Please Note:
Members of the public will have the opportunity to directly address the Agency Board of Directors concerning any item listed on the Agenda below before or during consideration of that item. 
There is a three minute time limit per person.

In order to better accommodate members of the public, some Agenda Items will be heard at a specified time or soon thereafter. Agenda Items without specific times may be rearranged to accommodate the Board’s schedule.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ADDITIONS TO AGENDA
   Items added to the agenda must be approved by the Board pursuant to Government Code Section 54954.2

3. INTRODUCTION OF NEW EMPLOYEE
   A. Riley Anderson - Construction I

4. PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA
   A. Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of Amador Water Agency; however, any matter that requires action will be referred to Staff for a report and action at a subsequent Board meeting. Please note there is a three (3) minute time limit per person.

5. CONSENT AGENDA
   A. Items listed on the consent agenda (see attached) are considered routine and may be enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

6. WASTEWATER SYSTEM
   A. Wastewater Rate Adjustment
      1. Discussion and possible action to implement the adopted wastewater inflationary rate adjustment of 3%
7. AGENCY GENERAL
   A. Association of California Water Agencies (ACWA) Committee Nomination
      1. Discussion and possible action to adopt Resolution No. 2019-11 nominating Gene Mancebo as a Board Member to the Association of California Water Agencies (ACWA) Region 3 Board. Discuss and consider participation in other ACWA committees by Board Members and staff.

   B. Mountain Counties Water Resource Association (MCWRA)
      1. Discussion and possible action regarding an Agency Board Member to serve as a Director on the Board of MCWRA.

   C. PG&E Public Safety Power Shutoff Program (PSPS)
      1. Discussion regarding risk and liability to the Agency associated with inability to provide and water or wastewater service.

   D. Impacts to Agency Facilities and Services resulting from Fires.
      1. Discussion regarding risk and liability associated inability to provide service due to fires directly or fire induced power outages at critical Agency facilities.

8. LEGAL COUNSEL'S REPORT
   A. Legislative report
   B. Discussion and possible action regarding Agency positions on other pending bills
   C. Other Legal Matters

9. CLOSED SESSION
   A. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(D)(1) – Existing Administrative Proceedings – State Water Resources Control Board Bay-Delta Water Quality Control Plan Update Proceeding

   B. Conference with Agency Negotiators Pursuant to Government Code Section 54956.8 (b) with direction regarding the terms for a one-time water transfer with Bay Area Water Supply and Conservation Agency (BAWSCA)

   C. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(a) and (d)(1) -- Existing Litigation – In re PG&E Corporation and Pacific Gas and Electric Company, United States Bankruptcy Court for the Northern District of California, Case No. 19-30088-DM (Chapter 11)

   D. Conference with real property negotiator involving the purchase, sale, lease or exchange of real property designated as Amador County APNs 023-070-165, & 033-800-021; Gene Mancebo, Agency negotiator. Instructions to the negotiator may include price. Terms of payment or both. Government Code sections 54954.5 (b) and 54956.8

   E. Pursuant to Government Code Section 54957 Public Employee Performance Evaluation- General Manager
10. COMMITTEE REPORTS, SPECIAL ASSIGNMENTS AND DIRECTOR COMMENTS
   A. ACGMA (06-02-19)
   B. Budget and Finance (06-04-19)

11. DEPARTMENT REPORTS
    Staff Reports will be provided by Managers to update the Board of Directors on current activities within their areas of responsibility
    A. Administration/Finance
    B. Operations
    C. Engineering

12. FUTURE AGENDA TOPICS
    A. This item is to provide the Board Members an opportunity to request items to be placed on future agendas.

13. ADJOURNMENT
AMADOR WATER AGENCY
CONSENT AGENDA
June 13, 2019

Items listed on the consent agenda are considered routine and may be enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

1. MINUTES
   A. Approval of minutes of the Regular Board Meeting of May 23, 2019

2. MISCELLANEOUS APPROVALS
   A. Approval of Accounts payable for May, 2019

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact Cris Thompson at (209) 223-3018 or (209) 257-5281 (fax). Requests must be made as early as possible, and at least two-full business days before the start of the meeting.

Documents and materials relating to an open session agenda item that are provided to the Amador Water Agency Board of Directors less than 72 hours prior to a regular meeting will be available for public inspection and copying at 12800 Ridge Rd, Sutter Creek CA 95685
CALL TO ORDER- President Molinelli Jr. called the meeting to order at 9:03 a.m.

ADDITIONS TO THE AGENDA- (0:00:43- 3:18)

INTRODUCTION OF NEW EMPLOYEES (00:00:43-3:18)
Mike Hanna, Distribution I

PUBLIC COMMENT- (03:18- 11:01)
President Molinelli Jr. announced that the Agency received a letter from the Amador Fire Council requesting Agency representation on the Council. President Molinelli Jr. appointed Director Thomas as a member and Director Peters will be the alternate.

CONSENT AGENDA (0:11:01-11:12)

MOTION: It was moved by Director Thomas, seconded by Director Peters and unanimously carried to approve the consent agenda as presented.
WATER SYSTEM (11:15-20:40)
Real Property Acquisition
Discussion and possible adoption of Resolution No. 2019-10, a resolution authorizing the General Manager to execute a certificate of acceptance concerning the conveyance of property 030-170-026.

MOTION: It was moved by Director Farrington, seconded by Director Toy, and unanimously carried to adopt Resolution 2019-10 authorizing the General Manager to execute, and the Secretary to record a Certificate of Acceptance concerning the conveyance of property 030-170-026 from Ronald L. Bailey, as General Partner of Kruger Properties.

WASTEWATER SYSTEM
Highway 49 Overlay Project- Martell (20:43-24:08)
Discussion and possible action to approve a budget augmentation and authorize the General Manager to issue payment to Caltrans in the amount of $6,000 for the 2015/16 Highway 49 Overlay Project in the Martell Area.

MOTION: It was moved by Director Thomas, seconded by Director Farrington and unanimously carried to approve the budget augmentation and to authorize the General Manager to issue payment to Caltrans in the amount of $6,000 for the 2015/16 Highway 49 Overlay Project in the Martell Area.

AGENCY GENERAL (24:15-44:52)
Personnel
Discussion and possible action to approve the job description and authorize the General Manager to fill the vacant IT/Electrical position with Electrical Technician

Discussion and possible action to authorize staff to initiate the process to fill a Geographic Information System position.

MOTION: It was moved by Director Toy, seconded by Director Farrington, and unanimously carried to approve the job description and authorize the General Manager to fill the vacant IT/Electrical position with Electrical Technician and to authorize staff to initiate the process to fill a Geographic Information System position contingent on the FY19-20 budget.

