

Bighorn-Desert View Water Agency

Board of Directors

Judy Corl-Lorono, President
J. Dennis Staley, Vice President
Terry Burkhart, Secretary
Michael McBride, Director
J. Larry Coulombe, Director

Marina D West, P.G., General Manager



A Public Agency

Agency Office

622 S. Jemez Trail
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Planning/Legislative/Engineering Grant & Security Standing Committee Regular Meeting Agenda

Tuesday, October 20, 2015 – 9:15 a.m.

Board Meeting Office
1720 N. Cherokee Trail, Landers, CA 92285

Committee Members: Director Corl-Lorono & Director Burkhart

The BDVWA Planning / Legislative / Engineering / Grant & Security Committee meeting will be conducted in strict compliance with the Brown Act. Members of the Board not assigned to this Committee who attend may do so only as observers and may not participate in the meeting.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Agenda**

Discussion and Action Items - The Committee and Staff will discuss the following items and provide direction to staff, if so inclined.

The Public is invited to comment on any item on the agenda during discussion of that item.

When giving your public comment, please have your information prepared. If you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three-minutes to provide their public comment.

5. Conference Call with Mojave Water Agency's Legal/Legislative and Public Information Committee

Committee to participate via teleconference for an update by the State Advocate of Issues at the State Level, as well as an update by the Federal Advocate of Issues at the Federal Level.

6. Ames/Reche Storage and Recovery Program Update

Anna Garcia, Principle Hydrogeologist, Mojave Water Agency will present an overview of historical and current Ames/Reche Basin conditions.

7. IRWMP Grant Status Update

8. Caltrans Water Line Relocation Update

9. Consent Items - The following is expected to be routine and non-controversial and will be acted on by the Committee members at one time without discussion, unless a member of the Public or a Committee member requests that an item be held for discussion or further action.

- a. Regular PLEGS Committee Meeting Report, June 16, 2015

10. Public Comment Period

Any person may address the Committee on any matter within the Agency's jurisdiction on items not appearing on this agenda.

When giving your public comment, please have your information prepared. If you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three-minutes to provide their public comment. State Law prohibits the Committee from discussing or taking action on items not included on the agenda.

11. Verbal Reports

- a. Committee Member Comments/Reports
- b. General Manager Report

12. Adjournment

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Bighorn-Desert View Water Agency, 622 S. Jemez Trail, Yucca Valley, CA not less than 72 hours if prior to a Regular meeting, date and time above; or in accordance with California Government Code Section 54956 this agenda has been posted not less than 24 hours if prior to a Special meeting, date and time above.

As a general rule, agenda reports or other written documentation has been prepared or organized with respect to each item of business listed on the agenda.

Copies of these materials and other disclosable public records in connection with an open session agenda item, are also on file with and available for inspection at the Office of the Agency Secretary, 622 S. Jemez Trail, Yucca Valley, California, during regular business hours,

8:00 A.M. to 4:30 P.M., Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Bighorn-Desert View Water Agency.

Internet: Once uploaded, agenda materials can also be viewed at www.bdvwva.org.

Public Comments: You may wish to submit your comments in writing to assure that you are able to express yourself adequately.

Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, should contact the Board's Secretary at 760-364-2315 during Agency business hours.



Legal, Legislative and Public Information Committee

AGENDA

Mojave Water Agency

Board Room

**13846 Conference Center
Drive**

Apple Valley, CA 92307

October 20, 2015

09:30 a.m.

-
- 1. Approve Agenda**
 - 2. Approve Meeting Summary from the Legal, Legislative, and Public Information Committee Meeting of September 15, 2015**
 - Meeting Summary**
 - 3. Update by State Advocate of Issues at the State Level (teleconference)**
 - State Report**
 - Attachment A**
 - 4. Update by Federal Advocate of Issues at the Federal Level (teleconference)**
 - Federal Report**
 - 5. Public Information Update**

6. General Manager's Report

7. Public Participation

8. Comments/Discussion Items for Next or Future Agendas

9. Adjournment

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above-agendized public meeting, should be directed to the Agency's General Manager's office at (760) 946-7008 at least 24 hours prior to said meeting.

