency, for the purposes of expanding, maintaining and operating the Agency and its water system and have a fair market value, as reasonably determined by the General Manager or his/her representative of \$100,000 or less.

 - (d) The General Manager shall provide a semi-annual report of transactions executed pursuant to the authority granted in this section to the Engineering and Operations Committee.

- 16. License Agreements. The General Manager is authorized to enter into license agreements related to the access and/or use of real property, and amendments to such license agreements, that have a fair market value, as reasonably determined

by the General Manager or his/her representative, of \$100,000 or less. All other such license agreements require Board authorization.

17. Perform all functions and activities which the Board shall direct the General Manager to perform, regardless of whether such functions or activities are included herein. In so doing, the General Manager may delegate responsibilities and obligations to other employees and representatives of the Agency as the General Manager deems appropriate.
18. The Board shall provide policy direction and instructions to the General Manager on matters within the authority of the Board during duly-convened Board and Committee meetings.
19. The Board has a duty to ensure that the General Manager is operating the Agency according to law and the policies approved by the Board.
20. Directors shall disclose to the General Manager, and the General Manager shall disclose to the Board, to the extent not expressly prohibited by law, improper activities within their knowledge. Directors shall not interfere with the General Manager's responsibilities in identifying, investigating, and correcting improper activities, unless the Board determines that the General Manager is not properly carrying out these responsibilities.
21. If a Director has need of non-confidential, actual information on a specific topic, he or she should contact the Agency General Manager or his or her designee, or Board Secretary. The General Manager shall review any request for information with the Board President as necessary for concurrence, scheduling, or prioritization so as not to unreasonably interfere with Agency business.
22. In cases where the General Manager is absent, the General Manager may delegate his or her duties to an Assistant General Manager and such person shall have the authority to perform the duties of the General Manager, including the ability to execute Agency documents.

E. Directors' Relationship with Agency Staff

1. Individual Directors shall deal with matters within the authority of the General Manager through the General Manager, or his or her designee, and not through other Agency employees.
2. Individual Directors shall not do the following:
 - (a) Interfere with or direct Agency staff.
 - (b) Frequent Agency premises on any basis different than the general public.

- (c) Make requests directly to Agency employees to undertake analyses, perform other work assignments, or change the priority of work assignments.

F. Ethics and Fair Employment Training for Directors

Every Agency Director shall receive two (2) hours of training in general ethics principles, ethics and fair employment (sexual harassment) laws relevant to his or her position in public service every two years. Incoming Directors shall receive such training as soon as is practicable; usually within his or her first year, and then every two (2) years thereafter (Government Code §52335(b); 12,900 et seq).

An Agency Director who serves on more than one agency board satisfies such requirements if he or she receives the training once every two (2) years (Government Code §53235.1(c); 12,900 et seq).

All Directors who participate in such training shall be given a proof of participation form by the provider and shall submit a copy to the Board Secretary. This form shall state the following:

- The date of the training; and
- The person or company who provided the training (Government Code §52335.2(a)(1) & (2); 12,900 et seq)

The Agency shall record participants' participation in its records, which must be retained for five (5) years. These records are public records subject to disclosure under the California Public Records Act (Government Code §6250 *et seq*; AB 1234, Government Code §§53232 – 53232.3; 12,900 et seq.).

G. Directors' Compensation and Expense Reimbursement

1. Board Meetings and Committee Meetings

Each Director may claim and receive up to the Board authorized Per Diem payment (Per Diem) for attendance at each regular, adjourned regular, special or adjourned special meeting of the Board. A Director may also claim and receive Per Diem for attendance at meetings of those standing or special Committees to which the Director has been appointed, including meetings with staff in connection with such committee meetings if required and at the request of the committee chair. At the next regular Board meeting, Directors shall provide a report, orally or in writing, of attendance at such meetings or events in which Per Diem and/or expenses are provided.

2. Conferences, Meetings and Events

Subject to specific approval of the Board and pursuant to this Section G, Directors may claim and receive Per Diem for each day's attendance at conferences, meetings, events, or other authorized activities relevant to the business of the Agency. Authorized conferences, meetings,

events, and activities constitute the performance of official duties for which compensation and reimbursement may be provided and may include, but are not limited to, educational conferences and similar gatherings, meetings of other public agencies or organizations that involve discussions of specific interest to the Agency, attendance at Agency-related ceremonial functions, or formal appearances before or meetings with administrative, regulatory agencies, legislators, and their staff. Directors are encouraged to educate themselves about current issues, policies and best practices that are relevant to the business of the Agency. The Board Secretary shall provide the Board with information regarding relevant conferences, meetings and events.

Unless specifically approved by the Board or otherwise provided in this Section G, Director compensation and/or expense reimbursement for attendance at conferences, meetings, or events relevant to the business of the Agency shall be in accordance with the below categories and corresponding rules and restrictions. Participation in meetings or events related to Agency business, including meetings with staff, at the request of the General Manager, Board President or the Board is not subject to the below rules and restrictions and Directors may claim and receive Per Diem and expense reimbursement.

Category 1 – Multi-Day Events. Directors may receive Per Diem payments and expenses for up to three (3) multi-day events per fiscal year. A “multi-day event” is a conference, meeting or event that takes place over two or more days and requires at least one night’s lodging at Agency expense. The following are preapproved multi-day events for which Board approval is not required to attend.

- Association of California Water Agencies (ACWA) Conferences and Events
- ACWA/JPIA Conferences and Events
- California Special Districts Association Conferences and Events
- California Water Policy Conference
- KHTS Sacramento Event
- National Water Resources Association Conferences and Events
- Urban Water Institute Conferences
- WaterReuse Conference
- Water Education Foundation Events

A multi-day event not appearing on the above pre-approved list may be attended and Per Diem and expenses may be paid subject to advance approval of the Board. When deciding whether to approve such a request, the Board shall take into account the cost of the multi-day event and the benefit to the Agency. Attendance at any such multi-day event shall count towards the Category 1 limit of three (3) per fiscal year unless the Board makes a specific exemption.