GENERAL MANAGER'S REPORT and ACWA CONFERENCE REPORT (45:05-1:12:26)

AGENCY GENERAL to be called at 10:16 a.m.
Tanner Water Treatment Plant Backwash Recycling Plant ribbon cutting ceremony
Regular session resumed at 11:19 a.m.
BOARD OF DIRECTOR DISTRICT REPORTS, COMMITTEE REPORTS AND DIRECTOR COMMENTS – (2:15:23- 2:57:00)
Personnel Committee (05-15-19)
Engineering and Planning (05-15-19)
SGMA (05-15-19)

CLOSED SESSION was called at 12:01 p.m.
Conference with Legal Counsel Pursuant to Government Code Section 54956.9(D)(1) – Existing Administrative Proceedings – State Water Resources Control Board Bay-Delta Water Quality Control Plan Update Proceeding- item not discussed

Conference with real property negotiator involving the purchase, sale, lease or exchange of real property designated as Amador County APNs 023-070-165, & 033-800-021; Gene Mancebo, Agency negotiator. Instructions to the negotiator may include price, Terms of payment or both. Government Code sections 54954.5 (b) and 54956.8- item not discussed

Pursuant to Government Code Section 54957 Public Employee Performance Evaluation- General Manager.

SESSION resumed 12:49 p.m. with nothing to report

FUTURE AGENDA TOPICS - None

ADJOURNMENT
President Molinelli Jr. adjourned the meeting at 12:49 p.m.

__________________________________________________________________________
Cris Thompson
Clerk of the Board of Directors
Approved: ______________________________
# Accounts Payable

## Checks by Date - Summary by Check Date

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**Printed:** 6/6/2019 7:22 AM

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Total for 5/9/2019: 462.00

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| 1440 | 1620 | Dean G. Ninnis                       | 05/10/2019   | 748.99       |
| 1441 | 2430 | Pace Supply Corp                     | 05/10/2019   | 4,353.48     |
| 1442 | 2837 | Stantec Consulting Inc. (SCSI)       | 05/10/2019   | 774.00       |
| 83811 | 2824 | A Specialized Printing Service       | 05/10/2019   | 290.45       |
| 83812 | UB*01044 | A&amp;B QUALITY MANAGEMENT              | 05/10/2019   | 51.80        |
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| 1765 1712 | 19148    | P.E.R.S.    | 05/28/2019    | 57.65 |
| 1766 1076 | 83885    | American River Bank | 05/28/2019 | 99,617.06 |
| 1767 2853 | 83884    | ITALIAN BENEVOLENT SOCIETY | 05/24/2019 | 20.00 |
| 83879 1030 | 83884    | ITALIAN BENEVOLENT SOCIETY | 05/24/2019 | 20.00 |
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Report Total (183 checks): 2,196,792.96
STAFF REPORT

Wastewater Rate Adjustment
Concurrence to implement Adopted Adjustment

Requested Action:
Discussion and possible action to implement the adopted wastewater inflationary rate adjustment of 3%.

Background
On December 11, 2014, the Water Agency Board adopted a five-year wastewater rate adjustment plan. The approved plan includes an inflationary adjustment for July 1, 2019 with a cap of 3%. The identified Consumer Price Index prepared by the US Bureau of Statistics computed a 3.5% inflation. Prior to implementation of the approved rate adjustment, the Water Agency must determine that the adjustment in rates does not exceed the cost of providing service.

The draft budget for 2019-20 FY is balanced with the inclusion of the 3% rate adjustment. The draft budget proposes to transfer $50,000 to the Capital Reserve funds following the first contribution this year of $5,000; however, this is still far below the reserve target 1% of asset value or about $136,400. The Operating fund has been contributing to capital projects; however, some of the more costly projects have been deferred and anticipated projects such as the Sutter Creek Wastewater Plant project will have an impact on the Agency’s operating costs and ability to build its targeted reserve accounts. This year, the Agency expects to end the 18/19 fiscal year with close to $300,000 in the operating cash. The operating reserve target is approximately $298,000 and although the ending cash balance could fully fund the operating reserve, approximately $40,000 needs to remain in the checking account to cover expenses and fluctuations in revenues vs. expenses at the beginning of the fiscal year.

The Agency has improved its wastewater financial position since 2014; however, we have not yet met our reserve targets nor fully implemented our capital improvement and replacement program and therefore needs to implement the rate adjustment which is capped 3% for this upcoming year. The proposed capital reserve contribution planned for 2019-20 fiscal year could not occur without the rate adjustment.

The current reserve policy requires building a reserve 16.7% (or 2 months) of the annual operating and maintenance expenses. Our Rate Consultant, Bob Reed recommended an operating rate reserve of 3 months or 25% for the wastewater due to {00049987.1}
the smaller fund size. He noted that many similarly sized utilities maintain operating reserves of 50-100% of annual operating costs and noted that the Agency should revisit the operating reserve once a 2-month reserve could be maintained. The Wastewater Operating Fund is expected to incur increased expenses in the near future for capital projects and repairs and the Water Agency must consider these financial impacts.

It is clear that the adjustment in rates does not provide a revenue which exceeds the cost of providing service and the Board should proceed with implementation of the approved rate adjustment.

**Alternatives:** Direct staff to cancel or postpone the implementation of the planned rate adjustment

**Fiscal Impact:** The rate adjustment adds an estimated $47,647 in revenue

**Reviewed by Committee:** No

**Staff Recommendation:**
Implement the adopted wastewater inflationary rate adjustment of 3%.

**Prepared by:** Gene Mancebo, General Manager, Amador Water Agency
STAFF REPORT
Associations of California Water Agencies
Nominations

Requested Action:
Discussion and adoption of Resolution 2019-11 nominating Gene Mancebo as a Board Member to the Association of California Water Agencies (ACWA) Region 3 Board. Discuss and consider participation in other ACWA committees by Board Members and staff.

Background:
Gene Mancebo is currently serving as a Board Member on the ACWA Region 3 Board and desires to be considered for the upcoming term. The Water Agency benefits from participation in ACWA and to a greater detail as being on the Region 3 Board and committees. Participating in bill language, working directly with neighboring water agencies, and direct involvement in current and relevant issues facing the water community provides a voice for the Water Agency and its constituents. Information and input at Region 3 meetings and committee meetings keeps the Water Agency at the cutting edge on emerging issues and provides a path to advocate the Agency’s position on important issues. The Water Agency has actively participated in ACWA committees over the years.

Alternatives:

Fiscal Impact:
Mainly staff time.

Reviewed by Committee:
No.

Recommendation:
Discussion and adoption of Resolution 2019-11 nominating Gene Mancebo as a Board Member to the Association of California Water Agencies (ACWA) Region 3 Board. Discuss and consider participation in other ACWA committees by Board Members and staff.

Prepared by: Gene Mancebo, General Manager
RESOLUTION NO. 2019-11
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY
PLACING IN NOMINATION FOR GENE MANCEBO
AS A MEMBER OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES
REGION 3 BOARD MEMBER

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF AMADOR WATER AGENCY AS FOLLOWS:

A. Recitals
   (i) The Board of Directors (Board) of the Amador Water Agency does encourage and support the participation of its members in the affairs of the Association of California Water Agencies (ACWA).
       • General Manager, Gene Mancebo is currently serving as a Board Member for ACWA Region 3
   (ii) Gene Mancebo has indicated a desire to continue to serve as a Board Member of ACWA Region 3.