Please visit our Facebook page at <http://www.facebook.com/mojavewater>



LEGAL, LEGISLATIVE, AND PUBLIC INFORMATION COMMITTEE MEETING

MEETING SUMMARY September 15, 2015

CALL TO ORDER:

Chairperson Doug Shumway called the meeting to order at 9:30 a.m.

ATTENDANCE:

- ↓ Committee – Chairperson Doug Shumway, Director Carl Coleman, and Director Kimberly Cox
- ↓ Absent – None
- ↓ Staff – General Manager Kirby Brill, Community Liaison Officer Yvonne Hester, and Public Information Specialist Gloria Golike
- ↓ Consultants – State Advocates Ed Manning and Carolyn Jensen, KP Public Affairs and Federal Advocates Letitia White, Drew Tatum, and Jean Dutton, Innovative Federal Strategies LLC joined by teleconference
- ↓ Others – Five guests were in the audience and five were online

1. **Approve Agenda**

The agenda was agreed upon as presented.

2. **Approve Meeting Summary from the Legal, Legislative, and Public Information Committee Meeting of July 21, 2015**

The meeting summary was agreed upon as presented.

3. **Update by State Advocate of Issues at the State Level**

Mr. Manning gave a brief update on legislative issues.

Ms. Jensen highlighted a few bills; such as, AB 401, AB 888, AB 1164, SB 552, and others. She spoke of the reform efforts on Prop. 218. She also gave a brief summary of the mandatory water conservation requirements by the State Water Resources Control Board.

4. **Update by Federal Advocate of Issues at the Federal Level**

Ms. White gave a brief summary of legislative activities. She spoke briefly about the drought bill and the "Waters of the United States" regulation. She also spoke about discussions regarding advancing a continuing resolution for two to three months, and she mentioned that there are several spending issues that legislators will have to solve.

5. **Presentation of the 2015 Inland Empire Annual Survey**

Ms. Hester gave a PowerPoint presentation reviewing the survey. The questions and answers in the survey confirm that the communication efforts of the Agency are working in some instances, but more work is needed.

6. **Public Information Update**

Ms. Hester gave a PowerPoint presentation summarizing the activities since the last committee meeting, and she mentioned some of the upcoming events.

7. **General Manager's Report**

No report.

8. **Public Participation**

None.

9. **Comments/Discussion Items for Next or Future Agendas**

None mentioned.

10. **Adjournment**

Chairperson Shumway adjourned the meeting at 10:21 a.m.

Submitted by: _____
Gloria Golike
Public Information Specialist

Attachments on-file:

Item No. 5 – Inland Empire Annual Survey – PowerPoint
Item No. 6 - Public Information Report - PowerPoint
Sign-in sheet

KP

**PUBLIC
AFFAIRS**

TO: Legal, Legislative and Public Information Committee

**FROM: Ed Manning
Carolyn Jensen**

RE: KP Public Affairs Agenda

1. Legislative Update:

A. Legislative Calendar: 2016 Legislative Session Convenes - January 4, 2016

B. Two Year Bills:

- i. AB 647 (Eggman) – Groundwater Storage
- ii. AB 935 (Salas) – FWA Water Projects
- iii. AB 954 (Mathis) – Water and Wastewater Loan and Grant Program
- iv. SB 20 (Pavley) – CA Water Resiliency Investment Act
- v. SB 163 (Hertzberg) – Wastewater Treatment: recycled water
- vi. SB 552 (Wolk) – Mandatory Consolidation “Clean Up”

2. Proposition 218 Reform Effort Update:

- A. AB 401 (Dodd) – Low Income Water Rate Assistance Program
 - i. Governor’s Signing Statement (Attachment A)

3. State Water Resources Control Board:

- A. Mandatory Water Conservation Requirements - Next Steps

10/14/15

OFFICE OF THE GOVERNOR

OCT 9 2015

To the Members of the California State Assembly:

I am signing Assembly Bill 401, which directs the State Water Resources Control Board and Board of Equalization to develop a plan for establishing and funding a low-income water rate assistance program. My administration and the Legislature have taken important steps to promote access to safe, clean, affordable water. Yet, too many Californians still lack affordable, safe drinking water.

