



Workshop: Administrator Policy Handbook

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Division of Drinking Water

June 14, 2023

Remote participation only





Water Board's Mission Statement

Preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations.

Meeting Logistics

Ways to Participate-

1. Email: Submit a comment or ask a question that will be read aloud, send an email to:

ddw-administrator@waterboards.ca.gov

2. Q&A: Submit a question using the Q&A feature at the bottom of your Zoom Screen. You can UPVOTE any question you would like answered.

3. Raise Hand: Attendees will be given the opportunity to provide verbal comment or ask questions, if you're interested in this option, please raise your virtual hand when the time is right.

- Please wait for your name to be called.
- Public comments are 3 minutes each.

Agenda

1

Policy Overview

2

Policy Changes

- Adopted – March 2023
- Proposed – June 2023

3

Comments/Questions



Policy Overview

History

- In September 2018, Assembly Bill 2501 (AB 2501) amended Health and Safety Code section 116686 to require the State Water Board to develop an Administrator Policy.
- The Policy was first adopted in September 2019 and was revised in March 2023.



Roles & Responsibilities

Types

- Full Scope
- Limited Scope

Administrator Role

- Community accountability
- Water system management

Administrator Process

System Notification

- Water System notified of as consistently failing

Public Notification

- Written notice provided 30 days prior of a public meeting

Public Input & Meeting

- Overview of administrator process, tasks, qualifications, and funding

Scope & Funding

- Development of scope of work, budget, and funding

Administrator Process

Administrator Appointment

- The Administrator Order appoints the selected Administrator to take managerial control of the water system.

Implementation

- Community Accountability & Engagement plan
 - Hold public meetings
 - Fulfill Scope of Work

Appointment Concludes (Transition)

- Transition managerial control of water system

Administrator Appointments & Challenges

Administrator Appointment

- 26 Administrator Water System/Projects
- 5 Administrators Identified/Assigned
- 7 Administrators (Private and Public)
- 3 Administrator Master Agreements

Challenges

- Administrator Interest
- Technical Assistance Conflicts
- Liability issues
- Funding issues



Policy Changes Adopted in March 2023

X. COSTS

Clarifies
O&M costs

Water system is responsible for all ordinary O&M costs except for any funds awarded to the Administrator or the designated water system for this purpose.

X. COSTS

Clarifies funding
recipient eligibility

The State Water Board may provide separate funding for construction and planning projects, and ongoing O&M costs, to the Administrator or to the designated water system.

X. COSTS

Administrator limitations

An Administrator has no legal obligation to use its own assets or resources, financial or otherwise, in any way to operate the water system.



Policy Changes Proposed for June 2023

I. INTRODUCTION

Expands appointed
Administrator
definition

Some duties may include:

- Overseeing all activities of one or more designated water systems
- Acting as its general manager
- Developing and implementing a Community Accountability and Engagement Plan
- Establishing a long-term governance structure
- Managing an infrastructure project on behalf of the designated water system

II. PURPOSE AND OBJECTIVE

Senate Bill 1254 (2022)

Further amends CHSC Sections 116681 and 116686:

- Designation includes At-Risk systems
- Additional liability protection for Administrators

IV. RACIAL EQUITY

New Section: Racial Equity

State Water Board adopted Resolution 2021-0050, making racial and environmental justice central to its work and ensuring the human right to safe, clean, affordable, and accessible water.

VI. DEFINITIONS

Regional Administrator Definition

Limited or Full scope Administrator that may be appointed to multiple designated water systems, at the same time, to address long-term sustainability needs.

This includes but is not limited to:

- Physical or managerial consolidations
- Development of water partnerships or other appropriate single and unified governance structures
- Projects that increase a water systems' economies of scale and/or technical, managerial, and financial capacity

VI. DEFINITIONS

Regional Administrator Definition

Other notes:

- A Regional Administrator appointment is not specifically limited by physical connection, geographic, political, county, city, or LAFCO boundaries
- A Regional Administrator must comply with Section IX. Obligations the Administrator.

VIII. SELECTION OF ADMINISTRATOR

A. Selection of Administrator

Requires the State
Water Board to

Provide notices in all the languages spoken by 5% of the customers prior to the selection of an Administrator.

B. Selection of Administrator in Emergency Situations

Further defines
emergency situations

Emergency situations include, but are not limited to:

- Abandonment of a water system
- Displacement of an Administrator
- Imminent loss of water supply due to drought or other emergencies
- Acute contamination of a water system

IX. OBLIGATIONS OF ADMINISTRATORS

B. Public Access to Records

Expands access where websites are unavailable

Provide hard copies of documents at a community repository such as a public library, school, or water system office.

Clarifies Limited Scope Administrator Obligations

A Limited Scope Administrator shall make the documents relevant to the Administrator scope available to the governing body and/or general manager of the designed water system.

IX. OBLIGATIONS OF ADMINISTRATORS

C. Community Accountability and Engagement Plan

New Requirements

- At least one public meeting shall be held within 90 days of the appointment.
- Following appointment, the Administrator shall meet with the State Water Board to review expectations for the Community Accountability and Engagement Plan [...]

