

**SF Bay Area IRWMP Coordinating Committee Meeting Summary  
April 22, 2019**

**Location: San Francisco Public Utilities Commission; 525 Golden Gate Ave, San Francisco, CA 94102;  
O'Shaughnessy C Conference Room**

**1. Roll Call – Appointed Functional Area Representatives Present**

<b>Water Supply- Water Quality</b>	<b>Wastewater- Recycled Water</b>	<b>Flood Protection- Stormwater</b>	<b>Watershed</b>	<b>Disadvantaged Communities</b>
<ul style="list-style-type: none"> <li>• Mark Seedall, CCWD</li> <li>• Steve Ritchie, SFPUC, Chair</li> </ul>	<ul style="list-style-type: none"> <li>• Cheryl Munoz, SFPUC representing BACWA (by phone)</li> </ul>	<ul style="list-style-type: none"> <li>• Mark Boucher, CCCFCWCD (by phone)</li> </ul>	<ul style="list-style-type: none"> <li>• Josh Bradt, SFEP</li> <li>• Brenda Buxton, SCC</li> <li>• Judy Kelly, NBWA</li> </ul>	

Others Present:

Colin Bailey, EJCW  
Eric Bason, Parents 4 A Health Community  
Cam Bauer, BART  
Devon Becker, ACWD  
Carmel Brown, EJCW  
Maddie Duda, EJCW  
Maggie Dutton, CCWD  
Natasha Dunn, SFEP  
Nahal Ghoghaie, EJCW  
Terrie Green, Shore Up Marin  
Jennifer Krebs, representing SCWA  
Chris Lim, CCRCO  
Loraine Mason, First Generation  
James Muller, SFEP  
Claire Nordlie, EBMUD  
Sherri Norris, CIEA  
Michelle Novotny, SFPUC  
Britton Schwartz, EJCW  
Jake Spaulding, SCWA  
Caitlin Sweeney, SFEP  
Alex Tavizon, CIEA  
LaDonna Williams, All Positives Possible

### On the Phone:

Jessica Arm, DWR  
Leonard Ash, ACWD  
Kate Byrne, City of Hayward  
Pat Costello, City of Napa  
Craig Cross, DWR  
Jacques DeBra, EKI Environment & Water  
Jarrad Fisher, San Mateo RCD  
Paul Gilbert-Snyder, EBMUD  
Minona Heaviland, Sonoma Ecology Center  
Ryan Hirano, EJCW  
Karen Koppett, SCVWD  
Breann Liebermann, County of San Mateo  
Robyn Navarra, Zone 7  
Yolanda Park, EJCW  
Matt Sagues, MMWD

## **2. Status of Prop 84 Round 1, Round 2, Drought Round, 2015 Round 4**

For Round 1, Josh Bradt clarified from the last meeting that the round isn't at the final invoice stage yet. He is completing some last revisions and the final invoice will be submitted to DWR soon. DWR will review the revisions, then will review the 3 final project completion reports. After that, DWR will review the grant completion report and then close out the grant.

Jessica Arm provided a recap of grant round closeout. There are funds left on the table. Of the \$30m grant funds awarded there is about \$873,000 left on the table. Most of the remaining unused funds (about \$778,000) are from Project 21 San Pablo Ave stormwater project. The funds will stay with DWR. DWR waiting on minor revisions for final invoice.

For Round 2, Project 10 Bayfront Canal and Project 18 Upper York Creek still experiencing significant concerns. Previously, the group agreed at that James Muller would report out at June CC meeting to determine if the project funds need to be reallocated.

Mr. Muller reported no major updates for Rounds 3 and 4.

Mr. Muller provided a memo to the in-person attendees on information regarding AMI installation implemented by Marin Municipal Water District and funded by IRWM. This information was requested at the last CC meeting due to the recent change in scope for MMWD's project in Round 4. The recent change in scope was initiated to change MMWD's project from turf replacement to AMI because MMWD's outreach to CII customers didn't go as planned. There was not a lot of interest in turf replacement. The benefits to the region from AMI were compelling. The original scope of work proposed water supply benefits of 330 acre-feet of water over the project period. The new scope of work is proposing water supply benefits of 880 acre-feet of water over the same period. Both scopes of work provide similar type of benefit, with a larger quantity of water saved from the new scope of work.