B. Resolves

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF Amador Water Agency,

(i) Does place its full and unreserved support in the nomination of Gene Mancebo as a Board Member for ACWA Region 3.

(ii) Does hereby determine that the expenses attendant with the service of Gene Mancebo in ACWA Region 3 shall be borne by the Amador Water Agency.

Signed and approved by me after its passage this 13\textsuperscript{TH} day of June, 2019.

______________________________
Paul Molinelli Jr., President
Board of Directors

ATTEST:

______________________________
Cris L. Thompson
Clerk of the Board of Directors
MEMORANDUM

TO: BOARD OF DIRECTORS, AMADOR WATER AGENCY
CC: GENE MANCEBO, GENERAL MANAGER
FROM: JOSH HOROWITZ & PAT FITZGERALD
DATE: JUNE 7, 2019
RE: LEGISLATIVE REPORT FOR THE JUNE 13, 2019 AMADOR WATER AGENCY BOARD MEETING

The following are bills of potential interest to the Amador Water Agency pending in the California Legislature. [** - denotes bills added since last month’s report.]

STATE ASSEMBLY

AB 9 (Reyes) - Employment discrimination: limitation of actions.
Introduced: 12/03/18
Existing law requires a person to file a complaint under the California Fair Employment and Housing Act (FEHA) regarding certain unlawful employment and housing practices, including discrimination and harassment, within one year. This bill would extend the period within which someone may file these claims to three years.
ACWA: None.

AB 51 (Gonzalez) - Employment discrimination: enforcement.
Introduced: 12/03/18
This bill would prohibit any person from requiring any applicant for employment or any employee to waive any right, forum, or procedure for a violation of any provision of FEHA or other specific statutes governing employment as a condition of employment, continued employment, or the receipt of any employment-related benefit. The bill would also prohibit an employer from threatening, retaliating or discriminating against, or terminating any applicant for employment or any employee because of the refusal to consent to the waiver of any right, forum, or procedure for a violation of specific statutes governing employment.
ACWA: Watch.
AB 60 (Friedman) - Water conservation: water meters: accuracy standards.
Introduced: 12/03/18
Status: 4/24/19 - Failed deadline for passage out of Asm. Comm. on Appropriations; may be acted upon Jan. 2020 (2-year bill).
Existing law requires the State Energy Resources Conservation and Development Commission to establish design and construction standards and energy and water conservation design standards for new residential and new nonresidential buildings and to establish minimum levels of operating efficiency to promote the use of energy and water efficient appliances. This bill would require the commission, on or before January 1, 2022, to adopt regulations setting standards for the accuracy of water meters, as described. The bill would prohibit any water meter manufactured on or after the effective date of those regulations from being sold or offered for sale in the state, or installed by a water purveyor, unless it is certified by the manufacturer to be in compliance with those standards. Notwithstanding these provisions, the bill would require the regulations to include an exception for purchase of a noncompliant water meter pursuant to a contract entered into before January 1, 2020, and the subsequent installation of that water meter. The bill would allow a water purveyor to maintain water meters that are installed as of the effective date of the regulations, or pursuant to that exception, until the end of their useful service, as determined by the water purveyor.
ACWA: Not favor unless amended.

AB 68 (Ting) - Land use: accessory dwelling units.
Introduced: 12/03/18
Existing law limits the ability of a local agency, special district, or water corporation to require the installation of a new or separate utility connection and the payment of a related connection fee or capacity charge for certain accessory dwelling units (ADUs). As amended, this bill would require a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit permit within 60 days of receipt instead of the 120-day period in existing law.
ACWA: Watch.

AB 184 (Bloom) – Safe drinking water restoration.
Introduced: 12/05/18
Status: 5/30/19 – In Senate. Read first time. To Comm. on Rules for assignment.
As introduced, this bill stated findings and declarations of the Legislature's intent to adopt policies to ensure that every Californian has the right to safe, clean, affordable, and accessible drinking water. Gov Newsom's proposed budget summary, released on Jan. 11, stated that he would be would be advancing a safe drinking water funding framework “consistent with the policy framework of SB 623” (the “Safe and Affordable Drinking Water Act” that failed in summer 2018). This bill or AB 217 were seen as potential vehicles for
advancing this proposal in the legislature. As an alternative approach to a new tax, ACWA was proposing a Safe Drinking Water Trust to fund costs for community water systems in disadvantaged communities. (See discussion of SB 669, below.)

In March, AB 134 was amended to establish accountability provisions for implementation of AB 217, the Assembly policy bill that proposes a water tax as one funding mechanisms for safe drinking water solutions for disadvantaged communities. In May, AB 134 was subject to more extensive revisions, which added provisions relating to needs assessments, plans to get at-risk systems int compliance, and program accountability and oversight. The bill would become operative only if AB 217 also is enacted. (See discussion of AB 217, below.)

On May 15, the Senate Budget and Fiscal Review Committee Subcommittee No. 2 rejected the Newsom Administration’s budget trailer bill language with a proposed water tax, and instead adopted a $150 million per year continuous appropriation from the General Fund to the Safe and Affordable Drinking Water Fund, proposed by SB 200. On May 22, an Assembly budget subcommittee also did not approve the Governor’s budget trailer bill language, but deferred action on the creation of a Safe and Affordable Drinking Water Program to the legislative bill process. After SB 669 was held in the Senate Appropriations Committee on the suspense file, ACWA turned its focus to supporting the Senate’s safe drinking water plan. (See discussion of SB 200, below.)

ACWA: Not favor.

**AB 171 (Gonzalez) - Employment: sexual harassment.**

**Introduced:** 1/24/19

**Status:** 5/24/19 - In Senate. Read first time. To Comm. on Rules for assignment.

This bill would prohibit an employer from discharging or in any manner discriminating or retaliating against an employee because of the employee’s status as a victim of sexual harassment, as defined by FEHA. The bill would establish a rebuttable presumption of unlawful retaliation based on the employee’s status as a victim of domestic violence, sexual assault, sexual harassment, or stalking if an employer takes specific actions within 90 days following the date that the victim provides notice to the employer or the employer has actual knowledge of the status. This bill contains similar provisions as AB 3081, which passed the legislature last term but was vetoed by Governor Brown.

ACWA: Watch.

**AB 217 (Garcia, Eduardo) - Safe Drinking Water for All Act.**

**Introduced:** 1/16/19

**Status:** 5/22/19 – Read second time. Ordered to third reading.

As currently drafted, this bill simply would create a “Safe and Affordable Drinking Water Fund,” from which moneys would be available to the State Water Resources Control Board (State Water Board), upon appropriation from the legislature, to provide a stable source of funding to secure access to safe drinking water for all Californians, while also ensuring the
long-term sustainability of drinking water service and infrastructure. AB 217 has been amended to include a $0.50 per water connection tax and to include most of the language from last year's budget trailer bill that died. ACWA is leading a coalition that is opposing the bill unless the proposed water tax is deleted. For more on efforts to advance Safe and Affordable Drinking Water proposals, see AB 134, above.

ACWA: Oppose unless amended.

AB 231 (Mathis) – California Environmental Quality Act: exemption: recycled water.

