AGENDA
MESAL WATER DISTRICT
SPECIAL EXECUTIVE COMMITTEE MEETING
TUESDAY, APRIL 5, 2016 AT 8:00 AM
PANIAN CONFERENCE ROOM

Committee Members: Shawn Dewane, President
Ethan Temianka, Vice President
Paul E. Shoenberger, P.E., General Manager
Coleen L. Monteleone, Assistant General Manager
Denise Garcia, Executive Assistant to the General Manager

PUBLIC COMMENTS

Non-Agendized Matters: Members of the public are invited to address the Board on matters which are not on the Agenda. Each speaker is limited to three (3) minutes. The Board will set aside thirty (30) minutes for public comments.

Agendized Matters: Members of the public may comment on Agenda items before action is taken, or after the Board has discussed the item. Each speaker is limited to five (5) minutes.

PRESENTATION AND DISCUSSION ITEMS:
Items recommended for approval at this meeting may be agendized for approval at a future Board meeting.

1. MWD Fixed Treatment Charge

ACTION ITEMS:

2. Board Meeting Schedule
3. Legislative Activity

REPORTS:

4. Future Agenda Topics and Conference Schedule
5. Report of the General Manager
6. Directors' Reports and Comments

INFORMATION ITEMS:

7. Water Issues Study Group Alumni Meeting
8. WateReuse Association Membership
9. Other (no enclosure)

In compliance with California law and the Americans with Disabilities Act, if you need disability-related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, or if you need the agenda provided in an alternative format, please contact the District Secretary at (949) 631-1206. Notification 48 hours prior to the meeting will enable Mesa Water District (Mesa Water) to make reasonable arrangements to accommodate your requests.

Agenda materials that are public records, which have been distributed to a majority of the Mesa Water Board of Directors (Board), will be available for public inspection at the District Boardroom, 1965 Placentia Avenue, Costa Mesa, CA and on Mesa Water's website at www.MesaWater.org. If materials are distributed to the Board less than 72 hours prior to or during the meeting, the materials will be available at the time of the meeting.

ADJOURNMENT
MEMORANDUM

TO: Executive Committee
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: April 5, 2016
SUBJECT: MWD Fixed Treatment Charge

RECOMMENDATION

This item is provided for discussion only.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

None.

DISCUSSION

The General Manager will update the Executive Committee on the item.

FINANCIAL IMPACT

None.

ATTACHMENTS

None.
RECOMMENDATION

Reschedule the Thursday, May 12, 2016 regular Board of Directors’ meeting to Thursday, May 19, 2016.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

At the March 24, 2016 Legislative & Public Affairs Committee meeting, the Board expressed interest in rescheduling the May 12, 2016 Board meeting to allow for participation at the Mayor’s Celebration – The Art of Leadership event.

DISCUSSION

The regular Board meeting scheduled for Thursday, May 12, 2016, occurs synchronously with the Mayor’s Celebration – The Art of Leadership event. Former Mesa Water® Director Hank Panian will be honored at the Mayor’s Celebration. In order to reschedule the May Board meeting, Board directed staff to bring alternate dates to the April 5, 2016 Executive Committee meeting. Staff recommends rescheduling the Board meeting to Thursday, May 19, 2016 at 6 p.m.

FINANCIAL IMPACT

None.

ATTACHMENTS

None.
MEMORANDUM

TO: Executive Committee
FROM: Stacy Taylor, Public & Government Affairs Manager
DATE: April 5, 2016
SUBJECT: Legislative Activity

RECOMMENDATION

Recommend that Mesa Water District oppose SB 814 Drought: Excessive Water Use: Urban Retail Water Suppliers, introduced by Senator Jerry Hill (D-San Mateo), and approve staff to actively advocate against and continue efforts to amend this bill.

STRATEGIC PLAN

Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

The Mesa Water District (Mesa Water®) Board adopted the District’s 2016 Legislative Platforms (attached) at its October 22, 2015 workshop.

DISCUSSION

In February 2016, Assemblywoman Susan Talamantes Eggman (D-Stockton) introduced her bill, AB 1713 Sacramento-San Joaquin Delta, that would create a double standard for a single important infrastructure project by subjecting the Delta improvements to yet another public vote. Furthermore, if passed, the bill would potentially prohibit modernizing the Delta water system which is the state’s backbone water infrastructure project that contributes to California’s economy.

Dozens of public water agencies and associations, including the Association of California Water Agencies (ACWA), Metropolitan Water District of Southern California (MWD), Municipal Water District of Orange County (MWDOC), as well as other organizations, including those representing business and labor interests, are opposed to this bill (letter attached). Based on Mesa Water’s support of a “MWDOC/MWD Delta Solution” per the District’s 2016 Legislative Platforms, Mesa Water® signed on to the coalition of water agencies/associations opposition letter (attached), dated March 28, 2016.

Assemblyman Jim Frazier (D-Oakley) has recently amended his bill, AB 2583 Sacramento-San Joaquin Delta Reform Act of 2009, in a way that also creates an unnecessary and destructive double standard in California for advancing projects to modernize the statewide water system. A draft opposition letter is being circulated by MWD and MWDOC to the same coalition that opposed AB 1713. Again, per the District’s 2016 Legislative Platforms stating support of a “MWDOC/MWD Delta Solution” and Mesa Water’s opposition to AB 1713, the District will sign on to the coalition of water agencies/associations opposition letter (draft attached).
Another bill that is moving through the legislature is SB 814 Drought: Excessive Water Use: Urban Retail Water Suppliers, by Senator Jerry Hill (D-San Mateo). This bill contains troublesome conceptual and implementational language that, during a Governor-declared drought state of emergency, would:

- Create a new infraction for urban residential excessive water use, thus making criminals out of our customers (currently excessive water use is a misdemeanor).
- Compel local urban agencies to set a water budget for excessive water use by each customer, with local agencies determining “excessive” water use by considering all of the below factors:
  - Average daily use;
  - Full-time occupancy of households;
  - Amount of landscaped land on a property;
  - Rate of evapotranspiration; and,
  - Seasonal weather changes.
- Force local urban agencies to establish a rate structure that includes block tiers, water budgets, penalties for prohibited use, or rate surcharges over and above base rates for excessive water use by residential customers as a method to identify and restrict excessive water use.
- Impose an unfunded state-mandated local program that would impact urban water districts, cities, and counties with higher costs for code enforcement, issuing and tracking water tickets and fines, facilitating a water court and appeals process, and related activities.

Staff has been working on amendments to SB 814 with the ACWA State Legislative Committee, which has an “Oppose Unless Amended” position. Positions taken by urban water agencies in Orange County include:
- Irvine Ranch Water District - Support
- MWDOC - Oppose

SB 814 was amended on March 30, 2016 (attached) and passed out of the Senate Natural Resources & Water Committee by a party-line vote of 7-2. The bill will next be heard by the Senate Judiciary Committee, with Senator Moorlach as Vice Chair, and the Senate Appropriations Committee. Staff recommends that Mesa Water® oppose SB 814.

FINANCIAL IMPACT

None.

ATTACHMENTS

Attachment A: 2016 Legislative Platforms
Attachment B: Business Labor AB 1713 Opposition Letter
Attachment C: Public Water Industry AB 1713 Opposition Letter
Attachment D: AB 2583 Draft Opposition Letter
Attachment E: SB 814 Amended March 30, 2016
Calendar year 2016 marks the second half of California’s two-year (2015-’16) legislative session, with the State legislature slated to reconvene on Monday, January 4, 2016. It is expected that legislative proposals and ongoing discussion of issues from the first year of session will return in 2016, including legislation that could significantly impact Mesa Water District (Mesa Water®).

Implementation of the Sustainable Groundwater Management Act (“SGMA”) - with legislation that passed in 2014, and clean-up legislation that passed in 2015, mandating sustainable groundwater management - will require ongoing monitoring of this and related issues, including streamlined adjudication. Also of interest will be the 2014 Water Bond (“Proposition 1”) project approvals and funding process, as well as the ongoing Bay Delta Conservation Plan which has now been separated into two efforts—California WaterFix, and California EcoRestore.

