

Tulare Kern Funding Area
Integrated Regional Water Management (IRWM)
Disadvantaged Community Involvement Program (DACIP)
Project Advisory Committee (PAC)
April 19, 2018, 1-4pm
Location: Tulare County Board of Supervisors Chambers
2800 W. Burrell Avenue, Visalia, CA 93291

Attendees

Project Advisory Committee Members

Tamara Kelly, Kaweah IWM
Steve Nelsen, Kaweah IWM
Mike Camarena, Kaweah IWM
Matt Hurley, Tule IWM
Ralph Guitierrez, Tule IWM
Eric Osterling, UKIRWMA
Soua Lee, UKIRWMA
Jim Maciel, UKIRWMA
Frank Ohnesorgen, Poso IWM
Jeff Eklund, Kern IWM
Bobby Kamansky, Southern Sierra IWM
Leslie Dumas, Westside San Joaquin
Stephanie Hearn, Poso IWM

Project Team

Denise England, Tulare County
Maija Madec, Provost & Pritchard
Stephanie Lucero, Facilitator -- Consensus and Collaboration Program (CCP), CSUS
For others in attendance, see Appendix A.

1. WELCOME AND INTRODUCTIONS

Stephanie Lucero, CCP introduced herself and reviewed the agenda. Ms. Lucero is the neutral facilitator provided by a grant from the Department of Water Resources (DWR). PAC members and members of the public introduced themselves. Ms. Lucero provided the ground rules for the meetings and affirmed PAC approval to proceed with these standing ground rules (see 4.19.2018 PAC meeting presentation).

2. DISADVANTAGE COMMUNITY INVOLVEMENT PROGRAM (DACIP) OVERVIEW

Maija Madec, Provost & Pritchard provided an overview of the DACIP program. This included an overview of the creation, funding and elements outlined in the Tulare County application to DWR to fund the program. Ms. Madec review the purpose and vision of the PAC, project activities and milestones. This included discussions regarding the PACs role in project activities and milestones. For more details on presentation see 4.19.2018 PAC meeting presentation.

The PAC and public discussed the project activities and milestones, focusing on the following themes.

Use of Existing Data

The PAC discussed project activities and milestones. PAC members expressed concern with how existing databases and information will be utilized in DACIP project work. One example was data from Tule

regarding needs for clean water. Members wanted to ensure that work was not repeated to conserve funding available for specific projects. The PAC discussed existing data on communities and needs assessment. Denise England clarified that most of the existing data came from the public health program. Therefore most of that data is considered public health data and has certain confidentiality restrictions. This may impact the availability of this data for the DACIP. While it may be difficult to go back and get authority to get permission to utilize the confidential data, there are some public elements. Ms. Madec also pointed out that some of the existing data is stagnant and it may be more efficient to get new data with appropriate permissions for use. Part of the needs assessment proposed by the DACIP is verify whether the older data is accessible, identify other accessible data and clearly identify additional data needed.

PAC members and the Project Team acknowledged the benefit of reviewing old data to confirm sources and possible disadvantaged communities to list. The PAC agreed that the DACIP project does not intend to reinvent the wheel and utilizing whatever contact information, water and waste water needs data that can be used legally.

Defining Disadvantaged Community (DAC)

DAC members asked whether the DACIP has defined what a DAC is for purposes of the Project. Members of the public expressed concern with broader definitions of DAC since a large portion of the Tulare Kern Funding Area (TKFA) fits within that definition. They suggested restricting definitions to unincorporated communities.

Ms. England clarified that the grant from DWR specifically defines what constitutes a DAC for purposes of the project. There are specific percentages to consider in terms of median household income. However she did clarify that the DACIP will need to evaluate what constitutes an underrepresented community in the TKFA.

Action Item: Project Team shall pull the definition of DAC required by DWR and any specifications relating to “underrepresented community” and share with PAC.

3. PAC CHARTER DISCUSSION AND ACCEPTANCE

Ms. Lucero provided a general overview of what is recommended for inclusion in a Charter. (For more details see 4.19.2018 PAC meeting presentation.) The PAC reviewed the Charter worksheet and sample language shared with PAC members in advance of the meeting. This worksheet incorporated language incorporated in the TKFA application to DWR as well as generic sample language for consideration. The PAC reviewed and revised the Charter through discussion among themselves and members of the public. Generally, the PAC sought to ensure the revised Charter maintained the intent and (to the extent feasible) language from the original application since this language was approved by some of their IWM boards. Major themes for consideration in reviewing the Charter are summarized below.