Directors who attend pre-approved multi-day events as part of his or her authorized role on the governing Board or a Committee of the host organization may attend and receive Per Diem payments and expenses for such multi-day events and such will not count towards the Category 1 limit of three (3) multi-day events per fiscal year, provided that attendance for a Committee shall not exceed the number of days required for such Committee meeting.

Category 2 – Single-Day Events. Directors may receive Per Diem payments and expenses for up to twelve (12) single-day events per fiscal year. A “single-day event” is a conference, meeting, or event that occurs on one day, regardless of the duration of the event during that day, and requires no more than one night’s lodging at Agency expense. The following are preapproved single-day events for which Board approval is not required.

- ACWA Events
- ACWA Region 8 Events
- Alliance for Water Efficiency Events
- Association of Ventura Water Agencies Meetings
- BizFed Meetings
- Building Industry Association Meetings
- California Special Districts Association Conferences and Events
- County Economic Outlook Meeting
- Integrated Regional Water Management Meetings
- Legal Seminars
- Public Officials Night Event
- Santa Clara River Watershed Meetings
- SCV Chamber of Commerce Events and Meetings
- Service Organization Events and Meetings, such as the Rotary Club of Santa Clarita
- Southern California Water Coalition Events
- Southern California Water Dialogue Events
- State of the City Luncheon
- State of the County Luncheon
- Urban Water Institute Events
- Valley Industry Association Events and Meetings
- Valley Industry and Commerce Association Events and Meetings
- Water Education Foundation Events

A single-day event not appearing on the above pre-approved list may be attended and Per Diem and expenses may be paid subject to advance approval of the Board. When deciding whether to approve such a request, the Board shall take into account the cost of the single-day event and the benefit to the Agency. Attendance at any such single-day event shall count towards the Category 2 limit of twelve (12) per fiscal year unless the Board makes a specific exemption or no Per Diem is paid as described below.

Directors who attend a pre-approved single-day event as part of his or her authorized role on the governing Board or a Committee of the host organization may attend and receive Per Diem payments and expenses for such single-day event and such will not count towards the Category 2 limit of twelve (12) single-day events per fiscal year, provided that attendance for a Committee shall not exceed the number of days required for such Committee meeting.

In addition, Directors may attend approved single-day events within the Agency service area at the expense of the Agency without such event counting towards the Category 2 limit of

twelve (12) single-day events per fiscal year if the Director does not request and does not receive Per Diem for attending such event.

3. Restrictions and Conditions

Per Diem payments may be claimed only for attendance at meetings of the Board or for each day's service rendered as a member of the Board. The Board shall determine in advance if a particular activity constitutes a meeting for the purpose of a Director claiming and receiving a Per Diem payment. As reasonably necessary, days spent traveling to and from an authorized event shall be considered compensable days of service.

No Director shall receive more than one Per Diem payment for any one day regardless of the number of meetings attended and/or events of service to the Board performed during that day.

No Director shall receive more than ten (10) Per Diem payments in any one calendar month for any combination of meeting attendance or service rendered as a member of the Board.

A Director-elect shall not be entitled to any Per Diem payments for traveling to or attending any meeting or conferences prior to assuming office.

Directors who attend an out-of-state conference or meeting as part of his or her authorized role on the governing Board or a Committee of the host organization may attend and receive Per Diem payments and expenses for such out-of-state conference or meeting and such will not count towards the Category Section G (2) limits, provided that attendance for a Committee shall not exceed the number of days required for such Committee meeting. Directors may not attend any other out-of-state conference, meeting or event without the prior approval of the Board or at the request of the Board President in connection with Agency business.

If a Director becomes aware of a conference, meeting, or event that requires Board approval after the conclusion of the most recent Board meeting and the conference, meeting, or event is taking place prior to the next Board meeting, the Director may only attend with the approval of the Board President. Unless subsequently determined by the Board, attendance at any such conference, meeting, or event shall count towards the corresponding category limits established above.

Directors may not serve on a board or committee of another organization on behalf of the Agency without the prior approval of the Board.

Directors who attend authorized events are attending as representatives of the Agency and not in their personal capacities and are expected to identify themselves as Directors of the Agency.

4. Directors' Compensation Rate

Pursuant to Section 13(c) of the Act, Directors are authorized to receive compensation equal to the amount authorized for Castaic Lake Water Agency Directors as of December 31,

2017, which is \$228.15, for each day's attendance at meetings of the Board, or for each day's service rendered as a member of the Board not to exceed ten meetings per month. The Board may adjust this compensation amount in accordance with Water Code Section 20200 et. seq.

Changes to Directors' compensation shall be done by ordinance adopted after a public hearing, notice of which has been published in a newspaper of general circulation once a week for two weeks, and shall not become effective for 60 days after adoption. Increases are subject to referendum.

5. Expense Reimbursement

Directors shall be reimbursed for reasonable and necessary expenses incurred incidental to services provided on behalf of the Agency and for authorized travel on Agency business, including two (2) hours of ethics training, subject to the following limits and restrictions. Such expenses will not be reimbursed when incurred for family members of the authorized Director. The President may review Directors requests for expense reimbursement and may disallow amounts deemed improper or otherwise not properly accounted for. In the case of requests for reimbursement by the President, the Vice President(s) may review such requests and disallow amounts deemed improper or otherwise not accounted for. Agency staff responsible for issuing payments to reimburse Directors for incurred expenses shall bring questionable matters to the attention of the President, or the Vice President(s) if the matter concerns the President, before check execution and payment.