While the plan called for in this bill will provide a path for modest, additional steps, we already know that Proposition 218 serves as the biggest impediment to public water systems being able to establish low-income rate assistance programs. Proposition 218 similarly serves as an obstacle to thoughtful, sustainable water conservation pricing and necessary flood and stormwater system improvements. My administration will work with the Legislature and stakeholders next year to address these problems, while maintaining rate payer protections.

Sincerely,


Edmund G. Brown Jr.

Innovative Federal Strategies LLC

Comprehensive Government Relations

MEMORANDUM

To: Mojave Water Agency Legal, Legislative and Public Information Committee

From: Letitia White

Date: September 30, 2015

Re: September Monthly Legislative Update

Temporary Appropriations Bill Crosses the Finish Line

There was talk again this year that the federal government would shut down at the end of the fiscal year because Congress would not be able to pass any appropriations bills to fund the government beyond September 30th. In what came as a shock to most on Capitol Hill on September 25th, House Speaker John Boehner (R-OH) announced that he would be resigning at the end of October, and would be introducing a clean continuing resolution to fund the government through December 11, 2015 over objections from conservatives in his own party. Boehner told his colleagues of his plans during a regularly scheduled conference meeting where Members get the schedule for the upcoming week. At this point, the Senate had already started the process of advancing a clean continuing resolution after failing to advance one that stripped Planned Parenthood funding.

Senate Majority Leader Mitch McConnell (R-KY) had attempted to advance the continuing resolution that stripped Planned Parenthood funding, but it failed when Republicans were unable to get the 60 votes needed to advance the bill. Several Republicans joined their Democratic colleagues to block the bill from advancing on a 47-52 vote. Earlier this week, the clean continuing resolution was able to reach the cloture threshold by a vote of 77-19, and ultimately passed the Senate by a vote of 78-20. Speaker Boehner indicated that he would need Democratic votes to pass the continuing resolution, as the more conservative members of his party have demanded that any appropriations legislation include a provision to defund Planned Parenthood. The House was able to pass the clean continuing resolution by a vote of 277-151. Last night, President Obama signed the continuing resolution into law before the midnight deadline, avoiding a government shutdown.

Republican leaders have insisted that they will go another direction in attempting to defund Planned Parenthood. The House and Senate passed a budget resolution for the first time this year, giving them the option to use a procedure called reconciliation to pass legislation with a simple majority vote in the Senate. The House Ways and Means Committee has already met and advanced legislation to roll back portions of the president's healthcare law. Conservatives have wanted to send a bill to President Obama that would dismantle portions of the Affordable Care Act, but have not been able to reach the 60 vote threshold in the Senate necessary to proceed

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with any such legislation. Under the legislation being developed by the House Ways and Means Committee, only portions of the law would be repealed in order to comply with Senate rules dictating that reconciliation language only deal with taxes and spending in order to meet budget guidelines. The Planned Parenthood restrictions are set to be added as the legislation makes its way through different House committees. If this legislation does advance, it would only require 51 votes in the Senate. Republicans currently have a 54 seat majority. However, any such legislation is sure to be vetoed by President Obama and Republicans do not have the votes necessary to override it.

The Senate Majority Leader released information this week that House and Senate leaders have begun discussions with the White House to solidify a two year budget agreement that would push the threat of a government shutdown past the 2016 presidential election. Recognizing the stalemate that has existed between Republicans in Congress and President Obama, the goal of the conversations is to be sure this is the last time both parties must come to the table with the current administration. At least two phone calls between the White House, Boehner, and McConnell have already occurred. McConnell will first attempt to bring back the FY16 funding bills to the floor, which are sure to be filibustered by Senate Democrats. He hopes that will be the “triggering event” to get all parties to the table to negotiate a two year budget deal.