The State legislature explored several other water industry issues in 2015, including, but not limited to: CEQA reform, desalination, flood management, statewide public goods fee, submetering, water/energy nexus, water district consolidation, water pricing and water rates assistance programs (“lifeline” rates), water quality, water reuse (i.e., recycling, stormwater/urban runoff, etc.) water storage, water use efficiency, and the Waters of the United States (“WOTUS”) rule. These discussions will continue throughout the second year of the legislative session.

Additionally, despite the predicted El Nino, California’s drought is forecast to remain into next year, with probable, and possibly permanent, drought-related legislation and regulations. Listed below for the Board’s consideration are Mesa Water’s proposed legislative platforms for anticipated high-priority public policy issues in 2016 that may be relevant to the District:

- **Water Rates** – Mesa Water® supports local rate-setting control with rate structures, set by publicly-elected boards and councils, that best serve customers and comply with the law. Furthermore, Mesa Water® supports cost-based water rates that:
  - represent the true, full cost of water services, including the cost of District operations and infrastructure funding to ensure water system sustainability; and,
  - harmonize the concepts of conservation and legality, with rates that provide a strong price signal for ratepayers to conserve while also complying with legal mandates (i.e., Article X of the CA Constitution; SB X7-7: The Water Conservation Act of 2009; and, Propositions 13, 26, and 218).

- **Proposition 218 (“Prop 218”)** – Mesa Water® supports Article XIII C and D of the California Constitution (Proposition 218) regarding government service assessments, fees, rates and taxes, specifically:
  - the “2/3 vote” required from the legislature and voters for approval of new levies; and,
  - the “special benefit and proportionality requirements” provision which directly connects the special benefits received with reasonable proportionate costs, and ensures that assessments imposed for property-related (water) services must not exceed the proportional cost of the services attributable to the parcel.
• Water Rate Assistance Programs (“WRAP”) – Mesa Water® supports “WRAP” (also called “lifeline” rates) programs that comply with Prop 218 of the California Constitution OR are funded either voluntarily or via nonrestricted/non-water-rates revenues.

• Orange County Groundwater Basin – Mesa Water® opposes any potential streamlined process for adjudicating groundwater basins, including the Orange County groundwater basin which is currently managed by the Orange County Water District (OCWD).

• Proposition 1 (2014 Water Bond) – Mesa Water® supports Proposition 1 funding for OCWD’s priority projects.

• Water Desalination – Mesa Water® supports CalDesal in its desalination advocacy efforts, as well as the local and regional development of cost-effective and environmentally sensitive water desalination projects statewide, including ocean water desalination and the proposed Huntington Beach project, in order to enhance the availability and reliability of local and regional water supply sources, and improve water supply reliability for Orange County, Southern California, and statewide. Mesa Water® supports an increase in the per-project grant funding cap for Proposition 1 desalination grant funds.

• Water Conservation – Mesa Water® supports accounting for water resource and supply investments, such as desalination and water recycling, as part of any potential statewide effort to update urban water conservation goals.

• California Environmental Quality Act (CEQA) Reforms – Mesa Water® supports the efforts of ACWA in streamlining CEQA to enhance efficiencies and reduce redundancies in the environmental review/permitting process and eliminate unnecessary, costly, and time-consuming litigation and related delays.

• MWDOC/Met Delta Solution – Mesa Water® supports the efforts of Municipal Water District of Orange County (MWDOC), Metropolitan Water District of Southern California (Met), and/or Southern California Water Committee (SCWC) to achieve a long-term solution for the Sacramento-San Joaquin River Delta that includes optimal statewide water supply reliability, sustainability and quality, and Delta ecosystem health and restoration for the public benefit.

• Federal Drought Legislation – Mesa Water® supports the efforts of ACWA and/or Met in collaborating with U.S. representatives to develop bipartisan federal drought legislation.
March 2, 2016

Assembly Member Susan Talamantes Eggman
California State Assembly
State Capitol, Room 3173
Sacramento, CA 95814

Re: AB 1713 (Eggman) – OPPOSE

Dear Assembly Member Eggman:

On behalf of a robust coalition of business leaders, labor unions, family farmers, local governments, public safety officials, taxpayer associations, minority advocates and others, we regrettably must inform you of our strong opposition to your AB 1713.

This measure will intentionally cause unnecessary delays and bureaucracy that could set back the California Water Fix for years – and in doing so jeopardize the only viable solution available to secure water supplies for 2/3 of the state while improving the health of the Sacramento San Joaquin Delta ecosystem.

Requiring a statewide vote is nothing more than an attempt to add yet another roadblock to a critical project that has been a decade in the planning and making.

This bill undercuts the authority of the Legislature, by undermining the pathway established by the Legislature in 2009 to move this process forward. It sets a dangerous precedent of tying the hands of future legislatures.

More delays and obstruction jeopardize the public’s safety, the state’s water security, and the health of the Delta ecosystem.

Experts have warned for years that the current conveyance system, comprised primarily of dirt levees, would collapse in an earthquake or natural disaster – disrupting water supplies to the Bay Area, Central California and Southern California for months or years. And the current rains have demonstrated that the existing outdated water distribution infrastructure does not allow us to capture and transfer water to storage in wet years so we can preserve it for future droughts.
Lastly, the outdated pumping system in the South Delta that reverses river flows poses a real and present danger to the Delta environment, fish and wildlife.

It is irresponsible to attempt to delay the only viable solution on the table when no workable alternatives exist.

We cannot afford to wait while our water supplies continue to dwindle and the Delta system continues to deteriorate.

For these reasons, we must strongly oppose your AB 1713.

Sincerely,

Robbie Hunter, President
California State Building and Construction Trades Council

Alice Huffman, President
California Hawaii State Conference of the NAACP

Rex Hime, President & CEO
California Business Properties Association

Richard Lyon, Senior Vice President
California Building Industry Association

Ron Miller, Executive Secretary
Los Angeles/Orange County Building & Construction Trades Council

Michael Theriault, Secretary/Treasurer
San Francisco Building and Construction Trades Council

Tom Lemmon, Business Manager
San Diego County Building and Construction Trades Council

John Spaulding, Executive Secretary
Kern Inyo and Mono Building and Construction Trades Council

Sterling Mayes, Business Manager
Imperial County Building and Construction Trades Council

Jack Buckhorn, Business Manager
International Brotherhood of Electrical Workers Local Union 551

Gerald Pfeiffer, Business Manager/Financial Secretary
International Brotherhood of Electrical Workers Local Union 332

Allan Zaremberg, President & CEO
California Chamber of Commerce

Michael Quigley, Executive Director
California Alliance for Jobs

Ben Field, Executive Director
South Bay Labor Council

Brad Diede, Executive Director
American Council of Engineering Companies – California

Tom Holsman, CEO
Associated General Contractors of California

Mike Layton, Business Manager/Financial Secretary-Treasurer
Southern California Pipe Trades District Council 16

Marvin Kropke, Business Manager
International Brotherhood of Electrical Workers Local Union 11

Mel Breshears, Business Manager
International Association of Heat and Frost Insulators and Allied Workers Local Union 16

John Doherty, Business Manager/Financial Secretary
International Brotherhood of Electrical Workers Local Union 6

John Brown, Business Manager/Financial Secretary
International Brotherhood of Electrical Workers Local Union 477

Richard Samaniego, Business Manager
International Brotherhood of Electrical Workers Local Union 441

Gary L. Toebben, President & CEO
Los Angeles Area Chamber of Commerce
Rick Bishop, Executive Director
Western Riverside Council of Governments

Rev. Jethroe Moore, President
San Jose/Silicon Valley NAACP

Paul Granillo, President & CEO
Inland Empire Economic Partnership

Lucy Dunn, President & CEO
Orange County Business Council

Derrick Seaver, Executive Vice President
San Jose Silicon Valley Chamber of Commerce

