

# AGENDA

## SPADRA BASIN GSA - EXECUTIVE COMMITTEE MEETING

CITY OF POMONA – CITY HALL  
ADMINISTRATIVE BOARD ROOM  
505 S. GAREY AVENUE, POMONA, CA 91766  
TUESDAY, SEPTEMBER 4, 2018, AT 3:30 P.M.

*Each item on the agenda shall be deemed to include any appropriate motion, resolution, or ordinance, to take action on any item.*

*Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public review during regular business hours at the Walnut Valley Water District office, located at 271 S. Brea Canyon Road, Walnut, California.*

1. Call to Order and Pledge of Allegiance
2. Roll Call

Party	Representatives	Alternates
City of Pomona	___ Ginna Escobar	___ Rubio Gonzalez
Walnut Valley Water District	___ Allen Wu	___ Ted Ebenkamp

3. Public Comment - Opportunity for members of the public to address the Executive Committee on any Agenda item at the time the item is considered on the agenda
4. Adoption of Agenda (by consensus)
5. Approval of Minutes for Meeting Held August 6, 2018
6. Adoption of Purchasing and Procurement Policy
7. Update on DWR Grant
  - a) Verbal Report
8. Schedule Implementation Team and Advisory Committee Meetings
9. Review of Future Discussion Items  
Spadra Basin GSA Specific Items:
  - a) Insurance issues
  - b) Discuss Outreach Issues – Design of website and logo
  - c) Develop a Mission Statement
  - d) Other  
General Public Agency Items:
  - a) Other
10. Adjournment to Next Meeting – Monday, October 1, 2018  
(Remaining 2018 meeting dates are: November 5 and December 3)

**SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY  
EXECUTIVE COMMITTEE MEETING  
Monday, August 6, 2018 – 3:30 P.M.**

**Draft**

City of Pomona – City Hall  
Administrative Board Room  
505 S. Garey Avenue  
Pomona, CA 91766

**MINUTES**

**PRESENT:**

GINNA ESCOBAR, Member  
ALLEN WU, Vice Member  
RUBIO GONZALEZ, Alternate Member (3:42 p.m.)

**STAFF PRESENT:**

ERIK HITCHMAN, Administrative Officer  
BRIAN TEUBER, Treasurer  
JIM CIAMPA, Legal Counsel

**ABSENT:**

All present

**OTHERS IN ATTENDANCE**

DONNA DILaura  
RAUL GARIBAY  
DAMIAN MARTINEZ  
ED MEANS  
DARRON POULSEN  
SHERRY SHAW  
DAVE WARREN

**ITEM 3: PUBLIC COMMENT**

No comments were offered. (Item 3)

**ITEM 4: ADOPTION OF AGENDA**

- ◆ Agenda was adopted by consensus. (Item 4)

**ITEM 5: APPROVAL OF MINUTES FOR MEETING HELD AUGUST 6, 2018**

- ◆ The Executive Committee was asked to approve the minutes for the Executive Committee meeting held on July 2, 2018.

*Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried (2-0), to approve the minutes of the July 2, 2018 Executive Committee meeting as presented. (Item 5)*

**ITEM 6: ESTABLISH BUDGET – REVIEW AND CONSIDER APPROVAL OF FISCAL YEAR 2018-19 OPERATING BUDGET**

- ◆ The Executive Committee was asked to review and consider approval of Fiscal Year 2018-19 Operating Budget.

*Upon consideration thereof, it was moved by Ms. Escobar, seconded by Dr. Wu and unanimously carried (2-0), to approve the Fiscal Year 2018-19 Operating Budget. (Item 6)*

**ITEM 7: ADOPT RESOLUTION No. 2018-08-02 PERMITTING DISCLOSURE OF CLOSED SESSION DISCUSSIONS TO MEMBER AGENCIES**

- ◆ The Executive Committee was asked to consider adoption of Resolution No. 2018-8-02, permitting disclosure of Closed Session Discussions to Member Agencies.

***Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried by roll call vote (2-0), to adopt Resolution No. 2018-08-02 permitting disclosure of closed session discussions to Member Agencies (Item 7)***

#### **ITEM 8: CONSIDER ADOPTION OF ORGANIZATIONAL CHART FOR FISCAL YEAR 2018-19**

- ◆ The Executive Committee was asked to consider adoption of the proposed Organizational Chart for Fiscal Year 2018-19.

***Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried (2-0), to adopt the proposed Organizational Chart for Fiscal Year 2018-19. (Item 8)***

#### **ITEM 9: CONSIDERATION ADOPTION OF REVISED CONFLICT OF INTEREST CODE TO INCORPORATE COUNTY OF LOS ANGELES' REQUIRED CHANGES**

- ◆ The Executive Committee was asked to consider adoption of the revised Conflict of Interest Code, as final, to incorporate the County of Los Angeles' required changes.

