

C. Authorize a Professional Services Contract with Maureen Erbeznik & Associates for Regional Regulatory Compliance Support Services

**Agenda Item: 6C**

February 19, 2025

**TO: THE BOARD OF DIRECTORS**

Laura Roughton, President  
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Gracie Torres  
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**FROM:** Craig D. Miller, P.E., General Manager

**AUTHORIZE A PROFESSIONAL SERVICES CONTRACT WITH MAUREEN ERBEZNIK & ASSOCIATES  
FOR REGIONAL REGULATORY COMPLIANCE SUPPORT SERVICES**

**RECOMMENDATION:**

The Community and Government Affairs Committee and Staff recommend the Board of Directors:

1. Authorize the General Manager to execute a sole-sourced, professional services contract with Maureen Erbeznik & Associates for regional regulatory compliance support services in an amount not to exceed \$183,252.

**EXECUTIVE SUMMARY:**

On July 3, 2024, the State Water Resources Control Board adopted the *Making Conservation a California Way of Life* regulation, which, among other things, mandates that urban retail water suppliers submit annual reports that demonstrate good faith efforts to comply with the newly imposed Urban Water Use Objective. The professional services contract with Maureen Erbeznik & Associates (MEA) will provide individualized technical support services to Western Municipal Water District and each of the retail agencies within the general service area. MEA will play a significant role in helping each agency identify the most effective methods to achieve the State-required water conservation objectives and complete the annual reporting requirements.

**BUDGET IMPACT:**

If approved by the Board of Directors, a professional services contract with Maureen Erbeznik & Associates will be issued in an amount not to exceed \$183,252. The Metropolitan Water District of Southern California's Member Agency Administered Program will provide \$150,000 of the total contract funding. The remaining \$33,252 will be funded by Western Municipal Water District. The Board-approved, general service area water efficiency program budget for Fiscal Year 2024-2025 and Fiscal Year 2025-2026, is sufficient to cover the cost, if incurred.

**DETAIL:**

Effective July 3, 2024, the State Water Resources Control Board unanimously adopted the *Making Conservation a California Way of Life* regulation. This regulation also aligns with Water Code section 10608.34 pertaining to system water loss audits and standards. Under these aligned regulations, urban retail water suppliers must comply with an Urban Water Use Objective (UWUO) and submit annual reports to demonstrate good faith efforts toward meeting residential indoor and outdoor water use standards, a commercial, industrial, and institutional outdoor water use standard, and a water loss standard.

In response to the tremendous administrative burden that this new regulation and the associated reporting puts on retail water suppliers, Western Municipal Water District (Western Water) is taking steps to respond to the concerns of the retail agencies within the general service area. Western Water's proactive steps to develop a comprehensive support program have already included:

1. Engaging Maureen Erbeznik & Associates (MEA), a well-known and seasoned water efficiency expert, to conduct individual compliance assessments and forecasts for each retail agency and documenting specific action items for each agency to focus on to achieve compliance with the new objective.
2. Following these assessments, Western Water staff and MEA conducted one-on-one sessions with each retail agency to assess their current programs and develop action plans around their specific support requirements.

The retail water suppliers within Western Water must significantly enhance their existing water use efficiency programs, outreach methods, and educational initiatives to ensure compliance with the State mandated, increasing levels of efficiency. Recognizing that the amount of time that Western Water staff can allocate to retail agency administrative and technical support specific to the UWUO is limited, Western Water partnered with MEA, a long-time water use efficiency consultant to the District to thoughtfully develop next steps. Three main follow up tasks

have been identified on the path toward compliance and require continued support. They include:

**1. Comprehensive Compliance Implementation Plan Development (Task 1)**

The MEA team will design a robust compliance implementation plan tailored to each retail agency, with a regional perspective to optimize collaboration and resource sharing. This plan will guide each agency in organizing tasks, tracking progress, and meeting Water Use Objective (WUO) standards. Key components of Task 1 are listed below.

- a. Identify high-priority areas for water savings across retail agencies.
- b. Prioritize tasks based on impact, feasibility, and cost-effectiveness.
- c. Provide detailed cost projections for program design, labor, external services, and reporting obligations.
- d. Evaluate the efficiency of outsourcing specific tasks to reduce costs.
- e. Conduct a resource inventory to assess internal capabilities and identify gaps.
- f. Establish systems for joint program development, shared resources, and coordinated implementation among retail agencies.

**2. Regional Technical Support for UWUO Compliance (Task 2)**

MEA will provide tailored regional support to ensure consistent implementation of Urban Water Use Objective (UWUO) standards across all agencies within Western Water. This task emphasizes identifying opportunities for regional collaboration, streamlining compliance efforts, and leveraging data-driven insights. Key activities for Task 2 are listed below.

- a. Conduct GIS-based and data-driven evaluations to identify areas with the greatest potential for water savings.
- b. Map landscape, mixed-use, and irrigation meter data to align regional resources with high-impact opportunities.
- c. Develop tools for tracking regional progress against WUO standards.
- d. Establish uniform reporting methods to simplify compliance documentation across agencies.
- e. Coordinate joint efforts among agencies to achieve cost and resource efficiencies.
- f. Host workshops to improve agency staff expertise in UWUO implementation and reporting.

### 3. Support of Water Use Efficiency Initiatives (Task 3)

MEA will offer targeted support for Western Water's Water Use Efficiency (WUE) initiatives, focusing on improving program performance, customer engagement, and marketing efforts. Unlike Task 2, this task centers on enhancing individual agency programs rather than regional compliance. Key activities for Task 3 are listed below.

- a. Assess the effectiveness of current WUE programs and identify underperforming initiatives.
- b. Redesign programs to remove barriers and improve customer participation.
- c. Design and pilot new water efficiency programs tailored to agency needs.
- d. Develop complementary initiatives, such as advanced irrigation controls or customer rebate programs.
- e. Conduct market research to understand customer barriers and motivators.
- f. Develop and execute targeted marketing campaigns to increase program awareness and participation.
- g. Assist agencies with grant applications.
- h. Support the implementation of grant-funded programs and pilot projects.

This sole source effort is financially beneficial to the region because of the specialization of services and the extensive MEA knowledge from past programmatic and support experiences in the region and directly with retail agencies in the general service area. Western Water staff engaged MEA and negotiated pricing based on the economies of scale associated with supporting the entire region within the general service area. Alternative bidding processes would have resulted in significantly higher costs and a steep learning curve as another vendor would need to invest significant time and resources in building member agency relationships, achieving subject matter expertise, and replicating the knowledge and systems already possessed by MEA. For this reason, staff is recommending a sole source contract with MEA.

The following table outlines the support services costs.

Maureen Erbeznik & Associates Professional Services Contract		
Task 1	Plan Development	\$73,314
Task 2	Regional Technical Support	\$63,729
Task 3	Water Use Efficiency Initiatives	\$46,209
Total		\$183,252
Metropolitan Water District Funding		(\$150,000)
Western Water Expense		\$33,252

Reason for Action:

By partnering with MEA, Western Water, and the retail water suppliers within the general service area, will be well-positioned to submit accurate and timely annual reports demonstrating good faith efforts toward the State regulations.

Solution:

Authorize the General Manager to execute a professional services contract with Maureen Erbeznik & Associates in an amount not to exceed \$183,252.

**STRATEGIC PRIORITIES REFERENCE:**

This action is in alignment with Western's Strategic Priorities of Superior Service and Resource Management.

**LEGAL COUNSEL REVIEW:**

Not applicable.

Respectfully submitted by:

Craig D. Miller, P.E.. General Manager