Introduced: 1/17/19

Status: 5/9/19 - Failed deadline for passage out of policy committee; may be acted upon Jan 2020 (2-year bill).

This bill would exempt from the requirements of the California Environmental Quality Act (CEQA) any project to construct or expand a recycled water pipeline for the purpose of mitigating drought conditions during a state of emergency proclaimed by the Governor, if the project meets specified criteria. The bill would also exempt from CEQA the development and approval of building standards by state agencies for recycled water systems.

ACWA: Favor.

AB 235 (Mayes) - Electrical corporations: recovery of catastrophic wildfire costs and expenses.

Introduced: 1/18/19


As introduced, this bill would create the California Wildfire Catastrophe Fund Authority, which would be governed by a board of directors. The bill would authorize electrical corporations and local publicly owned electric utilities to participate in the authority. The bill would require each participating entity to make an initial contribution and annual contributions to the authority, and would require the board to deposit those contributions into an account dedicated to receiving contributions from that participating entity.

In April, the bill was amended to remove the provisions concerning the California Wildfire Catastrophe Fund Authority, replacing these provisions with text that concerns the Public Utilities Commission's authority to fix rates and charges for public utilities that are seeking to recover costs and expenses arising from a catastrophic wildfire.

ACWA: None.
AB 249 (Choi) – Public employers: employee organizations.
Introduced: 1/22/19
Status: 6/4/19 – From Asm. Committee on Public Employment & Retirement without further action – DEAD.
This bill would prohibit a public employer from deterring or discouraging a public employee or an applicant to be a public employee from opting out of becoming or remaining a member of an employee organization. The bill would prohibit a public employer from taking adverse action, including reducing pay or benefits, against a public employee or applicant to be a public employee who opts out of becoming or remaining a member of an employee organization.
ACWA: None.

AB 287 (Voepel) - Public employees' retirement: annual audits.
Introduced: 1/28/19
Status: 2/7/19 - Referred to Asm. Committee on Public Employment & Retirement.
Current law requires each state and local public pension or retirement system, on and after the 90th day following the completion of the annual audit of the system, to provide a concise annual report on the investments and earnings of the system, as specified, to any member who makes a request and pays a fee, if required, for the costs incurred in preparation and dissemination of that report. This bill would also require each state and local pension or retirement system to post a concise annual audit of the information described above on that system's website no later than the 90th day following the audit's completion.
ACWA: None.

AB 289 (Fong) – California Public Records Act Ombudsperson.
Introduced: 1/28/19
Status: 5/24/19 – In Senate. Read first time. To Committee on Rules for assignment.
This bill would establish an ombudsperson within the California State Auditor's Office who would serve as the appeals body for requests related to the California Public Records Act. As amended, the bill would only authorize the ombudsperson to review denials of records requests submitted to state agencies. However, the bill authorizes the ombudsperson to provide written information, guidance, and advice to public agencies, including local agencies, regarding the act.
ACWA: None.

AB 292 (Quirk) - Recycled water: raw water and groundwater augmentation.
Introduced: 1/28/19
Current law requires the State Water Board, on or before December 31, 2023, to adopt uniform water recycling criteria for direct potable reuse through raw water augmentation, as specified. This bill would eliminate the definition of “direct potable reuse” and instead
would substitute the term “groundwater augmentation” for “indirect potable reuse for groundwater recharge” in these definitions. The bill would require, on or before December 31, 2023, the State Board to adopt uniform water recycling criteria for raw water augmentation. On March 4, 2019, the bill was amended to also revise the definition of “treated drinking water augmentation,” to mean the planned placement of recycled water “directly into a finished” water distribution system.
ACWA has adopted a support potion on this bill because it clarifies definitions that are confusing to the public, following up on 2017’s AB 528 which similarly streamlined various water reuse definitions in the Water Code.
ACWA: Support.

AB 322 (Gallagher) - Political Reform Act of 1974: online filing and disclosure system.
Introduced: 1/30/19
Status: 5/16/19 – In Asm. Appropriations Comm.: hearing postponed by committee.
The Political Reform Act of 1974 requires the filing of certain statements, reports and other documents. Under the act, a local government agency may require these filings to be made online or electronically and then make all data so filed available on the Internet. This bill would require a local government agency to post on its website a copy of any certain statement, report, or other document filed with that agency in paper format. This bill would require that the statement, report, or other document be made available for four years from the date of the election associated with the filing.
ACWA: None.

AB 333 (Eggman) - Whistleblower protection: county patients’ rights advocates.
Introduced: 1/31/19
Status: 5/24/19 – In Senate. Read first time. To Comm. on Rules for assignment.
Existing law prohibits an employer or any person acting on behalf of the employer from preventing an employee from, or retaliating against an employee for, providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry, if the employee has reasonable cause to believe that the information discloses a violation of a law, regardless of whether disclosing the information is part of the employee’s job duties. As introduced, this bill would have extended such whistleblower protection to independent contractors and contracted entities working for state and local government who are tasked with receiving and investigating complaints from facilities, services, and programs operated by state and local governments. On May 17, however, this bill was amended in the Assembly so that it only applied to county patients’ rights activists.
ACWA: None.
**AB 402 (Quirk) – State Water Resources Control Board: local primacy delegation: funding stabilization program.**

**Introduced:** 2/6/19

**Status:** 5/29/19 – Referred to Sen. Comm. on Environmental Quality.

The California Safe Drinking Water Act requires the State Water Board to administer provisions relating to the regulation of drinking water to protect public health. The act requires the State Water Board to provide certain local agencies (called local primacy agencies), to the extent funds are available from the Safe Drinking Water Account, with an annual drinking water surveillance program grant to cover the costs of conducting inspection, monitoring, surveillance, and water quality evaluation activities. The act requires the State Water Board to adopt a schedule of fees and requires a public water system under the jurisdiction of a local primacy agency to pay these fees to the local primacy agency in lieu of the State Water Board.

On June 5, the ACWA State Legislative Committee an emergency meeting and adopted an oppose-unless-amended position on the bill, after learning that the author intends to amend the bill to authorize the State Water Board to establish and collect fees on all public water systems in order to subsidize this program. ACWA is circulating a coalition letter opposing the bill and asking members to contact Senators and Assembly Members to express opposition.

**ACWA:** Oppose unless amended.

**AB 441 (Eggman) – Water: underground storage.**

**Introduced:** 2/11/19

**Status:** 5/17/19 – Failed deadline for passage out of Asm. Comm on Appropriations; may be acted upon Jan. 2020 (2-year bill).

Under existing law, the right to use water is limited to that amount of water reasonably required to serve beneficial uses. Failure to beneficially use a water right for a period of five years may result in forfeiture of that right. Existing law provides that diversions for storing water underground constitute a beneficial use if the stored water is thereafter applied to beneficial uses; the underground storage itself is not a beneficial use. This bill would provide that certain uses of water while underground constitute beneficial use. This bill would provide that water thus being beneficially used, or held in storage for a later beneficial use, is not subject to forfeiture.