***Upon consideration thereof, it was moved by Dr. Wu, seconded by Ms. Escobar and unanimously carried by roll call vote (2-0), to adopt the revised Conflict of Interest Code, as final, to incorporate the County of Los Angeles' required changes. (Item 9)***

#### **ITEM 10: REVIEW OF FUTURE DISCUSSION ITEMS**

- ◆ Mr. Hitchman noted the following items for future discussion and possible action:  
Spadra Basin GSA Specific Items:
  - a) Adoption of Expenditure/Procurement Authority Policy - September
  - b) Develop list of Spadra Basin GSA tasks – September
    - i. Schedule Implementation Team and Advisory Committee Meetings - September
  - c) Insurance issues
  - d) Discuss Outreach Issues – Design of website and logo
  - e) Develop a Mission Statement
  - f) List of Proposed 2019 Executive Committee Meeting Dates – December
  - g) Other

#### General Public Agency Items:

- a) Other

#### **ITEM 11: ADJOURNMENT – 3:55 P.M.**

***Upon consideration thereof, and by consensus, the meeting was adjourned to the next meeting on September 4, 2018. (Item 11)***

Following adjournment of the meeting, the Administrative Officer distributed a list of the remaining meeting dates for calendar year 2018.

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Administrative Officer Signature

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## PURCHASING AND PROCUREMENT POLICY

### I. PURPOSE

It is the policy of the Spadra Basin GSA's Executive Committee to establish a comprehensive set of purchasing policies for the Agency that will serve as a guideline for the purchasing process as related to the Agency, Administrative Officer, and other Agency representatives.

### II. OVERVIEW

It is the policy of the Agency to obtain goods and services for operation at the lowest possible overall cost. This includes maintaining a purchasing system that ensures maximum use of fair and open competition and receipt of the best value for funds available, consistent with applicable laws and regulations.

### III. GENERAL POLICY PRINCIPLES

1. The following apply to all purchases made by the Agency, unless otherwise exempted as set forth herein:
  - a. No purchase will be approved or undertaken unless it has been budgeted for, either through the adopted annual budget or Executive Committee approval. All purchases shall be of the quality deemed necessary to suit the intended purpose.
  - b. Competitive offer requirements are set out in subsequent sections of this policy and are established based on type of purchase and/or established dollar limits.
  - c. Purchases, including capital projects, shall not be split to avoid required procedures or established dollar limits.
  - d. Emergencies - The determination of the existence of an emergency condition shall be at the discretion of the Administrative Officer, or designated representative. In the event of an emergency, the Administrative Officer may negotiate and award contracts for construction of work to prevent damage or repair damaged works without advertising for bids and expend any sum reasonably required in the emergency.
  - e. Generally, no purchase shall be made without appropriate authorization, or contract unless exempted in these guidelines. Otherwise such purchases are void and not considered an obligation of the Agency. The following purchases are exempt from these procedures;
    - i. Utilities
    - ii. Insurance premiums
    - iii. Legal expenses

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Administrative Officer Signature

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- iv. Membership renewals and subscriptions
  - v. In emergency situations where time is of the essence.
  - f. No Agency representative or Executive Committee member shall have a direct or indirect financial interest in any contract or purchase of goods or services entered into by the Agency, or shall derive any personal benefit that violates California law as a result of the Agency's purchase of goods or services.
  - g. No Agency representative or Executive Committee member shall use the purchasing procedures to obtain property for personal use or by misrepresenting to vendors that personal purchases are for the Agency (i.e., for the purpose of obtaining price discounts).
  - h. Any Agency representative or Executive Committee member failing to follow the purchasing policy and procedures may incur personal liability or financial obligation to the vendor.
- 2. Federal, State and Other Grant Programs - Federal, State, or grant programs may require special conditions that are more stringent than the Agency's. It is the responsibility of the Agency's representative accepting the grant to ensure that all grant provisions are complied with.**
- 3. Exceptions to Competitive Offer Requirements**
- a. As applicable in Sections IV through VII herein, the informal offers and the formal bidding process may be bypassed with Administrative Officer approval in the following instances:
    - i. In emergency situations where time is of the essence.
    - ii. Where a single source or sole source purchase is justified.
    - iii. When there exists other governmental contracts that were competitively bid (such as State Contracts, DGS, etc.) that the Agency is eligible to use.
    - iv. When an item has been bid within the last 36 months and the price has not changed by more than three percent (5%).
    - v. When purchasing goods with significant market fluctuations (such as chemicals), wherein requiring a guaranteed price for a year would actually cost the Agency more.
    - vi. When it is not possible, practical or cost effective to continue soliciting offers until three are received; provided that the Agency will use its best efforts in those situations to obtain at least two competitive offers.