A request for reimbursement shall be submitted on an expense report form provided by the Agency as soon as practicable after the expenses are incurred. The request shall be accompanied by detailed receipts or other documentation evidencing each expense and the Directors' payment thereof. A copy of a program agenda or such other document as may provide proof of attendance and/or that Agency-related business was conducted may also be required.

All documents related to reimbursable Agency expenditures are public records subject to disclosure under the California Public Records Act, Government Code §6250 *et seq*; AB 1234, Government Code §§53232 – 53232.3.

6. Payment Interval

Directors shall receive Per Diem payments and shall be reimbursed for any properly submitted and approved expenses on a monthly basis.

H. Types of Expenses

1. Transportation

Directors who attend approved Agency functions shall use the appropriate commercial or private means of transportation in the most efficient manner consistent with scheduling needs and cargo space requirements. In the event a more expensive means of transportation is used, the

reimbursable amount shall be limited to the cost of the most reasonably economical means of transportation available.

No reimbursement shall be made for transportation expenses incurred to travel to a destination within Agency boundaries, if the travel begins and ends within Agency boundaries. Any travel made without approval shall be the sole personal responsibility of the involved Director.

When a Director elects to use a private vehicle for transportation, reimbursement shall be made at the currently approved rate per mile established and adjusted from time to time by the United States Internal Revenue Service for business use of a vehicle. This reimbursement rate shall be considered to fully compensate for all vehicle operation and ownership expense. Reasonable mileage used for conducting Agency business as a Director will be reimbursed. Reasonable mileage is the most direct route to and from Agency business, unless traffic or unforeseen circumstances require an alternate route. Proof of mileage must be attached to a request for reimbursement. Proof may be obtained using one of the free, on-line map/driving direction providers (i.e. MapQuest) or an equivalent method. Agency staff may assist with the submittal of such proof.

Airplane travel shall be by air coach or economy class and, unless there is no alternative, shall be the lowest refundable fare. Directors may make their own travel arrangements or may request that the Board Secretary pre-purchase airplane tickets. Long-term parking should be used for travel exceeding 24 hours, however if Directors use other parking options they are responsible for paying the difference. If a Director travels to Agency business in an airplane that he or she owns, the reimbursement amount for such travel shall be the equivalent coach or economy class lowest refundable fare of a major commercial airline. The reimbursement rate for travel by personal plane to locations where there is no reasonable commercial fare, shall be the same as if the Director had travelled by private car. Other reimbursable transportation expenses may include, but are not limited to, ground transportation to and from airports and hotels, car rental, taxis (and reasonable tips) and parking fees. The expense of any traffic citation is not reimbursable (AB 1234, Government Code §53232.2(c)).

2. Meals and Lodging

Expenditures for food and lodging shall be moderate and reasonable. Such expenses will not be reimbursed when incurred for family members of the authorized Director.

Directors shall be entitled to receive reimbursement for the reasonable cost of meals, including tips, not to exceed \$150 per person per day. Expenses incurred as a result of the presence of guests shall be reimbursable to the extent allowed by law in the event that their presence is appropriately related to Agency business. Reimbursements will not be made for alcoholic beverages.

Tippling Guidelines: Restaurant and food service providers have varying policies concerning tips. Some providers include tips in the food cost. Others provide a customer selection of tip percentages. Most providers leave the amount of the tip at the total discretion of the customer. Another factor to consider is the amount of time and special service that is

required of the food server. It is the policy of the Agency that tips should be generally 15% to 20% of the cost of food depending on service and/or restaurant policy for larger group tables. Tips of a higher amount are subject to the reasonable and best judgment of the Director considering all such factors. If the tip for the cost of food is substantially more than such limit, the excess amount must be reasonably justified and approved by the President.

Lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Director at the time of the booking. If the government or group rate is not available, the rate paid may be 25% higher than the government or group rate, whichever is higher. Where reasonably possible, accommodations shall be obtained in proximity to the conference or meeting site. All expenses that do not fall within these guidelines shall be approved by the Board, in a public meeting before the expense is incurred. No reimbursement request for overnight accommodations shall be approved for expenses incurred within the Agency's service area, except upon approval of the Board or President.

Reasonable pre and post-conference or event lodging will be reimbursed for national travel requiring extensive travel time. Pre-conference or event lodging will be reimbursed for regional travel if the conference or event starts at an unreasonably early hour for travel and post-conference or event lodging will be reimbursed for regional travel if the conference or event ends after an unreasonable hour for travel. The President may pre-approve exceptions to this section.

3. Communications

Reasonable personal telephone calls will be reimbursed. Hotel internet/email or similar communication access will be reimbursed if used for reasonable Agency purposes (Government Code §§53232.2(a) and (f)).

4. Personal Expenses

The costs of medications, laundry/dry-cleaning, in-room movies, personal entertainment, the personal portion of any trip, and other personal expenses are not reimbursable (Government Code §§53232.2(a) and (g)).

I. Other Organizational Policies of the Agency

1. Disbursement Authorization

The Agency shall make disbursements of funds pursuant to its budget, which is a general expenditure projection, and in accordance with a duly adopted Purchasing Manuals.