Don Murray, Board Chair
Southwest California Legislative Council

Scott Smith, Executive Director
Gateway Chambers Alliance

Deborah Barmack, President
Inland Action

Michael Turnipseed, Executive Director
Kern County Taxpayer Association

Teri Crain, President & CEO
Santa Clarita Valley Chamber of Commerce

Nancy Lindholm, President & CEO
Oxnard Chamber of Commerce

Armondo Apodaca, Executive Director
Tulare Kings Hispanic Chamber of Commerce

Brian McNerney, President & CEO
LaVerne Chamber of Commerce

Jan Hutchins, Government Affairs Manager
Chamber of Commerce, Mountain View

Scott Smith, Executive Director
Cerritos Regional Chamber of Commerce

Bob Linscheid, President & CEO
San Francisco Chamber of Commerce

John Howland, Director of Government Relations
Central City Association of Los Angeles

Stuart Waldman, President
Valley Industry & Commerce Association

Tracy Rafter, Founding CEO
Los Angeles County Business Federation

Brad Jensen, Director of Public Policy
San Gabriel Valley Economic Partnership

Scott Eicher, President
Chambers of Commerce Alliance of Ventura and Santa Barbara Counties

Kathy Norris, President
Valley Industry Association

Cindy Roth, President & CEO
Greater Riverside Chambers of Commerce

Oscar Valdepena, President & CEO
Moreno Valley Chamber of Commerce

Donna Duperron, President & CEO
Torrance Area Chamber of Commerce

Jerry Wheeler, President & CEO
Huntington Beach Chamber of Commerce

Ken Rausch, CEO
El Monte/South El Monte Chamber of Commerce

Gail Delihant, Director of Government Affairs
Western Growers Association

Connie Lynch, CEO
Southwest Riverside County Association of Realtors®

Cc: Governor Jerry Brown
Assembly Member Catharine Baker
Assembly Member Susan Bonilla
Assembly Member Ken Cooley
Assembly Member Jim Cooper
Assembly Member Jim Frazier
Assembly Member Kevin McCarthy
Assembly Member Kristin Olsen
Assembly Member Marc Levine, Chair, Assembly Water, Parks and Wildlife Committee
Members of the Assembly Water, Parks and Wildlife Committee
Diane Colborn, Chief Consultant, Assembly Water, Parks and Wildlife Committee
Robert Spiegel, Policy Consultant, Assembly Republican Caucus
March 28, 2016

Assembly Member Susan Talamantes Eggman
California State Assembly
State Capitol, Room 3173
Sacramento, CA  95814

Re:    AB 1713 (Eggman):   Peripheral Canal – OPPOSE
  Hearing Date:  Assembly Water, Parks and Wildlife Committee - April 12, 2016
Dear Assembly Member Eggman:

On behalf of the public agencies and business organizations noted below, we regret to inform you of our opposition to your bill, AB 1713. We strongly believe this bill would subvert the historic agreement and progress of the 2009 Delta legislation to achieve the co-equal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. These are goals that can best be achieved through the current collaborative process using sound science and public policy principles, and we believe would not be advanced through a divisive debate or political campaign that would be associated with a statewide ballot initiative.

2016 will be a historic water year for California. Decisions that are made or not made this year will shape California water management for years to come and directly impact our ability to secure a more reliable water supply for our people, farms, businesses, environmental needs and quality of life. In light of the approaching changeover in the federal administration, it is imperative that decisions are made this fall to move forward with California WaterFix, the Delta solution proposed by the Brown Administration. Failure to act now threatens the Delta ecosystem and the sustainability of the current Delta way of life, as well as statewide supply reliability and economic activity.

AB 1713 is a ballot box approach to solving problems in the Delta. Your bill creates a double standard for those that are willing to make critical improvements to the backbone water infrastructure that runs our statewide economy. We do seek voters’ direction when general obligation bonds are at stake but in this case, California taxpayers are not being asked to fund the project. The project beneficiaries — water users who rely on the State Water Project (SWP) and federal Central Valley Project (CVP) for water supplies — will be asked to fund the project.

State and federal agencies have been working for ten years to move a solution forward to address the environmental deterioration in the Delta and the associated pumping restrictions imposed on the SWP and CVP. This progress must continue in order to protect the Delta’s lands and communities, maintain agriculture, encourage recreation and tourism, and sustain a vital Delta economy. This science-based effort led by state and federal water and wildlife agencies has been one of the most exhaustive and rigorous public processes for any infrastructure project in the nation. Nearly a quarter billion dollars has been invested by the SWP and CVP public agencies for the planning process alone to ensure all issues and concerns have been thoroughly analyzed for a solution that works for both the economy and the environment.

The Delta is the hub of our statewide water infrastructure system. If we ignore it, new surface and groundwater storage simply can’t work. If we don’t fix the system, we cannot connect willing sellers of water with willing buyers. If we don’t address the problems in the Delta, plans to store imported water in wet years for dry years won’t work. If we don’t fix it, this important estuary will continue to decline. The system only works if we fix the Delta.
In 2009 the Legislature made a key decision to separate science from politics and have state and federal water and wildlife agencies, in collaboration with the science community and stakeholders, determine how best to design or operate new Delta conveyance improvements. The direction provided by the Legislature back then is as important and relevant today and should guide the process now. What we need in the months ahead is to make key decisions so that we can continue on the path that the Legislature established back in 2009.

The undersigned are committed to meeting California’s water management challenges in a manner consistent with achieving the co-equal goals established by the Legislature. For all of these reasons, we must oppose AB 1713 and view your bill as a dangerous precedent for major infrastructure investments that are critical to supporting the state’s economy.

Sincerely,

Richard W. Hansen, P.E., General Manager/Chief Engineer
Three Valleys Municipal Water District

Jim Barrett, General Manager
Coachella Valley Water District

Robert Reeb, Executive Director
Valley Ag Water Coalition

Jeff Kightlinger, General Manager
Metropolitan Water District of Southern California

Susan B. Mulligan, General Manager
Calleguas Municipal Water District

Curtis Creel, Interim General Manager
Kern County Water Agency

Jeff R. Pape, General Manager
Temescal Valley Water District

Ray Stokes, Executive Director
Central Coast Water Authority
Douglas Headrick, General Manager
San Bernardino Valley Municipal Water District

Nina Jazmadarian, General Manager
Foothill Municipal Water District

Michael Holmes, General Manager
Walnut Valley Water District

David D. Lopez, General Manager
Rubidoux Community Services District

Jeffrey W. Davis, General Manager
San Gorgonio Pass Water Agency

Jill Duerig, General Manager
Alameda County Zone 7 Water Agency

John V. Rossi, General Manager
Western Municipal Water District

Mark S. Krause, General Manager
Desert Water Agency

Kirby Brill, General Manager
Mojave Water Agency

Ron Davis, General Manager
Burbank Water and Power

Terry Erlewine, General Manager
State Water Contractors, Inc.

Paul Jones, II, General Manager
Eastern Municipal Water District
Frank Martinez, Board President
Long Beach Water Commission

Darin Kasamoto, General Manager
San Gabriel Valley Municipal Water District

Daniel R. Ferons, General Manager
Santa Margarita Water District

Richard Nagel, General Manager
West Basin Municipal Water District

Steve Zurn, General Manager
Glendale Water and Power

Mauricio Guardado, Jr., General Manager
United Water Conservation District

Shane Chapman, General Manager
Upper San Gabriel Valley Municipal Water District

Roxanne M. Holmes, General Manager
Crestline-Lake Arrowhead Water Agency

Robert J. Beste, Public Works Director
City of Torrance

Jason Peltier, Executive Director
San Luis & Delta-Mendota Water Authority
cc:  Assembly Member Catharine Baker
    Assembly Member Susan Bonilla
    Assembly Member Ken Cooley
    Assembly Member Jim Cooper
    Assembly Member Jim Frazier
    Assembly Member Kevin McCarthy
    Assembly Member Kristin Olsen
    Assembly Member Marc Levine, Chair, Assembly Water, Parks and Wildlife Committee
    Members of the Assembly Water, Parks and Wildlife Committee
    Ryan Ojakian, Consultant, Assembly Water, Parks and Wildlife Committee
    Robert Spiegel, Policy Consultant, Assembly Republican Caucus
DATE

Assembly Member Jim Frazier
California State Assembly
State Capitol, Room 3091
Sacramento, CA 95814

Re: AB 2583 (Frazier): Delta Reform Act of 2009 - OPPOSE
Assembly Water, Parks and Wildlife Committee – April 12, 2016

Dear Assembly Member Frazier:

On behalf of the public water agencies and organizations noted below, we regret to inform you we must oppose your bill, AB 2583, as it creates an unnecessary and destructive double standard in California for advancing projects to modernize the statewide water system.