Regarding AQPI, Jake Spaulding reported he is dealing with invoice issues with NOAA that hopefully will be resolved soon. Valley Water is putting in permanent radar in May. Sonoma Water will also have

permanent radar. East Bay and San Francisco will have radars in November or December this year. Santa Cruz will be installing a radar. The data will feed into our system, but it is being funded under a separate agreement. The Colorado team will be here the next 2 weeks to meet with the 4 regions and discuss MOU/MOA developments. The first iteration of the portal will be released soon. Mr. Spaulding has applied for funding from FEMA for 2 additional radars.

Action Items:

- Mr. Muller will share an electronic copy of the AMI installation memo to be shared with the Coordinating Committee listserv.

**3. Discussion of Approach to Prop 1 IRWM DACI Grant Administration**

Carmel Brown acknowledged the 4-5 subcontractors attending the meeting in person and those subcontractors on the phone. DWR has been talking to EJCW frequently and there are serious problems with the grant administration, getting contracts executed, and invoices paid. Submittal of accountability reports have been delayed. DWR has been working with EJCW on these issues starting as far back as last fall. DWR's decision to require a stop work for all subcontractors was not made lightly. It has gone all the way up DWR to legal counsel, internal audits, and the bond accountability office. DWR is committed to working towards a new grantee. DWR has been talking with SFEP, who is the most likely candidate to take over the grant admin.

DWR has encumbered \$3 million in grant funds not allocated to EJCW into a new account. DWR has been working with SFEI and SFPUC to explore options that may help the subcontractors in the interim.

DWR is still committed to the DACI program. Ms. Brown acknowledged that everyone was well-intentioned, but DWR doesn't have confidence that EJCW can carry the grant moving forward. A time extension on the stop work won't help. Ms. Brown will be sending a written correspondence to all subcontractors.

Britton Schwartz responded that EJCW has worked closely with DWR to catch up on the invoicing. EJCW is also committed to success of the program. EJCW was surprised and dismayed by DWR's course of action. Requiring the stop work immediately causes unnecessary harm to the program and timeline to complete the needs assessment by the fall. Ms. Schwartz asked if there is room to change the stop work timeline so subcontractors don't have to stop work.

Ms. Brown responded that DWR must terminate EJCW's contract. DWR hoped to synchronize the timeline of stop work and the transfer of admin work to another party, but DWR doesn't have confidence that there is enough staff capacity at EJCW to do this. It took months for EJCW to get contracts executed with subcontractors and a long time to get them paid. There are accountability report revisions that need to be submitted. DWR needs an entity that can manage the grant appropriately in accordance with the terms of the agreement. The stop work timeline was set up to try to make the subcontractors whole as of this week. If DWR stopped advance payment, no one would have been paid. Then starting tomorrow, DWR is working as quickly as possible towards a new grant agreement.

It was asked whether CIEA's contract has been executed.

DWR reported that about \$2 million of the \$3 million that was allocated to EJCW via advanced funding is left. Original spending plan said the advanced funds were to be spent by January 31, 2019.

Lorene Jackson from Marin County said the stop work timeline is difficult for them. The immediate halt in work is counter-productive. She just sent out a survey last Wednesday to residents of Point Reyes and have public meetings set on April 30 and June 5. To stop work immediately, the public meetings would be up in the air and would be a breach of public trust if the meetings were cancelled.

Judy Kelly said having lived through a stop work order she has empathy for the subcontractors. However, it sounds like a finished decision process by DWR.

Sherri Norris questioned how long the stop work order will last. She would like to expedite the process by using the existing subcontractor work plans and budgets. DWR estimated it will take a couple of months to get under new contract with new grant administrator.

Mr. Muller commented SFEP is committed to working with the CC, subcontractors, EJCW, and DWR to figure out a path forward. He acknowledged that decisions need to be vetted through the CC. The contracting process at MTC takes time and will require support from the CC. Mr. Muller suggested the formation of a sub-committee to help with vetting and decision making in between CC meetings to move faster, strategize, and answer questions.

Steve Ritchie commented he doesn't feel that there's something wrong with the existing scopes of work. Mark Seedall responded that he wants to look at scopes of work to prioritize a more compact group of projects.

It was asked if subcontractors can back-bill. DWR answered yes, this would need to be written into the agreement between DWR and new subcontractor.

DWR wants all deliverables as quickly as possible to gauge the status of all work from subcontractors.