**ACWA:** Watch.

**AB 456 (Chu, Bonta, Low) – Public contracts: claim resolution.**

**Introduced:** 2/11/19

**Status:** 5/17/19 – In Sen. Comm. on Judiciary: Set, first hearing. Hearing cancelled at request of author.

The Public Contract Code currently provides, for contracts entered into after January 1, 2017, a claim resolution process for claims by a contractor in connection with a public works...
project against a public entity. That claim resolution process provision is set to sunset on January 1, 2020. This bill would delete the sunset date and make the claim resolution process operative indefinitely.

ACWA: None.

AB 654 (Rubio, Blanca) – Public records: utility customers: disclosure of personal information.
Introduced: 2/15/19
Status: 4/26/19 – Failed deadline for passage out of Asm. Comm. on Judiciary; may be acted upon Jan. 2020 (2-year bill).
The California Public Records Act (CPRA) currently authorizes local agencies to disclose certain utility customer information under certain circumstances, including to another governmental agency when the information is necessary for the performance of that agency’s official duties. This bill would amend the act to authorize a local agency to disclose the name, utility usage data, and home address of utility customers to another governmental agency when the disclosure is not necessary for the performance of the other governmental agency’s official duties but is to be used for scientific, educational, or research purposes, and the requesting agency receiving the disclosed material agrees to maintain it as confidential in accordance with specified criteria. Disclosure would be at the sole discretion of the disclosing agency.

ACWA: Favor.

AB 658 (E. Garcia) – Water rights: water management.
Introduced: 2/15/19
Status: 5/29/19 – In Senate. Read first time. To Comm. on Rules for assignment.
This bill would authorize the State Water Board to issue conditional temporary permits and change orders to groundwater sustainability agencies or local agencies to authorize the diversion of surface water to underground storage for beneficial use that advanced the sustainability goal of a groundwater basin. This bill additionally would expand beneficial uses of water to include diversions of water to underground storage in certain circumstances, including for groundwater recharge and protection of water quality.

ACWA: Support if amended.

AB 756 (C. Garcia) - Public water systems: perfluoroalkyl substances and polyfluoroalkyl substances.
Introduced: 2/19/19
Status: 5/24/19 - Read second time, amended, and re-referred to Sen. Comm. on Environmental Quality.
Existing law, the California Safe Drinking Water Act, requires the State Water Board to administer provisions relating to the regulation of drinking water to protect public health. The act’s implementing regulations are required to include monitoring of contaminants and requirements for notifying the public of the quality of the water delivered to customers.
This bill would require public water systems to monitor for perfluoroalkyl and polyfluoroalkyl substances. The bill also would require a public water system to publish and keep current on its internet website water quality information relating to regulated contaminants and to notify each customer on the customer's next water bill and through email, as prescribed, of confirmed detections of specified excess contaminants.

As amended on May 24, the bill would require public monitoring systems to meet specified customer notice requirements as a result of any confirmed detection. Following these amendments, ACWA adopted an oppose position, asserting that that monitoring and customer notice concerning perfluoroalkyl and polyfluoroalkyl substances should instead follow the process set forth in AB 841 (see below).

**AB 841 (Ting) - Drinking water: contaminants: perfluoroalkyl and polyfluoroalkyl substances.**

**Introduced:** 2/20/19  

This bill would require the state Office of Environmental Health Hazard Assessment to adopt and complete a work plan to assess which perfluoroalkyl and polyfluoroalkyl substances should be identified as a potential risk to human health and subject to notification requirements by public water systems under the Health & Safety Code. The bill would require the office to provide an update on the assessment by January 1, 2022.

ACWA: Favor.

**AB 868 (Bigelow) - Electrical corporations, electrical cooperatives, local publicly owned electric utilities: wildfire mitigation plans.**

**Introduced:** 2/20/19  
**Status:** 5/17/2019 – Failed deadline for passage out of Asm. Comm. on Appropriations; may be acted upon Jan. 2020 (2-year bill).

Under existing law, the PUC has regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing boards. Existing law provides that electrical cooperatives are subject to the regulatory authority of the PUC under the Public Utilities Act, except as specified. This bill would require each covered electrical utility that deenergizes portions of the electrical grid as a wildfire mitigation measure to adopt protocols for when de-energization will be undertaken, for providing notice and other steps to be taken to minimize any adverse effects from de-energization, and for restoring electrical service following a de-energization. The bill would require that the utility, in developing the protocols, consult with persons and institutions that are reasonably likely to be affected by a de-energization, including local water suppliers, wastewater agencies, consumer groups, fire departments, law enforcement agencies, and local government officials. The bill would require an electrical utility that deenergizes portions of the electrical grid as a wildfire mitigation measure to maintain an
internet website or dedicated web page identified and accessible from its general internet website, devoted to public safety as it relates to the utility services provided by the utility. ACWA: Favor.

**AB 881 (Bloom) – Accessory Dwelling Units.**
**Introduced:** 2/20/19
**Status:** 5/22/19 – Referred to Sen. Comm. on Housing and Comm. on Governance & Finance.
This bill would make several changes to the Planning and Zoning Law provisions concerning ADUs. Among other things, this bill would clarify the requirements for when a local agency must approve an ADU building permit, and for when an ADU may not be required to install a new water or sewer connection or pay a related connection fee or capacity charge. Under this bill, an ADU would be exempt from these requirements if it was within an “existing structure,” including the primary residence, or a studio, garage, pool house, or similar structure. The bill would remove the requirements for an exempt ADU to have independent exterior access from the existing residence and sufficient side and rear setbacks for fire safety.
ACWA: None.

**AB 945 (McCarty) – Local government: financial affairs: surplus funds.**
**Introduced:** 2/20/19
**Status:** 5/8/19 – Referred to Sen. Comm. on Governance & Finance and Comm. on Banking & Financial Institutions.
Existing law prescribes the instruments and criteria by which a local agency, as defined, may invest and deposit its funds, including its surplus funds. This bill would, commencing January 1, 2020, authorize a local agency to invest and deposit the agency’s surplus funds in deposits at specified types of financial institutions whether those investments are certificates of deposit or another form, and would increase the percentage of the local agency’s funds that can be invested to 50%.
ACWA: Favor.

**AB 992 (Mullin) – Open meetings: local agencies: social media.**
**Introduced:** 2/21/2019
**Status:** 5/1/19 – In Asm. Comm. on Local Gov’t: Set, first hearing. Failed passage. Reconsideration granted.
The Ralph M. Brown Act generally requires local agencies to conduct open meetings. The Brown Act prohibits, among other things, direct or indirect communications among a majority of a local agency’s legislative body to hear, discuss, deliberate, or take action on any item within that legislative body’s subject matter jurisdiction. This bill would clarify that the Brown Act does not apply to posting, commenting, liking, interaction with, or participation in, internet-based social media platforms by a majority of the members of a
legislative body, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the local agency's subject matter jurisdiction.
ACWA: None.

**AB 1184 (Gloria) – Public records: writing transmitted by electronic mail: retention.**
Introduced: 2/21/19
This bill would require every public agency to retain and preserve for at least two years every writing transmitted by email that contains information relating to the conduct of the public's business for purposes of the California Public Records Act.
ACWA: Not favor.