The subset of public water suppliers that receive deliveries directly from the Sacramento-San Joaquin Bay/Delta should not be regulated any differently than the water users that divert a far greater quantity of water upstream. AB 2583 would establish a faulty regulatory scheme in a number of unproductive ways and represents a step backward in meeting California’s co-equal goals of a reliable water supply and a restored Delta ecosystem.

The Delta Reform Act of 2009 established a path forward to modernize the statewide water system and establish new governance structures such as the Delta Stewardship Council to meet the co-equal goals. AB 2583 proposes a variety of new impediments that are designed to thwart, not advance, water progress in California. This measure, for example, attempts to impose new financing requirements on federal facilities owned and operated by the U.S. Bureau of Reclamation. AB 2583 seeks to mandate how the Central Valley Project is to recover costs, far beyond the state’s jurisdiction relating to these vital federal facilities. AB 2583 also seeks to impose new requirements on regional self-sufficiency for some regions that rely on the Delta watershed, but not others such as your own district. The Delta Reform Act takes a watershed-based approach to promoting regional self-sufficiency, while AB 2583 does not.

AB 2583 seeks to mandate a timetable for an independent state body, the State Water Resources Control Board (SWRCB), for its ongoing process of updating the Bay-Delta Water Quality Control Plan. Legislative intervention is neither helpful nor appropriate. Your bill rewrites the 2009 Delta Reform Act to put new and onerous mandates on a single covered action under the jurisdiction of the Delta Stewardship Council – California WaterFix – and no others.

No water modernization project in California can happen without meeting every state and national environmental law and complying with the California water rights system via the SWRCB. That holds true for the Delta and upstream. Legislation that would create onerous standards for some projects, and not others, are not good-faith attempts to making water progress in California.
California is one state. We need solutions that meet all of California’s water needs in a sustainable, responsible manner. We oppose AB 2583 for seeking to set different standards for different regions and for rewriting the letter and spirit of legislative water policy that has served California well.

For all the above-stated reasons, we, the undersigned, oppose AB 2583.

Sincerely,

cc: Members of the Assembly Water, Parks and Wildlife Committee
    Ryan Ojakian, Senior Policy Consultant, Assembly Water, Parks and Wildlife Committee
    Robert Spiegel, Policy Consultant, Assembly Republican Caucus
An act to amend Section 6254.16 of the Government Code, and to add Chapter 3.3 (commencing with Section 365) to Division 1 of the Water Code, relating to water.

LEGISLATIVE COUNSEL’S DIGEST

SB 814, as amended, Hill. Drought: excessive water use: urban retail water suppliers.

The California Constitution declares the policy that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of such waters is to be exercised with a view to the reasonable and beneficial use of the waters in the interest of the people and for the public welfare. Existing law requires the Department of Water Resources and the State Water Resources Control Board to take all appropriate proceedings or actions to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water in this state. Existing law authorizes any public entity, as defined, that supplies water at retail or wholesale for the benefit of persons within the service area or area of jurisdiction of the public entity to, by ordinance or resolution, adopt and enforce a water conservation program to reduce the quantity of water used for the purpose of conserving the water supplies of the public entity. Existing law provides that a violation of a requirement of a water conservation program is a misdemeanor punishable by imprisonment.
in a county jail for not more than 30 days, or by a fine not exceeding $1,000, or both.

This bill would declare that excessive water use during a state of emergency based on drought conditions by a residential customer, as specified, is prohibited. This bill would require each urban retail water supplier to establish a method to identify and restrict excessive water use. This bill would authorize as a method to identify and restrict excessive water use the establishment of a rate structure that includes block tiers, water budgets, penalties for prohibited uses, or rate surcharges over and above base rates for excessive water use by residential customers. This bill would authorize as a method to identify and restrict excessive water use the establishment of an excessive water use ordinance, rule, or tariff condition that includes a definition of excessive water use, as prescribed, and would make a violation of this excessive water use ordinance, rule, or tariff condition an infraction punishable by a fine of at least $500 per 100 cubic feet of water or per 748 gallons used above the excessive water use threshold established by the urban retail water supplier in a billing cycle. By creating a new infraction, this bill would impose a state-mandated local program.

This bill would provide that these provisions apply only during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.

The California Public Records Act requires that public records, as defined, be open to inspection at all times during the hours of a state or local agency and that every person has a right to inspect any public record, with specified exceptions. Existing law prohibits the act from being construed to require the disclosure of certain information concerning utility customers of local agencies, except that disclosure of the name, utility usage data, and the home address of the utility customer who is the subject of the request and who the local agency has determined has used utility services in a manner inconsistent with applicable local utility usage policies is required to be made available.

This bill would revise this exception to require, upon request, the disclosure of the name and utility usage data of a utility customer who a local agency determines has used utility services in a manner inconsistent with applicable local utility usage policies, with the home address of the customer being disclosed only with the customer's consent. By increasing the duties of local officials, the bill would impose a state-mandated local program.
The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings if that enactment contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.


The people of the State of California do enact as follows:

SECTION 1. Section 6254.16 of the Government Code is amended to read:

6254.16. Nothing in this chapter shall be construed to require the disclosure of the name, credit history, utility usage data, home address, or telephone number of utility customers of local agencies, except that disclosure of name, utility usage data, and the home address of utility customers of local agencies shall be made available upon request as follows:

(a) To an agent or authorized family member of the person to whom the information pertains.

(b) To an officer or employee of another governmental agency when necessary for the performance of its official duties.

(c) Upon court order or the request of a law enforcement agency relative to an ongoing investigation.

(d) Upon determination by the local agency that a utility customer has used utility services in a manner inconsistent with
applicable local utility usage policies, if the home address of the
customer is not disclosed without the customer’s consent.

(e) Upon determination by the local agency that the utility
customer who is the subject of the request is an elected or appointed
official with authority to determine the utility usage policies of the
local agency, provided that the home address of an appointed
official shall not be disclosed without his or her consent.

(f) Upon determination by the local agency that the public
interest in disclosure of the information clearly outweighs the
public interest in nondisclosure.

SEC. 2.
SECTION 1. Chapter 3.3 (commencing with Section 365) is
added to Division 1 of the Water Code, to read:

CHAPTER 3.3. EXCESSIVE RESIDENTIAL WATER USE DURING
DROUGHT

365. (a) The Legislature finds and declares that this chapter
furthers important state policies of encouraging water conservation
and protecting water resources in the interest of the people and for
the public welfare.

(b) For the purposes of this chapter, “urban retail water supplier”
has the same meaning as provided in Section 10608.12.

366. (a) Excessive water use during a state of emergency based
on drought conditions by a residential customer in a single-family
residence or by a customer in a multiunit housing complex in which
each unit is individually metered or submetered by the water
supplier is prohibited.

(b) Each urban retail water supplier shall establish a method to
identify and restrict excessive water use, through one of the
following options:

(1) Establishing a rate structure that includes block tiers, water
budgets, penalties for prohibited uses, or rate surcharges over and
above base rates for excessive water use by a residential water
customer.