Recommendation Development & Decision-Making

The PAC affirmed the intended process for developing project deliverables. First, the Project Team shall develop draft materials based on TKFA proposal to DWR. Project Team may update these proposals consistent with project status and changed circumstances. However, the Project Team will highlight where those change are made. PAC shall have an opportunity to review revised proposal drafts and discuss revisions and updates. Material development shall be through PAC concurrence. Once the PAC achieves concurrence or consensus on a proposal, the PAC will develop recommendations and provide input consistent with the Meeting Framework to the Tulare County Board of Supervisors (BOS). To the extent the Project Team is unable to come to consensus on material development within project

milestones or recommendations are otherwise inconsistent with Tulare County contract obligations, the BOS will have final decision-making authority. Denise England acknowledged that the Tulare County Supervisor will take PAC recommendations very seriously unless they violate County contractual obligations.

Member sought to clarify that the Tulare County Board of Supervisors (BOS) will utilize recommendations of PAC in decision-making. Members further clarified that the BOS may not veto PAC recommendations unless in the case that such recommendation is in conflict with any agreement entered into by the BOS for this program.

Quorum.

Members expressed the need to clarify what constitutes a quorum of the PAC and the need to have an option for voting if consensus cannot be reached. The PAC agreed that a quorum shall consist of no fewer than 7 Members must be present at meeting, a majority of those including DAC representatives. Votes shall pass by a simple majority of voting PAC members present at a meeting. Recommendations where a vote may be taken shall be noticed in advance.

Voting Members of the TAC are 1 IRWM and 1 DAC member per IRWM, plus the single tribal member. Alternates are encouraged to attend all meetings, but shall not vote. In the event of a tie, the PAC shall be deemed to not come to a decision on a matter.

The PAC discussed that if an IRWM does not attend, or refuses to attend that the IRWM can at minimum nominate a DAC member for that IRWM (which will allow for achieving necessary quorum). Nomination of a DAC member shall be noticed for the following meeting and the County shall notify the IRWM of the proposed PAC action.

The PAC discussed possibilities if an IRWM decides to nominate someone after the PAC has identified a DAC member. It was agreed that it is the IRWM authority to do so. Likewise, the PAC discussed that if a DAC member is nominated and their region receives project that contracting directly with that DAC for projects (instead of through the IRWM) may be necessary.

Meeting Protocols & Outreach

Members of the public stressed the need to ensure Charter provisions are consistent with Brown Act Requirements. Members discussed the pros and cons of formally instituting Robert's Rules of Order in the Charter. Members agreed not to incorporate the Robert's Rules of Order, but recommended utilizing them as for guidance purposes, but not as the sole process for discussions. Items to include in meeting protocols, but not necessarily outlined in the Charter are:

1. Sequence or motions to discuss or vote.
2. Identification in Agenda of: Action Items, Discussion Items, or items requiring recommendation development.

PAC members did recommend inserting a motion and seconding of motions protocol in the voting provisions added to the Charter.

Members of the public requested the inclusion of Recommended noticing procedures for PAC meetings and activities be incorporated throughout the Charter. After further discussion, the PAC agreed to include recommended noticing procedures as an Appendix to the Charter for easier update. The following items were recommended for inclusion the recommended noticing procedures.

- a. Spanish and English notices, materials, and agendas (see below)

- b. All members of the IRWM are encouraged to post Agendas and meeting notices at their IRWM offices and share among their listserves.
- c. Including Spanish/English translation at the Tulare Basin Alliance website.
- d. Publication of PAC meeting notices in local newspapers.

Members of the Public discussed whether materials should be translated into additional languages. The PAC discussed this and acknowledged that, while the intent is to provide language accessibility to any community member requesting translation. Given the variety of languages spoken with the TKFA, overall translation costs, and availability of translators it was recommended to verify what the legal requirements are for translation services. County representatives will verify whether this requirements is based on the percentage (10-30%) of community members speaking a different primary language within the County and follow up on requirements for further discussion.

Action item: Denise England to verify whether there is a click to translate option on the Tulare Basin Alliance website.

Action Item: Denise England to verify what the requirements are under the Brown Act for providing English/Spanish translations.

Action Item: Denise England to check on Spanish/English translation offered in Tulare County.

Charter Term and Process for Amendments

PAC members discussed the need to include provisions for the term of the Charter (i.e. through the course of the DACIP project development). Likewise, the PAC desired provisions outlining how the Charter may be amended as needed. It was agreed that these provisions would be inserted using standard generic language by the facilitator.