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Administrative Officer Signature

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#### **IV. GENERAL SUPPLIES, MATERIALS AND EQUIPMENT**

1. General supplies, materials and equipment shall consist of any and all tangible items necessary for day-to-day operations, excluding goods purchased as part of an Agency Public Works Project (Section VII). When goods and services are purchased together, this section shall apply if the majority of the purchase is for goods. Based on the dollar amount of the purchases the following purchasing requirements apply:
  - a. General Purchases  $\leq$  \$50,000 – Purchases less than \$50,000 must be approved by the Administrative Officer. The use of a Request for Quote (RFQ) or Request for Proposal (RFP) is strongly encouraged but not required.
    - i. Evaluation - The Administrative Officer shall evaluate the informal quotes/proposals received and determine the best value procurement which best serves the interests of the Agency.
  - b. General Purchases  $>$  \$50,000 - Purchases greater than \$50,000 must be approved by the Executive Committee. Where practical, formal bidding should be used to assure that at least several possible vendors are given the opportunity to bid on major Agency purchases. The formal process generally takes more time and expense than informal quotes and in some instances may actually not be the most cost-effective approach. Exceptions to the formal bid process are considered on a case by case basis.

#### **V. PROFESSIONAL SERVICES**

1. Professional services are those activities performed by a consultant who possesses a high degree of expertise in a particular profession. This would generally include (but not be limited to) architectural services, accounting/auditing services, environmental services, design services, engineering services, technical services, financial services, legal services, economic services and other administrative services. Generally, professional services will be approved through formal contract. Contracts, including contract renewals, for professional services must be approved by the Administrative Officer or Executive Committee, in accordance with the limits set below.
  - a. Professional Services  $\leq$  \$50,000 – Professional services contracts with a total value less than \$50,000 must be approved by the Administrative Officer. The use of a Request for Quote (RFQ) or Request for Proposal (RFP) is strongly encouraged but not required.
    - i. Evaluation - The Administrative Officer shall evaluate the informal quotes received and determine the best value procurement which best serves the interests of the Agency.
    - ii. Change Orders - The Administrative Officer is authorized to issue change orders for changes or additions to the original contract that result in an overall amount up to \$50,000. All other change orders shall be brought to the Executive Committee for approval.

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Administrative Officer Signature

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- b. Professional Services > \$50,000 – Professional services contracts with a total value greater than \$50,000 must be awarded by the Executive Committee. A Formal RFP process should be used, thereby assuring the Agency that it has engaged the most qualified consultant available. The formal process generally takes more time and expense than informal offers of qualifications and in some instances may actually not be the most cost-effective approach. Exceptions to the formal bid process are considered on a case by case basis. A request for qualifications can be used when the scope of work is broadly defined. This method is used for either making an award to the most qualified provider or for pre-qualifying potential respondents for a subsequent competitive offer.
    - i. Change Orders - The Executive Officer is authorized to issue change orders for changes or additions to the original contract that are less than a 10% aggregate change up to a maximum dollar amount of \$50,000. All other change orders shall be brought to the Executive Committee for approval.

## VI. AGENCY PUBLIC WORKS PROJECTS

Unless otherwise determined or directed by the Executive Committee, this policy specifies the manner for inviting bids and awarding contracts for the types and nature of construction work set forth below and the acquisition of materials and equipment related to the Agency.

1. Projects ≤\$50,000 - All contracts for construction projects pertaining to facility improvements and/or non-emergency repairs, estimated to cost \$50,000 or less, may be authorized by the Administrative Officer without competitive bidding. In such event, the Administrative Officer may award the contract following informal bidding or quotations or by such other process as may be determined in the sole discretion of the Administrative Officer.
2. Major Projects > \$50,000- All contracts for labor and materials for construction projects estimated to cost more than \$50,000, are major projects and will be awarded to the lowest responsible bidder in the manner provided below. The Notice Inviting Bids shall set a date and time for the opening of bids. The Agency shall publish the Notice Inviting Bids in a trade paper or construction journal, as designated by the Administrative Officer, for a period of thirty (30) days. The bids will be opened in public at the date and time indicated in the Notice Inviting Bids.
3. Sole Source - If in the opinion of the Executive Committee, in instances where the contract or project is in excess of \$50,000, or the Administrative Officer, where the value of the contract is less than \$50,000, there is only one qualified contractor who can adequately perform the work required, the Executive Committee, or the Administrative Officer, may make a sole source award. The Determination of sole source shall be based upon a finding by the Executive Committee (if the contract's value exceeds \$50,000), or the Administrative Officer, where the value of the contract is less than \$50,000 that a contractor is uniquely qualified to provide specialized services to the Agency that cannot be obtained from other contractors.

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Administrative Officer Signature

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4. Change Orders - For all projects in excess of \$50,000, if any alteration of the contract is ordered, it shall be specified in writing and the cost agreed upon between the Agency and the contractor. The Executive Committee delegates, to the Administrative Officer, the authority to negotiate and approve change orders which, in the aggregate, do not exceed ten percent (10%) of the contract price. The Executive Committee shall approve all other change orders.
  5. Rejection of Bids - The Agency reserves the right to reject any and all bids received for a project.