(2) (A) Establishing an excessive water use ordinance, rule, or
tariff condition, or amending an existing ordinance, rule, or tariff
condition, that includes a definition of excessive water use by
single-family residential customers and customers in multiunit
housing complexes in which each unit is individually metered or
submetered and may include a process to issue written warnings
to a customer and perform a site audit of customer water usage
prior to deeming the customer in violation. Excessive water use
shall be measured in terms of either gallons or hundreds of cubic
feet of water used during the urban retail water supplier’s regular
billing cycle. In establishing the definition of excessive use, the
water supplier may consider factors that include, but are not limited
to, all of the following:

(i) Average daily use.
(ii) Full-time occupancy of households.
(iii) Amount of landscaped land on a property.
(iv) Rate of evapotranspiration.
(v) Seasonal weather changes.

(B) A violation of an excessive use ordinance, rule, or tariff
condition established pursuant to subparagraph (A) is an infraction
punishable by a fine of up to five hundred dollars ($500) per
hundred cubic feet of water, or per 748 gallons, used above the
excessive water use threshold established by the urban retail water
supplier in a billing cycle. Any fine imposed pursuant to this
subparagraph shall be added to the customer’s water bill and is
due and payable with that water bill. Each urban retail water
supplier shall have a process for nonpayment of the fine, which
shall be consistent with the water supplier’s existing process for
nonpayment of a water bill.

(C) A violation of an excessive water use ordinance, rule, or
tariff condition where a demonstrable water leak at the residence
occurred and a repair to eliminate that leak is underway shall be
considered as a basis for granting an appeal and shall be considered
for waiver of the charges consistent with the urban retail water
supplier’s excessive water use ordinance and existing policies for
leak adjustments. Other reasonable justifications for excessive
water use shall be considered by the urban retail water supplier
consistent with clause (i) of subparagraph (D).

(D) (i) An urban retail water supplier shall establish a process
for the appeal of a fine imposed pursuant to subparagraph (B)
whereby the customer may contest the imposition of the fine for
excessive water use.

(ii) As part of the appeal process, the customer shall be provided
with an opportunity to provide evidence of a bona fide reason for
the excessive water use, including evidence of a water leak in
accordance with subparagraph (C), a medical reason, or any other reasonable justification for the water use, as determined by the urban retail water supplier.

367. This chapter applies only during a period for which the Governor has issued a proclamation of a state of emergency under the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code) based on drought conditions.

SEC. 3. The Legislature finds and declares that Section 1 of this act, which amends Section 6254.16 of the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

The Legislature finds that it is in the public’s interest to be made aware of excessive water use during a drought in order to help promote water conservation and to protect water resources in the interest of the people and for the public welfare.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the costs that may be incurred by a local agency or school district under this act would result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution or because the costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within
the meaning of Section 6 of Article XIII B of the California Constitution.
RECOMMENDATION

Review future agenda topics and conference schedule.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

None.

DISCUSSION

Staff will provide an updated future agenda topics and conference schedule at the Executive Committee meeting.

FINANCIAL IMPACT

None.

ATTACHMENTS

None.
REPORTS AND INFORMATION ITEMS:

5. REPORT OF THE GENERAL MANAGER:
REPORTS AND INFORMATION ITEMS:

6. DIRECTORS' REPORTS AND COMMENTS:
RECOMMENDATION

This item is provided for information only.

STRATEGIC PLAN

Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

None.

DISCUSSION

Hosted by Mesa Water’s Board of Directors (Board), the District’s Water Issues Study Group (WISG) Alumni Event is an annual meeting for graduates of Mesa Water’s WISG program. As in recent prior years, the 2016 event will take place on a Saturday in late June at the Mesa Water Reliability Facility (MWRF), and will include guided tours of the MWRF’s water-wise gardens and nanofiltration technology.

This year’s WISG Alumni Event is scheduled for Saturday, June 25, from 10:30 a.m. to 1:00 p.m. Staff plans to proceed with a program entitled “Local Leadership Forum” featuring three moderated discussion panels totaling 20 minutes each, to include 10 minutes for scripted questions and 10 minutes for audience questions, as follows:

1st Panel – Local Water Issues & Trends, moderated by President Dewane
- Costa Mesa Sanitary District – President Scheafer
- Mesa Water® – Vice President Temianka
- Municipal Water District of Orange County – Director Finnegan
- Orange County Water District – President Green

2nd Panel – Local Government Issues & Trends, moderated by Director Atkinson
- City of Costa Mesa – Mayor Mensinger
- City of Newport Beach – Mayor Dixon
- Orange County Board of Supervisors – Supervisor Steel
- OC Local Agency Formation Commission – Special Districts Alternate Commissioner Fisler
3rd Panel – Local Leadership Issues & Trends, moderated by Director Bockmiller
- CA State Assembly Representative – Assemblyman Harper
- CA State Senate Representative – Senator Moorlach
- U.S. House Representative – Congressman Rohrabacher
- U.S. Senate Representative – Senator Feinstein

The annual WISG Alumni Event is an outreach opportunity to educate and engage Mesa Water’s WISG alumni to serve as District ambassadors. Furthermore, this event is an excellent way to empower District customers and community members with relevant, actionable and timely information, and to encourage ongoing conversations between Mesa Water® and its constituents.

With 2016 marking the 30th anniversary of the annual WISG program, staff anticipates that this unique WISG Alumni Event program will be highly popular this year. On average (from 2011-2015), WISG Alumni Event attendance has ranged from 30 to 68 participants, with an average of 51 attendees. To adequately promote and publicize attendance and panelists’ participation, it is necessary for staff to begin planning for this WISG Alumni Event in April.

FINANCIAL IMPACT

$7,250 is budgeted in fiscal year 2016; $5,720 has been spent to date.

ATTACHMENTS

None.
MEMORANDUM

TO: Executive Committee
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: April 5, 2016
SUBJECT: WateReuse Association Membership

RECOMMENDATION

This item is provided for information only.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

District memberships are reviewed annually by the Mesa Water® Board of Directors during the fiscal year budget discussions.

Mesa Water® first became a member of the WateReuse Association in 2014.

DISCUSSION

The WateReuse Association is a not-for-profit association (501c6) of utilities, government agencies and industry that advocates for laws, policies and funding to promote water reuse. The mission of the WateReuse Association is to educate the public on the importance of reusing water and to advocate for policy, laws and funding to increase water reuse in communities across the United States.

Public, private, investor-owned and not-for-profit utilities that provide water or wastewater services to residences, businesses and commercial enterprises are eligible for membership. Dues are based on the population served by the water utility. In 2015, Mesa Water® paid $3300 for an annual District membership that encompasses both WateReuse and WateReuse California.

The WateReuse Association is comprised of seven state sections: Arizona, California, Colorado, Florida, Nevada, Pacific Northwest, and Texas. Each section is then subdivided into chapters. The California chapters are: Central Coast, Central Valley/Sierra Foothills, Inland Empire, Los Angeles, Northern California, Orange County, and San Diego.

The Orange County Chapter meets on the third Thursday of even-numbered months, 11:30 a.m. to 1:30 p.m., at different locations throughout Orange County. The next meeting is Thursday, April 21, 2016 at Santa Margarita Water District. Any member of the public may attend.
FINANCIAL IMPACT

$3600 is budgeted in fiscal year 2016; no funds have been spent to date.

ATTACHMENTS

Attachment A: WaterReuse California Leadership
Attachment B: Bylaws of the California Section of the WateReuse Association
Attachment C: WateReuse Orange County Chapter Leadership
Attachment D: Bylaws of the Orange County Chapter of WateReuse California
Leadership

WateReuse California is governed by a Board of Trustees.

Board of Trustees: Officers

**Mike Markus, President**  
Orange County Water District

**Grant Davis, President Elect**  
Sonoma County Water Agency

**Elizabeth Wells, Secretary/Treasurer**  
El Dorado Irrigation District

**Paul Klein, Immediate Past President and California Director**  
Kimley-Horn Associates

Board of Trustees

**Alexander Coate**  
East Bay Municipal District

**Martha Davis**  
Inland Empire Utilities Agency

**Paul Jones**  
Eastern Municipal Water District

**AG Kawamura**  
Orange County Produce

**Craig Lichty**  
Kennedy/Jenks Consultants

**Richard Nagel**  
West Basin Municipal District
Doug Obegi
National Resources Defense Council

Toby Roy
San Diego County Water Authority

Prabhakar Somavarapu
Sacramento Regional Sanitation Districts

Patricia Tennyson
Katz & Associates, Inc.