AB 1204 (Rubio, Blanca) – Public water systems: primary drinking water standards: implementation date.
Introduced: 2/21/2019
The California Safe Drinking Water act currently requires the State Water Board to regulate drinking water, and requires the board to adopt primary drinking water standards for contaminants in drinking water. This bill would require the adoption or amendment of a primary drinking water standard for a contaminant in drinking water not regulated by a federal primary drinking water standard, or that is more stringent than a federal primary drinking water standard, to take effect three years after the date on which the State Water Board adopts or amends the primary drinking water standard. The bill would authorize the State Water Board to delay the effective date of the primary drinking water standard adoption or amendment by no more than two additional years as necessary for capital improvements to comply with a maximum contaminant level or treatment technique.
ACWA: Favor.

AB 1347 (Boerner Horvath) – Electricity: renewable energy and zero-carbon resources: state and local government buildings.
Introduced: 2/22/2019
Existing law establishes the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of all retail sales of electricity to California end-use customers and 100% of electricity procured to serve all state agencies by December 31, 2045. This bill would establish the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of all retail sales of electricity to state and local government buildings by December 31, 2030.
ACWA: None.
AB 1375 (Bigelow) - Disaster relief: dead and dying tree removal: allocation to local agencies.
Introduced: 2/22/18
The California Disaster Assistance Act provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs. This bill would provide that the state share for the removal of dead and dying trees in connection with the Governor’s Proclamation of a State of Emergency issued on October 30, 2015, is no more than 90% of total state eligible costs.
ACWA: Favor.

AB 1414 (Friedman) - Urban retail water suppliers: reporting.
Introduced: 2/22/18
Status: 6/14/19 – Read second time, amended, and re-referred to Sen. Comm. on Natural Resources & Wildlife.
Existing law requires each urban retail water supplier to develop urban water use targets and an interim urban water use target, in accordance with specified requirements. Existing law requires each urban retail water supplier, on or before October 1, 2017, and on or before October 1 of each year thereafter, to submit a completed and validated water loss audit report for the previous calendar year or previous fiscal year as prescribed by rules adopted by DWR. This bill would require each urban retail water supplier on or before January 1 of each year until January 1, 2024 (if reporting on a fiscal year basis) or on or before October 1 of each year until October 1, 2023 (if reporting on calendar year basis) to submit a completed and validated water loss audit report as prescribed by DWR. The bill would require on or before January 1, 2024, and on or before January 1 of each year thereafter, each urban retail water supplier to submit a completed and validated water loss audit report for the previous calendar year or previous fiscal year as part of an existing report relating to its urban water use.
ACWA: Favor if amended.

ACA 1 (Aguilar-Curry) Local government financing: affordable housing and public infrastructure: voter approval.
Introduced: 12/03/18
Status: 5/20/19 – Read second time. Ordered to third reading.
This bill would propose an amendment to the State Constitution to make three changes to the voting requirements to pass certain taxes. First, the amendment would create an additional exception to the 1 percent maximum ad valorem tax rate on real property for the service of bonds incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, if the tax is approved by 55
percent of the voters. Second, the amendment would authorize a local government to impose, extend, or increase a sales and use tax or transactions and use tax or a parcel tax for the purposes of funding the construction, rehabilitation, or replacement of public infrastructure or affordable housing, if the tax is approved by 55 percent of voters. Third, this amendment would lower the two-thirds voting threshold to 55 percent for the authorization of bonds to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing projects. As amended on March 18, the amendment would prohibit any special district other than a board of education or school district, from incurring any indebtedness or liability exceeding any applicable statutory limit, as prescribed by the statutes governing the special district.

ACWA: Watch.

STATE SENATE

Introduced: 12/03/18
In an effort to combat revisions to federal air, water, and endangered species protection regulations, this bill would require respective state agencies to monitor federal rulemaking and consider taking certain actions to maintain a 2017 baseline under state law if federal standards are relaxed. The bill also would create a private right of action authorizing citizen suits to enforce the new state regulations. As amended, the bill would also use state rulemaking to enforce minimum labor and worker health and safety standards.
ACWA: Oppose unless amended.

SB 13 (Wieckowski) - Accessory dwelling units.
Introduced: 12/03/18
Status: 5/22/19 – In Assembly. Read first time. Held at desk.
This bill would make a number of changes to local agency authority to regulate accessory dwelling units, including the impact fees that may be charged for water and sewer service. This bill would exempt any ADU less than 750 square feet from any impact fees, and require that any ADU 750 square feet or greater be subject to no more than 25 percent of the impact fees otherwise charged for a new single-family dwelling on the same lot.
ACWA: Not favor unless amended.

SB 19 (Dodd) – Water resources: stream gages.
Introduced: 12/03/18
Status: 5/30/19 – Referred to Assembly Committee on Water, Parks & Wildlife.
This bill would require DWR and the State Water Board to, upon appropriation of funds, develop a plan to deploy a network of stream gages, including a determination of funding needs and opportunities for modernizing and reactivating existing gages and deploying new
gages in priority locations across hydrologic regions in the state. The bill would require the DWR and the State Board, in consultation with CDFW, the Department of Conservation, the Central Valley Flood Protection Board, interested stakeholders, and, to the extent they wish to consult, local agencies, to develop the plan to address significant gaps in information necessary for water management and the conservation of freshwater species. The sponsor introduced an identical bill last session (SB 919) that died in the Assembly Committee on Appropriations.

ACWA: Support.

**SB 45 (Allen) - Wildfire, drought, and Flood Protection Bond Act of 2020.**

*Introduced: 12/3/18*


This bill would enact the Wildfire, Drought, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of $4 billion in bonds to finance projects to restore fire damaged areas, reduce wildfire risk, create healthy forest and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources.

ACWA: Favor if amended.

**SB 62 (Dodd) - Endangered species: accidental take associated with routine and ongoing agricultural activities.**

*Introduced: 1/3/19*

*Status: 5/16/19 - Referred to Asm. Comm. on Water, Parks & Wildlife.*

The California Endangered Species Act prohibits the “taking” of an endangered or threatened species, except in certain situations. Currently, the act provides an exception from this prohibition for the accidental take of protected species resulting from acts that occur on a farm or a ranch in the course of otherwise lawful routine and ongoing agricultural activities. That exception expires January 1, 2020, but this bill would make the exception permanent.

ACWA: Favor.

**SB 134 (Hertzberg) - Water conservation: water loss performance standards: enforcement.**

*Introduced: 1/15/19*

*Status: 5/8/19 - Referred to Comm. on Natural Resources & Water.*

Existing law authorizes the State Water Board to issue information orders, written notices, and conservation orders to an urban retail water supplier that does not meet its urban water use objective, and to impose civil liability for a violation of an order or regulation issued pursuant to those provisions. Current law requires the State Board to adopt rules requiring urban retail water suppliers to meet water loss performance standards. This bill
would prohibit the board from imposing liability for a violation of water loss performance standards except as part of the enforcement of an urban water use objective.