Boehner’s Resignation Sets off Leadership Race

Speaker Boehner’s resignation has set off House leadership races that could shake up many of the top positions within the Republican conference. The conference has not set dates for elections, but they will begin with a vote to replace Boehner. To elect a Speaker of the House, Republicans will first have to advance a candidate by a majority vote of the conference. This nominee will then have to get a majority vote of Members present and voting from the full House of Representatives. Traditionally, Democrats put forth their own nominee for Speaker, and all members of its caucus vote for that nominee. This underscores the need for Republicans to put forth a nominee who will be able to secure at least 218 votes from the full House of Representatives in order to avoid an embarrassing intraparty fight on the floor. The other picks for party leadership only require a simple majority of Republicans within the conference. Though we generally know the winners of those positions in advance, the respective conference chairman announces those changes to the House from the floor. Below are a list of potential scenarios for House Republican leadership races:

- **Speaker of the House:** Current Majority Leader Kevin McCarthy (R-CA) is seen as the frontrunner to serve as the next speaker. Before announcing his bid, McCarthy began soliciting support for the top spot. He has been talking with the conservative wing of his party in an effort to assure them he will take a more aggressive stance against the White House and will push harder on Senate Republicans to do the same. McCarthy may have to push for a “coalition” style of leadership, opting to support a more conservative majority leader or whip in order to secure the votes he needs. At the moment, the only other Republican considering throwing his hat in the race is Rep. Daniel Webster (R-FL). Webster ran for Speaker and received several votes in January from members protesting Boehner’s continued occupancy of the gavel. However, Webster does not have the same name recognition or campaign operation as McCarthy. Additionally,

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McCarthy has the added benefit of having traveled the country to recruit candidates over the last few election cycles.

- **Majority Leader:** If Kevin McCarthy is able to unite his party around his bid for speaker, there will be an opening for his current position. As with the case of the Speaker's race, current Majority Whip Steve Scalise (R-LA) would like a promotion from his party. Scalise went from serving as Republican Study Committee Chairman to Majority Whip after the leadership shakeup last summer that resulted from Majority Leader Eric Cantor's primary election defeat. Scalise has had several high-profile embarrassments since taking over the party's vote counting operations. In addition to a public scandal, there have been questions about his ability to accurately determine where his party stands before bills are brought to the floor. There have been several instances where bills have been pulled from the floor after leadership was no longer confident they would have the votes necessary to pass legislation. Scalise will face a serious challenge from Rep. Tom Price (R-GA), the current Chairman of the House Budget Committee. In that position, he negotiated the first joint budget resolution to pass both the House and Senate for the first time in many years. Price has already received a high profile endorsement from Rep. Paul Ryan (R-WI). Price has also received the endorsement from Rep. Jeb Hensarling (R-TX) who was considering his own bid for the position. At the moment, it appears that the majority leader's race may be very competitive.
- **Majority Whip:** There won't be a race for majority whip if the current No. 3 House Republican, Steve Scalise of Louisiana, doesn't beat Budget Chairman Tom Price of Georgia for majority leader. If he is successful, there are already two members looking to join House leadership. Rep. Patrick McHenry (R-NC), the appointed chief deputy whip, and Rep. Pete Sessions (R-TX), the chairman of the Rules Committee, both sent letters to colleagues announcing their intentions. In most cases, the chief deputy whip has moved into a position of elected leadership, except in the recent case where Scalise was able to beat out former chief deputy whip Peter Roskam (R-IL). McHenry is attempting to play on his experience to persuade his colleagues to give him the opportunity to serve in leadership. For his part, Sessions is relying on his fundraising and campaign experience while service as chairman of the NRCC, the fundraising arm for Congressional Republicans. In that role, Sessions was able to help Republicans return to their position as the majority party.

Republicans hope to move quickly to elect new party leaders with votes scheduled to take place on Thursday, October 8th. At this point, elections should not have an impact on pending legislation, but they will impact negotiations on yearlong spending moving into the fall. Additionally, the new leadership team will have to grapple with other "big ticket" items facing Congress this fall: raising the debt ceiling, transportation funding, and dealing with the budget caps. This could prove to be a heavy lift for a new leadership team that hopes to unite a party.