The Board, by resolution, shall authorize the disbursement of Agency funds through withdrawal order, with signing authority granted to specific individuals holding the following positions:

- (a) President
- (b) Vice President(s)

- (c) General Manager/Treasurer
- (d) Assistant Treasurer

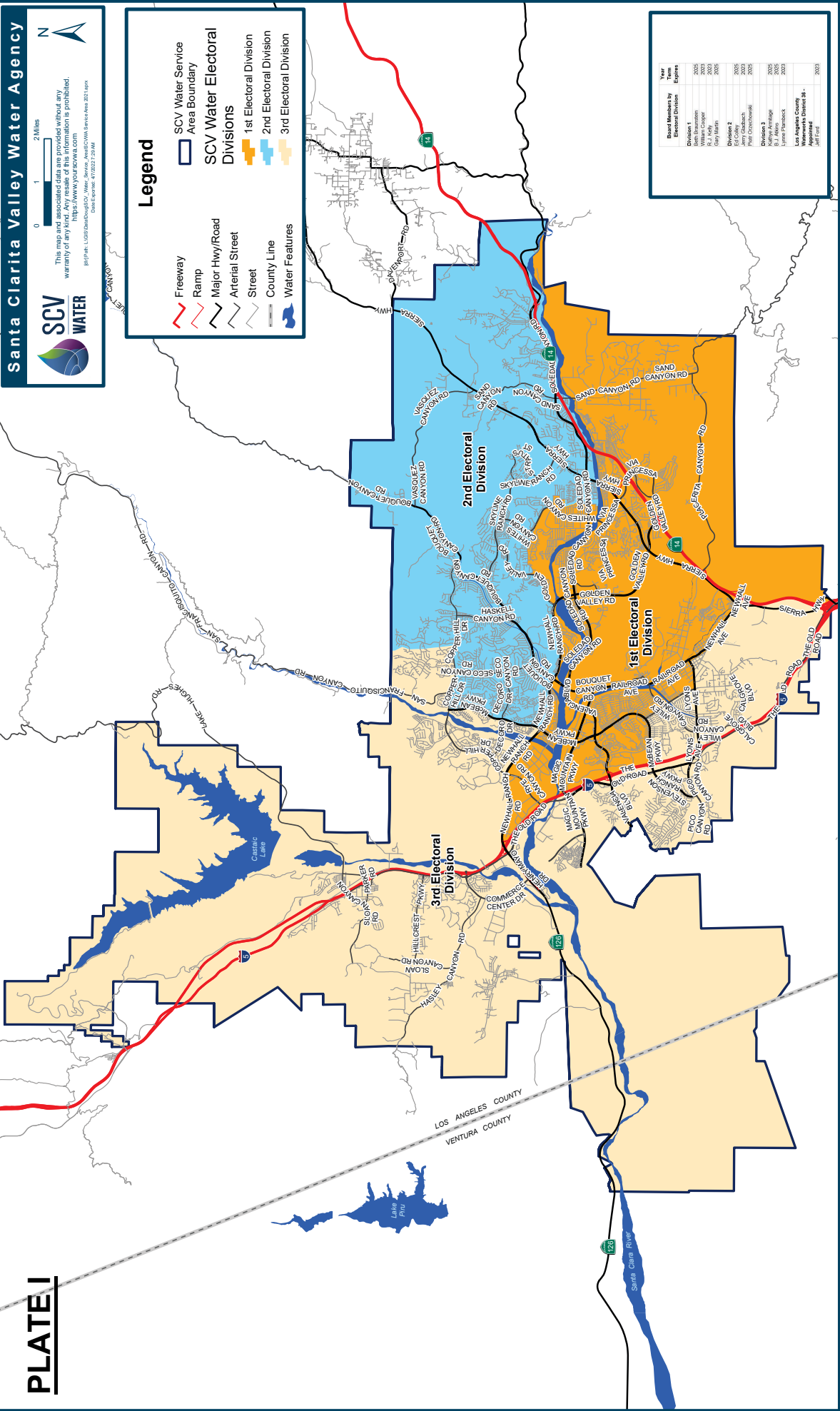
2. Management Procedure Orders

Management Procedure Orders (MPOs) are written rules and regulations promulgated by the General Manager to direct and guide Agency employees in performance of their duties. An MPO may be issued by the General Manager to govern areas of policy not reserved by the Board. An MPO may provide detailed instructions to comply with policy established by action of the Board.

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Santa Clarita Valley Water Agency - Electoral Divisions

PLATE I



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CEQA 101

Overview of the CEQA Process

Santa Clarita Valley Water Agency

Board of Directors

April 18, 2022

PRESENTED BY

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CEQA 101 Outline

- **Purpose of California Environmental Quality Act (CEQA)**
- **Overview of the CEQA process**
- **When does CEQA apply?**
 - Definition of a “project”
 - CEQA exemptions
- **Environmental Review (a small % of projects)**
 - Initial Study
 - Negative Declarations
 - Environmental Impact Reports

The Rules

- The Statute
 - Public Resources Code §§ 21000-21178
- The State CEQA Guidelines
 - California Code of Regulations, Title 14, § 15000 et seq.
- Case law
 - Judges apply the statute and the Guidelines to actual projects

The CEQA Process – Big Picture

- 1. Trigger**
 - Public agency is going to take a discretionary **action**
- 2. Project?**
 - Lead Agency decides whether the action is a **project**
- 3. Exemption?**
 - If it is a project, Agency decides whether it is **exempt**

The CEQA Process – Big Picture

4. Preliminary review

- If the project is not exempt, Agency begins to analyze impacts, usually through an **Initial Study**

5. Level of review?

- Based on the Initial Study, Agency determines what type of environmental document to prepare
 - **Negative Declaration** (NegDec or ND)
 - **Mitigated Negative Declaration** (MND)
 - **Environmental Impact Report** (EIR)

The CEQA Process – Big Picture

6. Prepare the environmental document
7. Release the document to the public for **public review and comment** and respond to comments received
8. Decisionmakers consider everything, decide **whether to take action, approve or disapprove the project**

But you might not be done yet ...

9. Wait out the statute of limitations (30-35 days)
10. Agency may be sued for violating CEQA
 - Agency's analysis was not supported by substantial evidence
 - Agency violated procedural requirement of CEQA

Lead Agency

"Lead Agency" means the public agency which has the principal responsibility for carrying out or approving a project. The Lead Agency will decide whether an EIR or Negative Declaration will be required for the project and will cause the document to be prepared.