As amended on May 8, 2019 this bill would prohibit the State Water Board from issuing an information or conservation order related to an urban water use objective if the following conditions are met: an urban retail water supplier is not meeting its urban water use objective solely because it has exceeded the water loss standard component; and he State Water Board is taking separate enforcement action pursuant to the water loss standards established in Section 10608.34 of the Water Code.

ACWA: Watch/amend.

SB 200 (Monning) - Safe and Affordable Drinking Water Fund.
Introduced: 1/31/19
This bill would create a “Safe and Affordable Drinking Water Fund,” from which moneys would be available to the State Water Resources Control Board, upon appropriation from the legislature, to provide a stable source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. The bill also would include criteria for funding eligibility, and how the funds would be prioritized and administered. Senator Monning sponsored SB 623, which was the principal vehicle for the water tax proposed in the 2018 legislative session. However, SB 200 as currently drafted does not propose a water tax. Instead, it is paired with continuous appropriation of $150 million per year from the General Fund, as proposed by Senate Budget Subcommittee No. 2. As a result, ACWA supports both SB 200 and Senate Budget Subcommittee No. 2’s proposal. For more on efforts to advance Safe and Affordable Drinking Water proposals, see AB 134, above.

ACWA: Support.

SB 414 (Caballero) - Small System Water Authority Act of 2019.
Introduced: 2/20/19
Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Board various responsibilities and duties. The act authorizes the State Water Board to order consolidation with a receiving water system if a public water system or a state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water. If consolidation is not appropriate or not technically and economically feasible, the State Water Board may contract with an administrator to provide administrative and managerial services to designated public water systems and to order the designated public water system to accept those services. This bill would create the Small System Water Authority Act of 2019 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1,
2020, would require the State Water Board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a small public water system that is not in compliance with one or more state or federal primary drinking water standard maximum contaminant levels for the period from July 1, 2018, through December 31, 2019. This bill would require further actions for an entity receiving a notice to remedy a violation or the State Water Board may take prescribed actions to resolve the problem through a plan or formation of an authority by the applicable LAFCO to serve the customers of the public water system.

On April 4, the bill was amended to clarify the State Water Board’s available actions if it rejects a plan submitted by a water system to remedy a violation of drinking water standards, or if a plan was not filed by a specified deadline. In these circumstances, the State Water board may either: (1) form an authority, (2) exercise its existing consolidation authority or take actions to remedy the failure to meet drinking water standard, or (3) use existing funding sources and legal authority to remedy drinking water violations.

ACWA: Support.

SB 474 (Stern) - The California Wildlife Protection Act of 1990: Habitat Conservation Fund.
Introduced: 2/21/19
Status: 4/2/19 – In Comm. on Natural Resources & Water: April 9 hearing cancelled at request of author. Reset for April 23.
Existing law authorizes the Department of Water Resources to make and file applications with the State Water Board to appropriate water for future projects. The State Water Board is authorized to release from priority or assign these filings to other agencies or entities (and has done so with the Agency). Existing law exempts these filings from certain diligence requirements under the Water Code. This bill would remove that diligence exemption as of January 1, 2021.

On April 22, this bill was gutted and amended, replacing the provisions concerning state filed water-right applications with a new bill concerning habitat conservation.
ACWA: None.

SB 518 (Wieckowski) - Public records: disclosure: court costs and attorney’s fees.
Introduced: 2/21/19
Status: 5/24/19 – In Assembly. Read first time. Held at desk.
The CPRA requires a court to award costs and reasonable attorney’s fees to a prevailing party if the court orders the disclosure of public records and finds that a public official’s decision to refuse disclosure of public records is not justified. In addition, the act requires the court to award costs and reasonable attorney’s fees to the public agency if the court finds that the requesting party's case is clearly frivolous. This bill, for the purposes of the award of costs and attorney’s fees, would specifically except a provision of existing law that
prescribes the withholding or augmentation of costs if an offer is made before judgment or award in a trial or arbitration.
ACWA: None.

SB 615 (Hueso) - Public records: disclosure.
Introduced: 2/21/19
Status: 3/14/19 – Referred to Comm. on Judiciary.
Also concerning litigation under the CPRA, this bill would require a party seeking to inspect or copy a public record to meet and confer in good faith with the public agency in an attempt to informally resolve the issues before instituting a judicial proceeding to compel disclosure. This bill also would require a court to make certain findings concerning the agency’s actions before awarding costs to a prevailing party.
ACWA: None.

SB 669 (Caballero) - Water quality: Safe Drinking Water Fund.
Introduced: 2/22/19
Sponsored by ACWA and the California Municipal Utilities Association as an alternative to the statewide water tax proposals, this bill would create the Safe Drinking Water Trust in the State Treasury, funded with general fund dollars during a state budget surplus year. Net income earned from the trust would be transferred to a Safe Drinking Water Fund, which the State Water Board would administer, for costs associated with operation and maintenance of water treatment facilities, as well as efforts to consolidate smaller water systems that are out of compliance with drinking water standards.
ACWA: Support.

**SB 772 (Bradford) – Long duration bulk energy storage: procurement.
Introduced: 2/22/19
Status: 5/30/19 – Ordered to inactive file on request of Senator Bradford.
This bill would require the Independent System Operator (ISO), on or before June 30, 2022, to complete a competitive solicitation process for the procurement of one or more long duration energy storage projects that in aggregate have between 2,000 megawatts and 2,400 megawatts of capacity. The bill, while not entirely clear, appears to include large pumped storage projects as a preferred option. The bill would require the ISO, after December 31, 2030, and only if found to be necessary, to complete an additional competitive solicitation process for additional long duration bulk energy storage projects that in aggregate have up to 2,000 megawatts capacity and have targeted commercial operation dates of not later than January 1, 2045. The bill would require that the competitive solicitation processes provide for cost recovery from load-serving entities within the ISO-controlled electrical grid in a manner that allocates those costs among load-serving entities

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based on cost causation and each load-serving entity's need for, and benefits realized from, the long duration bulk energy storage.

ACWA: Watch.

SB 778 (Committee on Labor, Public Employment and Retirement) - Employers: sexual harassment training: requirements.

Introduced: 02/26/19
Status: 5/16/19 – Referred to Asm. Comm. on Labor & Employment.

Current law requires an employer with five or more employees to provide at least two hours of sexual harassment training to supervisory employees and at least one hour of sexual harassment training to all employees within six months of their assumption of a position. This training must be provided before January 1, 2020. This bill would clarify that employees must receive refresher training every two years, and an employer who has provided this training and education to an employee after January 1, 2018, is not required to provide refresher training until after December 31, 2020.

ACWA: None.

SB 779 (Committee on Natural Resources and Water) - Appropriation of water: change of point of diversion, place of use, or purpose of use.

Introduced: 2/27/19
Status: 5/30/19 – Referred to Asm. Comm. on Water, Parks & Wildlife.