Mike Thornton
San Elijo Joint Powers Authority

Robb Whitaker
Water Replenishment District of Southern California

Chapter Representatives

Central Valley/Sierra Foothills
Ron Crites
Brown and Caldwell

Inland Empire
Tom Holliman
East Valley Water District

Los Angeles
Monica Gasca
Sanitation Districts of Los Angeles County

Orange County
Scott Goldman
El Toro Water District

Northern California
Dawn Taffler
Kennedy/Jenks Consultants

San Diego Region
Jamie Fagnant
Bylaws of the California Section of the WateReuse Association  
(Revised, March 17, 2014)

Article I - Name

The name of this organization shall be WateReuse California, a Section of the WateReuse Association, hereinafter referred to as the "WateReuse California." The WateReuse Association shall hereinafter be referred to as the "Association."

Article II – Objectives

The primary objectives of WateReuse California shall include, but are not restricted to the following: to support the mission of the Association and to advocate legislation and regulations which facilitate increased water reuse.

Article III - Headquarters and Operation

3.1 The headquarters of WateReuse California shall be at the office of the Managing Director, unless otherwise designated by the Board of Trustees (Board) of WateReuse California.

3.2 All matters pertaining to the operation of WateReuse California shall be in accordance with the applicable provisions of Articles of Incorporation and Bylaws of the Association.

3.3 The Board of Trustees may employ a Managing Director to manage the day-to-day affairs of WateReuse California.

3.4 The fiscal year shall be the same as that of the Association.

3.5 The geographic boundaries of WateReuse California are defined as the State of California.

Article IV – Membership

4.1 The membership of WateReuse California shall consist of those members of the Association residing in or having business activity in California. If changes are made to the membership provisions of the Association’s Bylaws, then the Board of WateReuse California shall amend these Bylaws to refer to such provisions, as amended.

Article V - Eligibility to Vote

5.1 All members of WateReuse California ("Members") in good standing are eligible to vote through their designated representatives.

Article VI – California Section Finances

6.1 Dues: All members of the Association from California will be members of both the Association and WateReuse California. The Association shall collect all dues and rebate
thirty-percent (30%) of the total dues collected to any approved Section. WateReuse California will, therefore, receive 30% of all member dues collected by the Association from California members. Such dues will accrue to the WateReuse California account, which shall be maintained by the Association. WateReuse California may levy a section dues supplement. The dues supplement would be levied annually at the time of membership renewal, and the revenues collected would be used to increase the funds available for WateReuse California. A vote of the Board of Trustees of WateReuse California for submission to, and approval of, the Association's Board of Directors can authorize changes in California Section assessments.

6.2 **Fees:** WateReuse California reserves the right to collect fees for its activities and events, as appropriate (e.g., registration fees for annual meetings, specialty conferences, teleconferences, and other educational programs). Such fees will be established in accordance with these Bylaws and the Bylaws of the Association.

6.3 **Financial Controls:** All WateReuse California finances shall be managed in accordance with these Bylaws and the Bylaws of the Association, and all applicable financial rules and regulations of the Federal Government and the State of California. WateReuse California shall conduct or cause to be conducted, on a frequency established by the Association, an independent audit of all WateReuse California finances. A qualified financial advisor who is neither an employee of a Member organization nor a Member of the Association or WateReuse California shall conduct the audit.

**Article VII – California Section Governance**

7.1 **Authority and Purpose of the Board of Trustees (Board):**

7.1.1 The Board shall be the governing body of WateReuse California and shall have the power to act for and on behalf of WateReuse California between annual meetings. All questions coming before the Board shall be decided by a majority vote, and a majority of the Board shall constitute a quorum. The Board may exercise the above-described functions either in session at duly-called meetings, conference calls, by letter ballot or by e-mail ballot.

7.1.2 The Bylaws of the Association indicate that sections shall be autonomous entities and shall be entitled to govern the operation of WateReuse California so as to be consistent with the Articles of Incorporation and Bylaws of the Association. The Board assumes the primary responsibility of operating WateReuse California.

7.2 **Board Composition:** The Board shall be composed of the following persons:

a) The President,
b) The President-Elect,
c) The Secretary,
d) The Treasurer,
e) The Director, who shall be the California Section's representative on the Association's Board of Directors,
f) The Past President, who shall be the last living Past President of WateReuse California who is not holding another office listed in this article,
g) Four or more At-Large Trustees (as deemed necessary by the Board for proper functioning of WaterReuse California), and
h) Chapter Trustees, one for each Chapter of WaterReuse California, who shall be selected or designated by the Chapter (and may, at the Board’s discretion, also be an elected At-Large Trustee).

7.3 **Officers:** The Officers of the Board shall be the President, President-Elect, the Secretary, the Treasurer, the Director, and the Past President.

7.4 **Eligibility to Serve on the Board and as Officers:**

7.4.1 Any Member or member representative that is eligible to vote, as defined in Article V, shall be eligible to be a member of the Board.

7.4.2 Two (2) or more offices may not be held by the same individual, with the exception of the Director and a combined Secretary-Treasurer position.

7.4.3 Only one representative from a member organization may be on the Board.

7.5 **Terms of Office for Trustees and Officers:**

7.5.1 President: The term of office for the President shall be one (1) year or until his or her successor takes office, beginning with the last day of the annual meeting at which he/she is elected and ending at the last official function on the next to last day of the next annual meeting. The President will automatically succeed to the Past President position for a term of one (1) year beginning with the last day of the annual meeting at which he/she completes his/her term as President and ending on the last official function on the next to last day of the next annual meeting. The term of office for the President may be extended for one (1) additional year upon recommendation by the Nominating Committee and vote of the members in which case the term of the Past President shall also be extended for one (1) additional year.

7.5.2 President-Elect: The term of office for the President-Elect shall be one (1) year, beginning with the last day of the annual meeting at which he/she is elected and ending at the last official function on the next to last day of the next annual meeting, or until his/her successor has been elected. The President-Elect will automatically succeed to the position of President unless the President’s term is extended as described in Section 7.5.1.

7.5.3 Secretary: The term of office for the Secretary shall be for one (1) year or until his or her successor takes office, beginning with the last day of the annual meeting at which he/she is elected and ending at the last official function on the next to last day of the next annual meeting. The term of office for the Secretary may be extended for one (1) additional year upon recommendation by the Nominating Committee and vote of the members.

7.5.4 Treasurer: The term of office for the Treasurer shall be one (1) year or until his or her successor takes office, beginning with the last day of the annual meeting at which he/she is elected and ending at the last official function on the next to last day of the next
The term of office for the Treasurer may be extended for one (1) additional year upon recommendation by the Nominating Committee and vote of the members.

7.5.6 At-Large Trustees: The term of office for each of the At-Large Trustees shall be three (3) years, beginning with the end of the annual meeting at which he/she is elected and ending at the end of the annual meeting three years later, or until his or her successor has been elected and qualified. Term of office for At-Large Trustees shall be staggered to ensure continuing experience on the Board.

7.5.7 Chapter Trustees: The term of office for Chapter Trustees shall be one (1) year or as determined by the Chapter, beginning with the end of the annual meeting. The Chapter Trustees shall be selected or designated by the Chapters as determined by each Chapter’s Bylaws, but no later than thirty (30) days prior to the opening session of the annual meeting. Each Chapter shall notify the Board as soon as may be practicable of the selected or designated Chapter Trustee.

7.5.8 Number of Consecutive Terms: Members of the Board of Trustees shall not hold office for more than two (2) consecutive terms unless the Member is Past President, President, or President-Elect. Members serving as Past President, President, or President-Elect may hold office for one (1) full term subsequent to completing their term of office. The partial term of a Board member appointed to complete a vacated Board position shall not be considered a consecutive term. The terms of office shall be staggered so that elections are held to replace an approximately equal number of Members each year. Article 7.5.8 shall apply to terms beginning during or after 2014.