Outlook for October

Congress had bought itself more time on dealing with yearlong funding, but another deadline looms at the end of the month. The current short term extension for transportation authorization and funding is set to expire on October 29th. There are already talks that Congress may need another temporary extension as little progress has been made determining overall funding levels for transportation programs or the necessary budgetary offsets or revenue streams. The Senate

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Energy and Natural Resources Committee has also announced it will hold a hearing on western drought during the second week of October. Both Senator Feinstein's drought bill and the House-passed package are on the agenda.

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Planning/Legislative/Engineering Grant & Security Committee Regular Meeting Report

Board Meeting Office
1720 N. Cherokee Trail, Landers, CA 92285
June 16, 2015 - 9:15 a.m.

Committee Members: Director Corl-Lorono & Director Burkhart

Call to Order

Director Corl-Lorono called the meeting to order at 9:15 a.m.

Pledge of Allegiance

Led by Larry Coulombe

Roll Call

Directors: Judy Corl-Lorono
Terry Burkhart

Staff: Marina West
Michelle Corbin

Approval of the Agenda

Director Corl-Lorono and Director Burkhart approved the agenda as presented.

IRWMP Grant Status- Alternate Power Improvements, Grant Application

Item 6 was discussed first. General Manager West reviewed the State Revolving Fund. West reported she will not know the grant amounts until the packages are received. West made it clear to the Integrated Regional Water Management Plan (IRWMP) team that the Agency is not interested in a loan.

West mentioned the Transfer Switch project will require more work and has been renamed Alternate Power Improvements.

The Authorization to Receive Funding for the various projects will go to the next Board of Directors Meeting.

Public comment:

Anonymous commented on a production well located within the newly acquired Goat Mountain Territory.

Conference Call with Mojave Water Agency's Legal/Legislative and Public Information Committee

Carolyn Jensen of KP Public Affairs reported on the Wieckowski bill SB 789 and Ed Manning gave a brief update on the Eggman bill AB 647. Ms. Jensen also reported on the state budget and several trailer bills regarding the drought. The trailer bills are still in draft form.

Letitia White of Innovative Federal Strategies reported on the appropriations bills and Senator Feinstein's California drought bill which is still in draft form. Ms. White also reported on a rule finalized by the Environmental Protection Agency and the Army Corps of Engineers giving them additional jurisdiction over water quality regulations under the Clean Water Act. The House recently passed a bill that would require the rule be withdrawn until there is more stakeholder input.

No public comment.

Caltrans Water Line Relocation Update

General Manager West gave the staff report. West reported during pot holing staff discovered a newer mainline. The Agency is preparing drawings for Cal Trans. Lastly, West discussed the fire hydrants that are being re-located.

Public Comment:

Anonymous commented on the process of moving a fire hydrant.

Status of Annexation Transition with CSA 70W-1 Goat Mountain

General Manager West gave an overview of the taxes levied on the Goat Mountain Territory. West also reviewed the debt service and the stand by charges and how they're assessed.

West reported on the delinquent water accounts from CSA 70/W-1 which totals approximately \$38K. The delinquent water bills are scheduled to go on the property tax bills along with Bighorn-Desert View Water Agency delinquent water accounts.

Lastly, West reviewed the status of the meter reading of the Goat Mountain Territory and the progress of monies received from San Bernardino County Special Districts.

Public Comment:

Anonymous commented on the debt the Agency is inheriting from County Special Districts as well as letters expected from County Special Districts regarding the collection of taxes.

Consent Items

- a. Regular PLEGS Meeting Report, April 21, 2015

No public comment.

Director Corl-Lorono and Director Burkhart approved the report.

Public Participation

No public comment.

Verbal Reports

Committee Member Comments/Reports

Director Corl-Lorono reported on a meeting she attended at Senator Jean Fuller's satellite office located in Joshua Tree, CA.

No General Manager Report.

Items for Next Agenda

None

Adjournment - Director Corl-Lorono adjourned the meeting at 10:46 a.m.

Pending Committee Approval