Robyn from the Dellums Institute stated they are reaching out to their community in the summer. The Institute can only cover 1/3 of the time needed to do the outreach. It's important for subcontractors to know how long the stop work will be because they will be out of work.

Maddie Duda commented that this program is about people. Community members' salaries depend on this funding. Some outreach partners are working on proposals for Round 1 Implementation funding that would be impacted.

LaDonna Williams agreed the program is about people. Representing a DAC, she is glad the transition is taking place. She had concerns from the very beginning. The program is important to front line communities that are learning to engage in this process. It's important to do what's best for DACs.

Alex Tavizon said CIEA hasn't been under contract for the 10 months he's worked for CIEA. He is happy that a new entity is taking over the grant admin.

Colin Bailey said in retrospect there are a lot of lessons learned. He apologized for not fulfilling the work as intended. EJCW never had the full capacity to keep up with the admin. He is concerned about the abrupt nature of the stop work and wants DWR to consider flexibility in the timeline. Mr. Bailey said many of DWR's issues are half-truths that will be reconciled in another forum. To do better, it's important to look at what failed.

Terrie Green from Shore Up Marin said this program is a way for DACs to be part of the CC to help make decisions. Some people are ready for implementation funding. She asked if there can be a representative body from DACs on the CC.

Mr. Ritchie asked the group if there are any objections to pursuing SFEP as the new grant administrator. No objections were recorded.

The formation of the transition sub-committee was discussed. Participation will be limited. Mr. Ritchie and Mr. Seedall volunteered to be on the sub-committee. If subcontractors want to participate on the sub-committee calls that would be welcome.

It was discussed if there is a way to provide support directly from large participating agencies to subcontractors to provide bridge funding in the interim. Mr. Ritchie said it will be difficult for San Francisco to get under contract. It was discussed if agencies can assist folks in their geographic area. For agencies that would take that risk, DWR is committed to making it work but acknowledged there's always a risk.

Ms. Norris commented for Tribal outreach partners' scopes of work, the goal is to get the needs assessments completed in spring and Summer.

Eric Bason from Parents 4 a Healthy Community said he dealt with EJCW 10 years ago. He is glad to move away from EJCW as his past experience was not positive.

Ms. Brown confirmed that DWR will not be granting a time extension on the stop work order.

#### Action Items:

- The Coordinating Committee will work with SFEP and DWR to work on transitioning the grant admin work from EJCW to SFEP as soon as possible.
- Michelle Novotny will send an email to the CC asking for participation on the transition sub-committee. This email will include the current outreach project partners.
- Mr. Ritchie will lead discussions with the large participating agencies on ways to provide bridge funding in the interim to subcontractors.

#### **4. Approach to Prop 1 IRWM DAC Involvement Funds**

Regarding DAC participation on the CC, LaDonna Williams offered to be a DAC representative. Terri Green and Alex Tavizon also volunteered.

Regarding needs assessment updates, Ms. Duda reported that Marin City has identified a project proposal. A couple of other groups have done listening sessions. EJCW was invited to San Quentin to talk about water issues and Marin's recycled water project being proposed to serve the prison.

Action Items:

- Taylor Chang will put on the agenda for the next CC meeting a discussion of DAC participation on the CC.
- Ms. Norris will provide a revised budget number for row 14 on the DAC project tracking spreadsheet.

**5. Discussion of Approach to Prop 1 Implementation**

It was asked when the final PSP will be released. DWR's Director has signed it and it will be posted today or tomorrow.

Mr. Seedall asked how the current Prop 1 DACI grant contract delay will affect the implementation round.

The final PSP will inform the region's approach to solicitation of projects

It was asked when the CC will decide how much projects would get in funding. The response was prior to the workshop with DWR.

It was commented that the draft schedule needs to be reconciled with the final PSP.

Action Items:

- Ms. Chang will send an email to the listserv asking for interest from organizations wanting to be the region's grantee for Prop 1 Round 1 Implementation.
- Nahal Ghoghaie will send Ms. Chang the presentation that Brian Mendenhall gave at EJCW's funding webinar about Prop 1 implementation. This is to be sent to the listserv.
- 

**5. Announcements and Next Steps**

Mr. Ritchie requested the CC meetings will be held more frequently between now and the end of July. There will be CC meetings every 2 weeks.