IX. OBLIGATIONS OF ADMINISTRATORS

C. Community Accountability and Engagement Plan

Time extension
and new
requirements

- Submittal of Community Accountability and Engagement Plan extended from 90 to 120 days
- Must obtain approval prior to implementation
- Administrator contact information must be included
- Limited Scope Administrator may be required to develop a Community Accountability and Engagement Plan as specified by the State Water Board

IX. OBLIGATIONS OF ADMINISTRATORS

New Subsection

E. Additional Work By Administrator

Unless authorized by the State Water Board, an Administrator is prohibited from conducting additional contracted work that is beyond the scope of the Administrator's funding agreement.

IX. OBLIGATIONS OF ADMINISTRATORS

F. Public Meetings

Further defines
public meeting
requirements

The Administrator shall discuss the following topics during a regularly scheduled public meeting or hold additional public meetings prior to taking any of the following actions:

- Developing a Community Accountability and Engagement Plan & Post-Administrator Drinking Water Service Plan
- Establishing a final operating budget
- Entering significant long-term contracts including financing contracts, planning projects, or infrastructure improvements
- Adopting final system policies
- Altering water rates

IX. OBLIGATIONS OF ADMINISTRATORS

F. Public Meetings

Clarifies
public notice
requirements

Public meeting notice period may be decreased or eliminated for:

- Water system emergencies
- Immediate public health and safety

IX. OBLIGATIONS OF ADMINISTRATORS

F. Public Meetings

Updates language services needs

Provide translated written materials and oral interpretation in a language other than English if at least 5% of the community speaks that language.

IX. OBLIGATIONS OF ADMINISTRATORS

F. Public Meetings

New Requirements

Administrators shall:

- Hold meetings in accordance with applicable laws and public health guidelines.
- Provide a meeting agenda for each public meeting.
- Post a summary no later than two weeks following a public meeting (website or community repository).

Any variance must be approved by the State Water Board

IX. OBLIGATIONS OF ADMINISTRATORS

G. Post-Administrator Drinking Water Service Plan

Refines
requirements

Post-Administrator Drinking Water Service Plan shall identify, evaluate, recommend, and implement solutions to address the designated water system(s) ability provide drinking water via:

- Technical, Managerial, and Financial capacity
- Consolidation
- Infrastructure Projects
- Risk forecasting and mitigation
- Resources necessary to implement the Post-Administrator Drinking Water Service Plan

IX. OBLIGATIONS OF ADMINISTRATORS

G. Post-Administrator Drinking Water Service Plan

Refines
requirements

- Long-term governance:
 1. Governance structure type
 2. Water rates and affordability
 3. Milestones and timelines to create and implement the governance change
 4. Key responsible parties necessary to implement the new governance structure
 5. If applicable, voluntary participation of nearby systems, domestic wells, etc.

IX. OBLIGATIONS OF ADMINISTRATORS

G. Post-Administrator Drinking Water Service Plan

Administrators
must note

- Administrators must hold at least one public meeting with the designated water system(s) prior to the submission of the Post-Administrator Drinking Water Plan.
- Administrator's duties do not automatically terminate with the adoption and approval of the Post-Administrator Drinking Water Plan.
- A Limited Scope Administrator shall develop a Post-Administrator Drinking Water Plan based on the scope of their appointment.

X. COSTS

Regional Administrator funding

With approval from the State Water Board, a Regional Administrator may be permitted to expend financial resources in aggregate across multiple designated water systems to:

- Increase cost-effectiveness
- For feasibility studies and engineering assessments for non-designated water systems that may be willing to voluntarily participate in regional projects
- Other appropriate use as approved by the State Water Board

XI. ADMINISTRATOR PERFORMANCE REVIEW

New
Section

- Administrator annual performance evaluation
- Performance evaluation shall include:
 - Initial water system evaluation
 - Submission of monthly reports
 - Community Accountability and Engagement Plan
 - Post-Administrator Drinking Water Service Plan
 - Progress towards regulatory compliance
 - Customer service

XII. REMOVAL OF ADMINISTRATOR AND REVIEW OF ADMINISTRATOR DECISIONS

Renames
section and
adds new
subsections

- State Water Board may initiate review of a decision of an Administrator.
- State Water Board may remove an Administrator at any time.

Comments & Questions



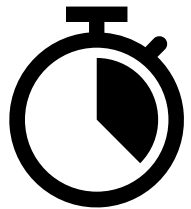
Ways to Participate



Email: ddw-administrator@waterboards.ca.gov



Raise your hand or Q&A function/chat



Please be considerate of other commenters time

Next Steps

Comment Period & Board Approval

- Comment Period Closes July 14, 2023
 - Email: ddw-administrator@waterboards.ca.gov
- Review Comments
- Finalize Policy Handbook
- Board Approval

Resources

For more information, please visit:
https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/administrator.html