Responsible Agency

"Responsible Agency" means a public agency which proposes to carry out or approve a project, for which a Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term "Responsible Agency" includes all public agencies other than the Lead Agency which have discretionary approval power over the project.

Responsible Agency

Specifically, a responsible agency has the following duties: (Guidelines, § 15096.)

1. Consultation Prior to Preparation of an EIR or Negative Declaration.
2. Review of an EIR or Negative Declaration.
3. Considering an inadequate EIR or Negative Declaration.
4. Adoption of Alternatives or Mitigation Measures.
5. Findings.

When does CEQA apply?

Step 1: Agency Action Trigger

- CEQA **does** apply to **public** activities
 - Issue a permit
 - Build a structure/infrastructure
 - Acquisition of a water source or participation in a groundwater banking program
 - Planning documents that could result in a direct and/or indirect physical impact on the environment
 - i.e. Recycled Water Master Plan

Step-by-Step Approach

- Step 1: Public agency action trigger?
- **Step 2: If yes, is the action a “project”?**
- Step 3: If yes, is the project exempt?
- Step 4: If no, analyze environmental impacts.
- Step 5: Approve or disapprove the project.

Step 2: Is the Action a “Project”?

- 3-part test for whether an action is a “project”
 1. **Discretionary** act
 2. By a **public agency**
 3. With the potential to result in direct – or reasonably foreseeable indirect – **physical change in the environment**

Step 2: Is the Action a “Project”?

City of Irvine v. County of Orange (2013)

County’s decision to approve/submit application for state funding for a jail expansion was not an “approval” requiring CEQA review, even if it gave impetus to the expansion, and even if the application included detailed plans, because the application did not preclude county from considering any alternatives/ mitigation measures that CEQA requires, and even an approved application would be just a preliminary step that did not guarantee reimbursements for the county.

Step-by-Step Approach

- Step 1: Public agency action trigger?
- Step 2: If yes, is the action a “project”?
- **Step 3: If yes, is the project exempt?**
- Step 4: If no, analyze environmental impacts.
- Step 5: Approve or disapprove the project.

Step 3: Is the Project Exempt?

Three Types

- **Statutory Exemptions**
 - Absolute
 - Located in a statute
- **Categorical Exemptions**
 - 33 “classes” subject to limitations or “exceptions”
 - Guidelines §§ 15300 et seq.
- **“Common Sense” Exemption**
 - Similar to definition of “project”
 - Guidelines § 15061(b)(3)

Step 3: Is the Project Exempt?

Substantial Evidence:

- Facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts
- Substantial evidence is not argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly erroneous or inaccurate, or evidence of social or economic impacts unrelated to physical impacts on the environment

Step 3: Is the Project Exempt?

Statutory Exemptions

- Emergency repairs to public service facilities necessary to maintain essential service (Guidelines §15269(b).)
- Projects of less than one mile within a public right of way for installation of a new pipeline or maintenance, repair, restoration, or demolition of existing pipelines. (PRC §21080.21; Guidelines §15282(k).)
- Inspection, maintenance, repair, restoration or removal of existing pipeline, if certain, very detailed, conditions are met. (PRC §21080.23; Gov't Code §51010.5(a); Guidelines §15284.)
- Urban water management plans (Water Code §§10610–10656.)

Step 3: Is the Project Exempt?

Categorical exemptions

Class 1: Existing Facilities (§15301)

- Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public structures, facilities, mechanical equipment or topographical features
- **BUT:** Can only apply if “negligible” or “no expansion” of existing or former use

Step 3: Is the Project Exempt?

Common Sense Exemption

- “Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” (§15061(b)(3))

Step 3: Is the Project Exempt?

Create a Record

- Document your **substantial evidence**
 - Notice of Exemption
 - Staff Report
 - Findings in Resolution

Step 4: Analyzing Impacts

Step-by-Step Approach

- Step 1: Public agency action trigger?
- Step 2: If yes, is the action a “project”?
- Step 3: If yes, is the project exempt?
- **Step 4: If no, analyze environmental impacts.**
- Step 5: Approve or disapprove the project.

Step 4: Analyzing Impacts

Initial Study: What is it?

- Appendix G of the State CEQA Guidelines
- Environmental checklist
- Sets forth all the “resources areas” (aesthetics, air quality, noise, transportation, etc.) that must be analyzed
- Leads the agency through a series of threshold questions

Step 4: Analyzing Impacts

Thresholds of Significance

- Lead agency determines whether an adverse environmental effect is "significant" or "less than significant." (Guidelines §15064(b)(1).)
 - But threshold must be “based to the extent possible on scientific and factual data.” (Guidelines §15064(b)(1).)
 - Selection of threshold requires exercise of reasoned judgment based on substantial evidence

Step 4: Analyzing Impacts

Initial Study: What is its purpose?

- Tool to determine what type of environmental review document is required
 - **Negative Declaration:** all impacts are less than significant (Less than Significant)
 - **Mitigated Negative Declaration:** all impacts can be mitigated to Less than Significant
 - **EIR:** fair argument that the project might result in significant impact

Step 4: Analyzing Impacts: Negative Declarations

Initial Study: Where does it lead?

- Negative Declaration (ND) or Mitigated (MND)
 - Only when there is **no substantial evidence** in light of **the whole record** before the agency that the project **may** have a significant effect on the environment.
 - Fair Argument Test

Step 4: Analyzing Impacts: NDs

Your Initial Study indicates there is no **fair argument** of a **potentially significant impact**...