7.5.9 A decrease in the number of Trustees on the Board may not shorten an incumbent Trustee’s term.

7.6 Voting Rights: Each member of the Board shall have one (1) vote.

7.7 Vacancies on the Board:

7.7.1 In the event any vacancy of an Officer occurs on the Board, at the next regular meeting a successor shall be elected by the Board to fill the vacancy for the balance of the current term, or if the vacancy occurs between the last regular meeting before the election of officers and the annual meeting, the Board shall refer the filling of the vacancies to the Nominating Committee.

7.7.2 In the event any vacancy of an At-Large seat occurs on the Board, at the next regular meeting a successor shall be elected by the Board to fill the vacancy for the balance of the current term, or if the vacancy occurs between the last regular meeting before the election of officers and the annual meeting, the Board shall refer the filling of the vacancies to the Nominating Committee.
7.7.3 In the event of a vacancy in the office of Director, the Board shall appoint a replacement at the next regular meeting of the Trustees and the President or Secretary shall notify the Executive Director of the Association of the name of the successor.

7.7.4 In the event a Chapter Trustee vacates the Board, the affected Chapter shall select or designate a replacement Trustee to fill the remaining balance of the one (1) year term and shall notify the Board of the successor Chapter Trustee as soon thereafter as may be practicable.

7.8 **Nomination for Trustees and Officers:**

7.8.1 At least ninety (90) days prior to the annual meeting, the Board shall appoint a Nominating Committee, which shall choose one (1) or more nominees for each Officers and At-large Board seat and office to be filled, and the Director. The Nominating Committee shall make its report public by January 31, having first ascertained the willingness of each nominee to serve if elected. The final report of the Nominating Committee shall be presented during the annual business meeting.

7.8.2 Chapters shall consider their Chapter Trustee candidates during January and February and make a final selection after the At-large Trustee’s slate is identified to them by WateReuse California.

7.8.3 The presiding officer at the business meeting of the annual meeting shall, after reading the report previously made by the Nominating Committee, call for further nominations from the floor for each office.

7.9 **Election of At-Large Trustees and Officers:**

7.9.1 All Members in good standing are eligible to vote in an election of Trustees and Officers; Officers shall be elected by ballot at WateReuse California’s annual meeting.

7.9.2 Election of At-Large Trustees and Officers of the Board shall be by voice vote if there is only one (1) nominee for each seat or office; however, if two (2) or more nominations have been made for any one seat or office, the elections shall be by written ballot or other method as determined by the presiding officer.

7.10 **Duties of the Board and Officers, Committees and the Managing Director:**

7.10.1 The President shall have general supervisory authority over the affairs of WateReuse California, and shall preside at all meetings of WateReuse California and the Board at which he/she may be present.

7.10.2 The President-Elect shall perform the duties of the President in his/her absence, together with such duties as may be assigned by the President or the Board.

7.10.3 The Managing Director shall, subject to the direction of the Board, be the executive administrator of WateReuse California.
7.10.4 The Secretary and/or the Managing Director shall prepare the agenda for and attend all meetings of the Board, record and distribute the proceedings of such meetings, maintain records of WateReuse California, present a report for each calendar year at the annual meeting, maintain a complete record of all its activities and transactions; and ensure the preparation of and file all forms required by the Association, and perform such other duties as may be assigned by the Board.

7.10.5 The Treasurer and/or the Managing Director shall keep a record, or cause to keep a record, of all financial transactions of WateReuse California. The Treasurer shall prepare a draft annual budget for consideration by the Board at or before the first meeting of a fiscal year. The Treasurer shall report at the annual meeting a summary of receipts, expenditures, and debts of the Section; and perform other duties as may be assigned by the Board.

7.10.6 The Director shall represent WateReuse California on the Association Board of Directors and shall act to coordinate and unify their actions.

7.10.7 An Executive Committee shall be composed of the President, President-Elect, Immediate Past President, Secretary, Treasurer, the Legislative/Regulatory Committee Chair and the Director if different from the foregoing members of the Committee. The Managing Director shall serve as a non-voting member. The Executive Committee shall meet as needed to coordinate the affairs of WateReuse California and to make decisions not requiring the vote of the full Board of the Membership.

7.10.8 All contracts shall be approved by the Board and executed by the Executive Director of the Association.

7.11 Annual Meeting: The Annual Meeting of WateReuse California shall be convened, if practicable, annually at a time between February 1 and March 31. All members in good standing shall receive at least thirty (30) days written notice of the date and site of the meeting and shall be provided with an agenda for the business meeting at which Officers and the appropriate At-Large Trustees will be elected.

7.12 Standing Committees: the following shall be standing committees of WateReuse California: Legislative/Regulatory Committee and the Nominating Committee.

7.12.1 Legislative/Regulatory Committee: Subject to a Board established policy, the Legislative/Regulatory Committee shall be comprised of a designated number of voting members, including members of the Board, and one member from each Chapter. The President of the Board shall recommend the remaining members of the committee and a Chairperson, subject to ratification by the Board of Trustees.

7.12.2 Nominating Committee: A Nominating Committee comprised of members of the Board shall be annually appointed by the President of the Board no less than ninety (90) days prior to the annual meeting. The number of members on the committee shall be determined by the President, but shall include no less than three (3) voting members of the Executive Committee.
7.13. **Ad Hoc Committees:** Other committees shall be appointed by the President or the Board to perform duties as assigned.

**Article VIII - Local Chapters**

8.1 **Local Chapters:** WaterReuse California encourages the formation of local chapters, which shall represent defined geographical areas of the State. Each local chapter shall coordinate its activities with WaterReuse California’s Board and in accordance with a Memorandum of Understanding developed pursuant to the Bylaws of the Association.

**Article IX – Adoption and Amendments**

9.1 **Statutory Requirements:** These Bylaws may be adopted, amended or repealed by the written or e-mail ballot consent of two-thirds (2/3) of the Voting Members or by the vote of two-thirds (2/3) of the Voting Members present at a meeting of Members duly called for the purpose according to these Bylaws.

9.2 **Procedures:** Amendments to the Bylaws may be proposed by any Member, or by the Board. All amendments proposed for consideration at any meeting shall be circulated to the Members at least thirty (30) days prior to that meeting. The affirmative vote, as per Paragraph 9.1 of this Article, shall be required for adoption of each amendment.

**Article X – Dissolution**

10.1 **Dissolution:** Upon the dissolution of WaterReuse California, after paying or adequately providing for the debts and obligations of WaterReuse California, the Board or persons in charge of the liquidation shall divide any remaining assets among the Members in accordance with their respective rights therein, or if the same cannot be determined, by agreement of the Members, or failing agreement, as required by law.

**CERTIFICATE OF SECRETARY**

I, the undersigned, certify that I am the present acting Secretary of WaterReuse California a Section of the WaterReuse Association, and the above Bylaws consisting of seven (7) pages were adopted by the Voting Members of the California Section, in accordance with Article IX of these Bylaws on **March 17, 2014**.

[Signature]

Secretary

**Date**

3/17/2014

WRCa ByLaws (revised 03/17/2014)
Mission

The primary objectives of the Orange County Chapter of WateReuse California are to:

- Work collaboratively amongst the membership on issues of common interest including increasing the amount of recycled water used in the region which will help reduce the region’s reliance on imported water;
- Promote the safe introduction and use of recycled water through the education of users and non-users by demonstrating its value to the region and by showing how it is a safe and reliable supply of non-potable water;
- Share and disseminate information among the membership so they are current on issues and able to provide input on topics of interest;
- Discuss and provide input on legislative and regulatory issues that affect our agencies, the region, and the state;
- Facilitate the development of technology aimed at improving water recycling;
- Work on projects of shared interest that can increase the use of recycled water and/or make the education and training aspects of our programs more efficient and effective; and
- Increase public awareness and understanding of related water problems and solution.