Action Item: CCP shall update the Charter for review by the PAC in advance of the next meeting.

Action Item: CCP and the County shall review the Agenda and Charter to verify Brown Act compliance.

Action Item: County will post the TKFA map to the Tulare Basin Alliance website.

4. DAC ENGAGEMENT PROGRAM AND NEEDS ASSESSMENT GOALS

Ms. Maija presented the overview of the needs assessments and project development activities outlined in the TKFA application to DWR. She focused on the need to conduct a needs assessment to update and expand the existing database (see above discussions). (For more details see 4.19.2018 PAC meeting presentation.)

Members shared additional examples of existing databases and work that could be used in this effort including 2012 human right to water assessments conducted in the region. Members referenced data on well capacity and max demand. The PAC acknowledged that significant change to that data has occurred in the intervening six years. Members reiterated discussions relating to accessibility of data, currency of data and confidentiality issues. Members also referenced utilizing existing Tulare County data on wells dug within the last 3-4 years to determine how many DAC wells exist. The PAC also discussed issues with ensuring that community characteristics and classifications utilized in existing data was consistent with data needed for the DACIP.

Ms. Madec did mentioned that it may be more laborious gleaning various public data opportunities as opposed to getting new data consistent with DACIP needs. Members focused on existing data and the need to find synergy and efficiencies in the Needs Assessment. Agenda for next meeting. Members emphasized that many DAC communities do not understand where they fit into the overall TKFA region, thus recommended posting a map of the TKFA to the Tulare Basin Alliance website. Members referenced

previous surveys/information sheets that were conducted in DAC communities identifying: community name, the IRWM, County name, population, median household income. Members of the public emphasized the need to know what is already in existing IRWM and County databases, what other IRWMs are doing. Public members further referenced that in Tulare Lake there were things desired, that this new work could offer opportunities to address those needs.

PAC members and the public discussed the need to develop a project vision of what needs to be in the proposal and what is expected from the needs assessment. Members of the public referenced looking at unincorporated areas in addition to DACs. PAC members also emphasized that there are cities that are DACs and face the same or similar problems of the unincorporated areas.

Other participants sought to focus on DACs in terms of what is and not available through the state water system. This may also include looking at how to incorporate small communities into prime water and wastewater systems. PAC members discussed the need to focus on private wells, where there is not help or systems that can be effective for the DAC communities.

Members then focused on who will be conducting the assessment and analysis of existing and needed data for the DACIP. Members weighed the pros and cons of going through an RFP process versus contracting directly with Ms. Madec through Provost & Proctor to do the assessment work. Members discussed that the needs assessment was estimated in the proposal to DWR at \$340k. Members agreed that a direct contract through Provost & Proctor is the recommended course of action to ensure synergy among DACIP activities, as well as time and resource efficiencies. Ms. Madec and PAC Members emphasized that any cost savings in the Needs Assessment can go to project work. PAC members emphasized that they have information on what they are already working on and where there may be additional data and information that can be incorporated into what is proposed. The PAC sought to continue discussions with Ms. Madec to craft the Needs Assessment work proposal to ensure that duplicated activities do not occur and all necessary DAC communities are assessed appropriately. To ensure adequate time to discuss and frame this proposal, PAC members recommended holding an additional workshop in May solely focused on Ms. Madec's vision for the Needs Assessment. The focus on this workshop shall be to discuss this vision and give the PAC an opportunity to add items for consideration in the draft contract proposal.

The Project Team emphasized that the Board will need to give approval on the final proposal since this is a contracting obligation.

Action Item: Maija Madec will develop a vision of the Needs Assessment Proposal for review by the PAC

Action Item: CCP shall identify a date in May for the PAC to meet with Ms. Madec to discuss the vision.

5. NEXT STEPS & ADJOURN

The PAC agreed to hold an additional meeting May. CCP will identify potential dates and work on developing a standing meeting schedule for the PACs meetings consistent with the Meeting Framework. PAC members reviewed the items identified for later discussion and confirmed all items were either addressed or appropriately deferred to later meetings within the schedule.

Appendix A. Public Attendees

#	NAME	AGENCY
1.	Israel Sanchez	Westlands Water
2.	Michael Taylor	Provost & Pritchard
3.	April Ganzon	Self-Help Enterprises
4.	Maria Herrera	Self-Help Enterprises
5.	Abigail Solis	Self-Help Enterprises