- Negative Declaration
- Mitigated Negative Declaration (if you need mitigation to get to the above conclusion)

Step 4: Analyzing Impacts: Mitigation Measures (MMs)

CEQA requires mitigation of impacts

- Mitigation measures should be:
 - Feasible
 - Enforceable

Step 4: Analyzing Impacts: NDs

Negative Declaration/MND Procedure

- Lead Agency decisionmakers can **only** adopt the ND/MND if they determine, in light of the whole record before them, that there is **no** fair argument that the proposed project **might** have a significant impact on the environment.
- If there is a fair argument to be made, then an EIR is required.

Step 4: Analyzing Impacts: EIRs

When is an EIR required?

- When there is **any substantial evidence** in light of **the whole record** before the agency supporting a **fair argument** that the project **may** have a significant effect on the environment.

Step 4: Analyzing Impacts: EIRs

Public Review and Comment Period

- Generally a 45-day review period
- Lead Agency must respond to each comment

Step 4: Analyzing Impacts: EIRs

Recirculation

- Normally → One round of public review and comment on the DEIR
- But if **significant new information** is added to the DEIR after it has been circulated, but before it is certified, Lead Agency must recirculate

Step 5: Project Approval

Step 5: Project Approval

Exempt Project

- If approved by via Resolution, include finding that the project is exempt and why
- File Notice of Exemption **after** approval



Step 5: Project Approval

Negative Declaration

- Adopt ND or MND **before** approval
- Adopt MMRP **with** approval
- File Notice of Determination **after** approval

Step 5: Project Approval

Environmental Impact Report

- Project Approval after certification
- If there are significant and unavoidable impacts, **Statement of Overriding**

Considerations must accompany your approval and expressly be adopted by the Lead Agency

- NOD: Filed after project approval

Questions?

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BOARD MEMORANDUM

DATE: April 8, 2022
TO: Board of Directors
FROM: Courtney Mael, P.E., Chief Engineer *CM*
Keith Abercrombie, Chief Operating Officer *KA*
SUBJECT: April 7, 2022 Engineering and Operations Committee Meeting Report

The Engineering and Operations Committee met at 5:30 PM on Thursday, April 7, 2022 in the Rio Vista Water Treatment Plant Boardroom located at 27234 Bouquet Canyon Road. In attendance were Committee Chair William Cooper and Directors Jeff Ford, Gary Martin, Piotr Orzechowski and Lynne Plambeck. Staff members present were Chief Engineer Courtney Mael; Director of Operations and Maintenance Mike Alvord; Executive Assistants Elizabeth Adler and Leticia Quintero; Management Analyst II Cheryl Fowler; Senior Engineer Shadi Bader; Water Treatment Manager Rafael Pulido and additional SCV Water Agency staff. General Counsel Joseph Byrne and Michael Maurer from BB&K Law and three members of the public were present on the call. A copy of the agenda is attached.

Item 1: Pledge of Allegiance – Chairman Cooper led the Committee in the Pledge of Allegiance.

Item 2: Public Comments – There was no public comment.

Item 3: Recommend Approval of (1) a Resolution for Construction Contract with Pacific Hydrotech Corporation; and (2) a Purchase Order to Woodard & Curran, Inc. for Construction Management and Inspection Services; and (3) a Purchase Order to Lee & Ro, Inc. for Engineering Services During Construction for the Earl Schmidt Filtration Plant (ESFP) Washwater Return and Sludge Systems Project – The Committee and staff discussed the project and the bid protest that the Agency received. After much discussion, the Committee recommended a full presentation at the April 19, 2022 regular Board meeting.

Item 4: Recommend Adopting a Resolution Authorizing the General Manager to Apply for Grant Funding Under the Bureau of Reclamation Watersmart Title XVI WIIN Act Water Reclamation and Reuse Projects for the Recycled Water Expansion Project – The Committee and staff discussed the grant funding the Agency is seeking to obtain and the Committee recommended placement of the item on the Board consent calendar at the April 26, 2022 special Board meeting.

Item 5: Recommend Approval of a Change Order for the Fairway Water Storage Tank Coating Project – The Committee and staff discussed the project and need for repairs. The Committee recommended placement of the item on the Board consent calendar at the April 19, 2022 regular Board meeting.

Item 6: Recommend Approval of the Replacement of 5,000 meters as part of the AMI Meter Replacement Program – The Committee and staff discussed the project and staff's recommendation to enter into a contract with the lowest qualified bidder. The Committee recommended placement of the item on the Board consent calendar at the April 19, 2022 regular Board meeting.

Item 7: Proposed FY 2022/23 Capital Improvement Projects – The Committee and staff discussed the proposed FY 2022/23 Capital Improvement Projects.

Item 8: Monthly Operations and Production Report – Staff and the Committee reviewed the Operations and Production Report.

Item 9: Capital Improvement Projects Construction Status Report – Staff and the Committee reviewed the Capital Improvement Projects Construction Status Report.

Item 10: Committee Planning Calendar – Staff and the Committee reviewed the FY 2021/22 and FY 2022/2023 Committee Planning Calendars.

Item 11: General Report on Treatment, Distribution, Operations and Maintenance Services Section Activities – Mike Alvord shared with the Committee that they have been working on the Local Hazard Mitigation Plan (LHMP) with various departments and will be bringing the LHMP to the May Board meeting in hopes that the Board adopts the item.

Item 12: General Report on Engineering Services Section Activities – Courtney Mael updated the Committee on the current Request for Proposal for the Agency’s “Master Plan” and made the Committee aware of a change order for the Valley Center Wells project that will be presented to the Board at it’s April 19, 2022 regular Board meeting.

Item 13: Adjournment – The meeting adjourned at 7:45 PM.