Orange County Chapter Meetings

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apr 21</td>
<td>11:30 am – 1:30 pm</td>
<td>Santa Margarita Water District</td>
</tr>
<tr>
<td>Jun 16</td>
<td>11:30 am – 1:30 pm</td>
<td>TBD</td>
</tr>
<tr>
<td>Aug 18</td>
<td>11:30 am – 1:30 pm</td>
<td>TBD</td>
</tr>
<tr>
<td>Oct 20</td>
<td>11:30 am – 1:30 pm</td>
<td>TBD</td>
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<td>Dec 15</td>
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Leadership

Mark Tettemer, President
Irvine Ranch Water District
tettemer@irwd.com

Jason Dadakis, Vice-President
Orange County Water District
jdadakis@ocwd.com

Scott Lynch, Secretary/Treasurer
Black & Veatch
LynchST@bv.com

Joone Lopez, Chapter Trustee
Moulton Niguel Water District
jlopez@mnwd.com
Bylaws of the Orange County Chapter of WateReuse California, a Section of the WateReuse Association

Approved July 28, 2009

Article I - Name

1.1 The name of this organization shall be the Orange County Chapter (hereinafter “Chapter”) of WateReuse California, a Section of the WateReuse Association, hereinafter referred to as “WateReuse California.” The WateReuse Association shall hereinafter be referred to as the “Association.”

Article II - Objectives

2.1 The primary objectives of the Chapter are to:

- Work collaboratively amongst the membership on issues of common interest including increasing the amount of recycled water used in the region which will help reduce the regions reliance on imported water;
- Promote the safe introduction and use of recycled water through the education of users and non-users by demonstrating its value to the region and by showing how it is a safe and reliable supply of non-potable water;
- Share and disseminate information among the membership so they are current on issues and able to provide input on topics of interest;
- Discuss and provide input on legislative and regulatory issues that effect our agencies, the region and the State;
- Facilitate the development of technology aimed at improving water recycling;
- Work on projects of shared interest that can increase the use of recycled water and/or make the education and training aspects of our programs more efficient and effective; and
- Increase public awareness and understanding of related water problems and solutions.

Article III - Headquarters and Operation

3.1 The headquarters of the Chapter shall be at the office of the Chapter President unless otherwise designated by Executive Committee.

3.2 All matters pertaining to the operation of the Chapter shall be in accordance with the applicable provisions of the Bylaws of the Chapter.

3.3 The geographic boundaries of the Chapter are defined as Orange County, California.

3.4 Regular meetings of the Chapter will be held at 9:00 am on the third Thursday of every even numbered month (February, April, June, August, October and December).
3.5 The location of the meetings will rotate among "hosts" so as to allow participants to learn more about other agencies and companies.

Article IV - Membership

4.1 Membership of the Chapter shall consist of those members of the Association residing in or having business activity in Orange County, California. If changes are made to the membership provisions of the Association's bylaws, then the Chapter shall amend these bylaws to refer to such provisions, as amended.

4.2 Non-members are encouraged to come to the Chapter meetings but are not allowed to vote or hold office.

Article V - Eligibility to Vote

5.1 All members of the Association in good standing are eligible to vote through their designated representatives.

Article VI – Officers and Duties

6.1 The Officers of the Chapter shall be the President, Vice-President, Immediate Past President, Secretary/Treasurer and the Chapter Trustee.

6.2 Eligibility to Serve as Officers:

6.2.1 Any member that is eligible to vote, as defined in Article V, shall be eligible to be an Officer.

6.2.2 Two (2) or more Offices may not be held by the same individual at the same time unless there is no interest expressed and the Office would otherwise be vacant in which case an individual may hold up to two (2) offices simultaneously.

6.2.3 A member organization may only hold one Office at any one time unless there is a vacancy as described in Section 6.2.2.

6.3 Terms of the Officers:

6.3.1 The term of office for each Officer shall be one (1) calendar year.

6.3.2 There is no limit to the number of terms someone can serve as an Officer or in a particular office.

6.3.3 Upon election of a new President, the outgoing President will automatically succeed to the position of Immediate Past President.

6.4 Vacancies:
6.4.1 In the event any vacancy of an Office occurs, at the next regular meeting a successor shall be elected by the Membership to fill the vacancy for the balance of the current term.

6.5 Nomination and Election of Officers:

6.5.1 At the October meeting each year, the President will call for nominations for each Office.

6.5.2 At the December meeting each year, elections will be held for each Office position. The newly elected Officers take their elected positions on January 1 of the following year.

6.6 Duties of the Officers:

6.6.1 The President shall have general supervisory authority over the affairs of the Chapter and shall preside over all meetings of the Chapter and the Executive Committee at which he/she is present. In the event the Chapter Trustee is unable to perform his/her duties (e.g. unable to participate in a State Board meeting), the President may appoint an alternate Chapter Trustee.

6.6.2 The Vice-President shall perform the duties of the President in his/her absence together with such duties as may be assigned by the President.

6.6.3 The Secretary/Treasurer shall prepare the agenda for and attend all meetings, record and distribute the proceedings of such meetings, maintain records of the Chapter, present a report for each calendar year at the annual meeting, maintain a complete record of all activities and transactions, and ensure the preparation of and file all forms required by the Association and perform such other duties as may be assigned by the President. After the election of Chapter Officers held in December, the Secretary/Treasurer shall notify the Secretary/Treasurer of WateReuse California as to the specific individuals that will serve as Chapter Officers during the following calendar year.

6.6.4 The Immediate Past President shall assist with the transition of the administration and advise the President on matters of interest to the Chapter.

6.6.5 The Chapter Trustee shall represent the Chapter on the Board of Trustees of WateReuse California and shall endeavor to attend, at the Chapter Trustee’s expense, all appropriate meetings of WateReuse California in such capacity.

**Article VII – Executive Committee**

7.1 The Executive Committee shall be comprised of the:

7.1.1 President;
7.1.2 Vice-President;
7.1.3 Immediate Past President;
7.1.4 Secretary/Treasurer; and
7.1.5 Chapter Trustee

7.2 The Executive Committee shall be the governing body of the Chapter and shall have the power to act for and on behalf of the Chapter between meetings. All questions coming before the Executive Committee shall be decided by a majority vote of the Executive Committee and shall constitute a quorum. The Executive Committee may exercise the above-described functions either in session at duly-called meetings, conference calls, by letter ballot or by e-mail ballot.

7.3 The President may call for a meeting of the Executive Committee. Notice shall be provided to each member of the Executive Committee at least seven (7) days prior to the meeting. Unless circumstances dictate otherwise, the Executive Committee meeting will be held immediately prior to a regularly scheduled meeting of the Chapter.

7.4 Each member of the Executive Committee shall have one (1) vote.

Article VIII – Other Committees

8.1 The President may form a local ad-hoc committee to perform duties as assigned.

8.2 The President may nominate members to other WateReuse California committees as necessary. Nominees must be members of WateReuse.

Article IX – Adoption and Amendments

9.1 These bylaws may be adopted, amended or repealed by the written or e-mail ballot consent of two-thirds (2/3) of the Members or by the vote of two-thirds (2/3) of the Members present at a meeting of Members duly called for the purpose according to these Bylaws.

9.2 Amendments to the Bylaws may be proposed by any Member, or by the Executive Committee. All amendments proposed for consideration at any meeting shall be circulated to the Members at least thirty (30) days prior to that meeting. The affirmative vote, as per Paragraph 9.1 of this Article, shall be required for adoption of each amendment.

Article X – Dissolution

10.1 Upon the dissolution of Chapter, the Executive Committee or persons in charge of the liquidation shall divide any assets among the Members in accordance with their respective rights therein, or if the same cannot be determined, by agreement of the Members, or failing agreement, as required by law.
CERTIFICATE OF SECRETARY

I, the undersigned, certify that I am the present acting Secretary of the Orange County Chapter of WateReuse California, a Section of the WateReuse Association, and the above Bylaws consisting of five (5) pages were adopted by the Members of the Chapter, in accordance with Article IX of these Bylaws on July 28, 2009.

________________________
Secretary

7-30-2009

Date
There are no support materials for this item.