CM/MA

Attachment

MBS



Date: March 28, 2022

To: **Engineering and Operations Committee**
William Cooper, Chair
Jeff Ford
Gary Martin
Piotr Orzechowski
Lynne Plambeck

From: Courtney Mael, Chief Engineer *CM*
Keith Abercrombie, Chief Operating Officer *KA*

The **Engineering and Operations Committee** meeting is scheduled on **Thursday, April 7, 2022 at 5:30 PM** at **27234 Bouquet Canyon Road, Santa Clarita, CA 91350** in the **Boardroom**. Members of the public may attend in person or virtually. To attend this meeting virtually, please see below.

IMPORTANT NOTICES

This meeting will be conducted in person at the address listed above. As a convenience to the public, members of the public may also participate virtually by using the **Agency's Call-In Number 1-(833)-568-8864, Webinar ID: 160 394 3558 or Zoom Webinar by clicking on the link <https://scvwa.zoomgov.com/j/1603943558>**. Any member of the public may listen to the meeting or make comments to the Committee using the call-in number or Zoom Webinar link above. However, in the event there is a disruption of service which prevents the Agency from broadcasting the meeting to members of the public using either the call-in option or internet-based service, this meeting will not be postponed or rescheduled but will continue without remote participation. The remote participation option is being provided as a convenience to the public and is not required. Members of the public are welcome to attend the meeting in person.

Attendees should be aware that while the Agency is following all applicable requirements and guidelines regarding COVID-19, the Agency cannot ensure the health of anyone attending a Committee meeting. Attendees should therefore use their own judgment with respect to protecting themselves from exposure to COVID-19.

Members of the public unable to attend this meeting may submit comments either in writing to eadler@scvwa.org or by mail to Elizabeth Adler, Executive Assistant, Santa Clarita Valley Water Agency, 26515 Summit Circle, Santa Clarita, CA 91350. All written comments received before 4:00 PM the day of the meeting will be distributed to the Committee members and posted on the Santa Clarita Valley Water Agency website prior to the start of the meeting. Anything received after 4:00 PM the day of the meeting will be made available at the meeting and posted on the SCV Water website the following day.

MEETING AGENDA

<u>ITEM</u>		<u>PAGE</u>
1.	<u>PLEDGE OF ALLEGIANCE</u>	
2.	<u>PUBLIC COMMENTS</u> – Members of the public may comment as to items within the subject matter jurisdiction of the Agency that are not on the Agenda at this time. Members of the public wishing to comment on items covered in this Agenda may do so at the time each item is considered. (Comments may, at the discretion of the Committee Chair, be limited to three minutes for each speaker.)	
3.	* Recommend Approval of (1) a Resolution for Construction Contract with Pacific Hydrotech Corporation; and (2) a Purchase Order to Woodard & Curran, Inc. for Construction Management and Inspection Services; and (3) a Purchase Order to Lee & Ro, Inc. for Engineering Services During Construction for the Earl Schmidt Filtration Plant (ESFP) Washwater Return and Sludge Systems Project	1
4.	* Recommend Adopting a Resolution Authorizing the General Manager to Apply for Grant Funding Under the Bureau of Reclamation Watersmart Title XVI WIIN Act Water Reclamation and Reuse Projects for the Recycled Water Expansion Project	21
5.	* Recommend Approval of a Change Order for the Fairway Water Storage Tank Coating Project	33
6.	* Recommend Approval of the Replacement of 5,000 meters as part of the AMI Meter Replacement Program	35
7.	* Proposed FY 2022/23 Capital Improvement Projects	49
8.	* Monthly Operations and Production Report	55
9.	* Capital Improvement Projects Construction Status Report	157
10.	* Committee Planning Calendar	159
11.	General Report on Treatment, Distribution, Operations and Maintenance Services Section Activities	
12.	* General Report on Engineering Services Section Activities	163
13.	Adjournment	
	* Indicates Attachment	
	• Indicates Handout	

NOTICES:

Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Elizabeth Adler, Executive Assistant, at (661) 297-1600, or in writing to Santa Clarita Valley Water Agency at 26515 Summit Circle, Santa Clarita, CA 91350. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that Agency staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the Agency to provide the requested accommodation.

Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Committee less than seventy-two (72) hours prior to the meeting will be available for public inspection at the Santa Clarita Valley Water Agency, located at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350, during regular business hours. When practical, these public records will also be made available on the Agency's Internet Website, accessible at <http://www.yourscvwater.com>.

Posted on March 31, 2022.

M65

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DIRECTOR AB 1234 REPORT

Director Name: Kathye Armitage & Beth Braunstein

Meeting Attended: Special District Leadership Academy Conference

Date of Meeting: April 4, 2022 through April 6, 2022

Location: The Embassy Suites San Diego

Board Meeting to Be Presented At: April 19, 2022

Points of Interest:

Background

The California Special Districts Association (CSDA) is a non-profit association that promotes good governance and services through professional development and advocacy for independent special districts. SCV Water is a special district that is a member of CSDA.

Purpose of meeting

CSDA hosts a Special District Leadership Academy twice a year for board members and staff of special districts to help them learn foundational principles of good governance and increase understanding around financial accountability, key issues related to human resources, board and staff roles and relationships, and communication/community engagement.

Key points

- A Board of Directors does not have to have uniformity, but it should have unity of purpose.
- Board members should be familiar with the district's strategic plan and be updated on the progress towards the stated goals/objectives regularly.
- Board members should learn about the district's work through: board member orientation, meeting the staff, reading key district documents, touring district facilities, and talking to the public.
- It is important for board members to know the district's human resources philosophy by reviewing the policy manual, job descriptions, employee handbook, and new hire employee packet, as well as understanding the salary structure and benefits, opportunities for staff for continuing education and advancement, and disciplinary procedures.
- Board members should understand the basic concepts of budget and finance, adopt appropriate financial policies, ensure the board receives and reviews key financial reports, understand the right questions to ask, relate fiscal activities to the mission of the district, and understand the factors for fraud and internal controls that protect against it.

- Board members should understand the district's loss history, current exposure for risk, and risk management plan.
- Community engagement is the foundation for public support and should be the first task in any new project plan.
- Districts should build a solid relationship with their customers so that when a crisis happens, they have a way to get information out and are more likely to be a trusted source of information.
- The members of the public have a right to listen, comment, and ask questions during public meetings of the board, and districts will only yield benefits from closing the gap between the agency and constituents through engagement.

From: [ejglad \(null\)](#)
To: [April Jacobs](#)
Subject: AB 1234 REPORT
Date: Saturday, April 9, 2022 3:32:41 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

DIRECTOR's AB 1234 REPORT

Director's Name: Jerry Gladbach

Meeting Attended: ACWA's Business Development Committee's Certificate of Excellence Program

Date of Meeting: April 7, 2022

Date of Meeting to be Presented: April 15, 2022

Points of Interest:

ACWA's Business Development Committee has initiated 3 workgroups, one of which is the Certificate of Excellence to which I have been appointed.

It will be a program whereby members and perhaps nonmembers would be self certified, meeting certain criteria in each of several categories. Adjustments would be made for the size of the agency, its type, and others. There is a lot to be done.

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AGENDA

ACWA Business Development Committee
ACWA Certification of Excellence (ACE) Subcommittee Meeting

April 7, 2022 Noon- 1:30 p.m. (Pacific Time)

<https://acwa.zoom.us/j/86177841198?pwd=WnJlYUduYmNDdWsoOWs5Vid1dVJlRQT09>

Meeting ID: 861 7784 1198
 Passcode: 078426

Members:

- | | |
|---------------------|-----------------------------------|
| Stacy Taylor - Lead | Mesa Water District |
| Mark Emmerson | Carmichael Water District |
| Jerry Gladbach | Santa Clarita Valley Water Agency |
| Girum Awoke | Alameda County Water District |
| R.J. Kelley | Santa Clarita Valley Water Agency |
| Larry McKenney | Amador Water Agency |

ACWA Staff:

Tiffany Giammona,
ACWA

Meeting Agenda

- | | |
|--------------------------------------|---------------------|
| 1. Welcome & Introductions | Stacy Taylor |
| 2. Review of the Goal and Objectives | Stacy Taylor |

Goal: Develop ACWA's Certificate of Excellence (ACE) Program

- Create a sub-committee to continue developing the ACE program.
- Continue evaluating the ACE program to:
 - Identify implementation resources and costs;
 - Measure members' interest (via ACWA's 2022 "Members' Satisfaction Survey"); and,
 - Determine appropriate pricing.
- Recommend a pilot program (to launch in 2023) to the ACWA Board of Directors for adoption in fall 2022.

- | | |
|---|------------|
| 3. ACE Criteria Planning Matrix (<i>Attachment</i>) | All |
| - Structure | |
| - Function | |
| - Point System | |

AGENDA
April 7, 2022 • Page 2



4. ACE Program Timeline

All

5. Next Subcommittee Meeting

All

Attachments:

- ACE Subcommittee Roster
- ACE Planning Matrix
- ACWA Board-adopted concept for ACE program (May 29, 2020)
- CSDA/SDLF Helpful Program Information Links
<https://www.csda.net/sdlf/programs/sdlf-programs>
<https://www.sdlf.org/programs/transparency>

Director name: Gary Martin

Meetings attended: Delta Conveyance Design and Construction Authority (DCA) Board Briefing and Special Board of Directors Meeting

Date of meeting: April 8, 2022

Location: Virtual – Ring Central Platform

SCV Water Board meeting to be presented at: April 19, 2022

On April 8, 2022 I attended the Delta Conveyance Design & Construction Authority (DCA) board briefing and Special Board of Directors meeting via the Ring Central virtual platform. The key points of interest are as follows:

Board Briefing:

Three members of the DCA Board met with DCA Executive Director Graham Bradner and DCA staff to receive a briefing on activities and updates as follows:

- Carrie Buckman, DWR Environmental Program Manager, provided a brief update on the draft EIR for the project. DWR is still planning for a mid-year release of the public draft, with the current plan to finalize by the end of 2023.
- The hybrid meeting program is ready for implementation for the May Board of Directors meeting. Plans are also in the works for an open house update on the project during ACWA week in Sacramento. More detailed information will follow soon.
- The big push on the engineering side is completion of the spring sub-surface exploration program, which is currently planned to have 29 “holes” drilled and sampled. This is characterized as the “first batch” of the overall 2022 exploration program, with the second batch to follow closely behind. Entry permits have been obtained for the first batch, and permits for the remainder are expected in time to support the schedule.
- The group received a budget update, and expenditures are tracking well against the approved budget.

Special Board of Directors Meeting:

There was a brief special board of directors meeting immediately following the board briefing to vote on extending virtual meetings in accordance with AB361, which the board approved unanimously. It should be noted again, however, that the current plan is to go back to in-person meetings in May.

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Director AB 1234 Report
April 19, 2022

ITEM NO. 11.4

Director name: Gary Martin

Meeting attended: Meeting with Mitch Rosenberg to plan for the 2022 Alignment of Board Best Practices Workshop.

Date of meeting: April 11, 2022

Location: Virtual – Microsoft Teams

SCV Water Board meeting to be presented at: April 19, 2022

On April 11, 2022 I attended, along with Vice President Gladbach and Director Cooper, a meeting with Mitchell Rosenberg, PhD, to plan for this year’s Alignment of Board Best Practices Workshop. The workshop will be a half-to-full day (estimated to be a 5-hr duration) event conducted with the entire board at an “offsite” location in the SCV. The full scope of the meeting is in development and more details will be provided when available.

The meeting was a good exchange of ideas and thoughts with Dr. Rosenberg on ways to promote a more productive and team-oriented relationship amongst directors.

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