Under existing law, an applicant, permittee, or licensee may change the point of diversion, place of use, or purpose of use from that specified in the application, permit, or license, upon receiving permission of the State Water Board. This bill would authorize an applicant, permittee, or licensee to change any other provision or condition in the application, permit, or license, upon permission of the State Water Board. This bill also would authorize the State Water Board to make a minor change to an application, permit, or license without requiring the filing of a change petition for change if the State Water Board makes specified findings, including that the change does not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses. The bill would require the State Water Board to provide notice and to allow at least 15 days for public comment before making a minor change to an application, permit, or license.

As amended on April 29, the bill would allow the State Water Board to initiate a minor change to an application, permit, or license, only with consent of the water-right applicant. In addition, the bill would define a “minor change” as a change that would not initiate a new appropriative right and would meet certain specified requirements.

ACWA: Favor.
Administration Department Report

Customer Service/Human Resources:

- The 2018/2019 (7/1/18-6/30/19) Safety Statistics for Agency staff are:
  - Lost time worker's comp incident: 2 (FYI: date of last incident: 4/1/19)
  - Other Worker Comp incident: 0 (FYI: date of last incident: 5/10/17)
  - First Aid incident: 0
  - Avoidable vehicle accident: 2 (9/13/18)
  - Unavoidable vehicle accident: 0

- Training: Tesch, Wilson – Water Treatment Review; Barnes, Mottishaw – 2019 CRWA Expo; K Miller, Longhurst, Haugland – Pesticide Training; Longhurst – Wastewater Treatment Review; Brewster – Certified Pump Technologist; Mancebo, Ferreira, C Thompson – ACWA Conference
- Board Conferences: Molinelli, Jr – ACWA Conference
- Certifications/Renewals: Munson/Yardley – CWEA memberships; Brewster-Collections G2; Carthew-CISEC
- Staffing: Riley Anderson, Construction I
- Vacancies: Instrumentation/Electrical Supervisor; Electrical Technician

- Liens filed: 0
- Liens Released: 0
- Currently Outstanding Lien Balance: $43,439.74

- Completed monthly Door Tags/Shut Offs for River Pines PUD, including monthly customer deposit
- 19/20 Budget Process
- Strategic Planning
- Participate with Springbrook/CMMS integration.
- Participate with review of Facebook topics
- Initial review of SB 998 and how it will impact Water Code, billing - ongoing
- Creating the IVR Alert Procedure for Customer Service
- Springbrook – working on payment processor change over from Merchant to CivicPay
- Set up multiple training opportunities: Distribution; Collections
- Externally post the Instrumentation/Electrical Supervisor position
- Water, Wastewater, Participation Fee Schedules
- Work on Wastewater Commercial Customer water usage for July updates
**Finance/Accounting:**

- Water Sales Revenues through the month of May are $7,527,871
- Wastewater Sales Revenues through the month of May are $1,557,198
- Reimbursements received: $42,805
- Outstanding Reimbursements are approximately $658,012
- Restricted and Unrestricted Cash: Attached
- May Sales Comparison: Attached
- Delinquency report- Attached

- Continue updating data for 2019-20 Budget process including forecasting ending cash balances
- Strategic Planning
- Investigate additional tools for presenting and funding CalPERS unfunded liability
- Continue plan, including reasonable timeline, for addressing outstanding items on the Audit Management letter. Presented to the Budget and Finance Committee. Accounting policies, purchasing policy, inventory process, customer deposits reporting, and grant tracking are in process

Prepared by:  
Karen Gish – HR / Office Manager  
Tracey Hays - Finance Manager  
Cris Thompson- Assistant General Manager
## Restricted and Unrestricted Cash

<table>
<thead>
<tr>
<th></th>
<th>Jun-17</th>
<th>Jun-18</th>
<th>Jul-17</th>
<th>Jul-18</th>
<th>Aug-17</th>
<th>Aug-18</th>
<th>Sep-17</th>
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<td>Unrestricted</td>
<td>302,412</td>
<td>1,790,263</td>
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<td>(314)</td>
<td>(1,403)</td>
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<td>102-04-419010 Pumping Surcharge</td>
<td>475,824</td>
<td>475,824</td>
<td>475,824</td>
<td>475,824</td>
<td>475,824</td>
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<td>102-04-419020 Water Shortage Surcharge</td>
<td>7,527,871</td>
<td>7,864,674</td>
<td>95.72%</td>
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YTD TOTAL 7,527,871
18-19 Budget 7,864,674

% of Budget 95.72%
### Delinquency Report
#### May 2019

<table>
<thead>
<tr>
<th>Date</th>
<th>Total</th>
<th>Over 120</th>
<th>90-120</th>
<th>60-90</th>
<th>30-60</th>
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</thead>
<tbody>
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<td>5/31/2018</td>
<td>78,733.86</td>
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<td>959.83</td>
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<td>Standby/ Assessments</td>
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<tr>
<td>Totals</td>
<td>78,733.86</td>
<td>29,875.80</td>
<td>959.83</td>
<td>854.46</td>
<td>1,279.79</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Total</th>
<th>Over 120</th>
<th>90-120</th>
<th>60-90</th>
<th>30-60</th>
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<tr>
<td>5/31/2019</td>
<td>63,006.94</td>
<td>20,249.47</td>
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<td>79.14</td>
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<td>Wastewater</td>
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<td>29,682.73</td>
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<td>Totals</td>
<td>63,006.94</td>
<td>20,249.47</td>
<td>689.60</td>
<td>79.14</td>
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#### Deleted Accounts

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<tr>
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<th>90-120</th>
<th>60-90</th>
<th>30-60</th>
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Operations Report

Covering April 1 - May 31, 2019

Operations Manager:

1. Worked on Operational and CIP Budgets
2. Construction Projects for 2019 / 2020
3. Developing relationships with co-workers, staff and outside agencies
4. Working on understanding current workload, projects, operations and maintenance issues,
5. Working on overall SCADA Communications, Alarming and Notification Issues

Regulatory Compliance Specialist:

1. Completed eight (8) electronic annual water reports for the Division of Drinking Water. This includes Plymouth and River Pines.
2. Completed 3 separate Consumer Confidence Reports. (River Pines, PG&E, and ours).
3. Attended annual inspection of the LaMel Heights water treatment plant and completed response to Division of Drinking Water.
4. Cleaning up data between Springbrook and Maintenance Connection prior to integration.
5. Met with Division of Drinking Water Regulator to clean up water production reports.
6. On-going cross training of Admin Assist 2.
7. Attended Tanner Backwash Recycling inspection with Staff and Division of Drinking Water
8. Met new distribution operator for Pine Grove CSD and went over paper work and sampling.

Water Treatment Plants

1. Tanner Plant:
   a. Replaced failed #3 turbidimeter
   b. Worked with A-Teem on hydro-related programming
   c. Attended Tanner Backwash Recycling inspection with Staff and Division of Drinking Water

2. Ione Plant:
   a. Staff prepared to bring reservoir back online but due to water quality issues had to clean clarifier and flush. As of May we are operating off of the reservoir.
   c. All four filters rehabilitated and on line.

3. Buckhorn Plant:
   a. Cleaned and rehabilitated drying bed at Recycle plant
   b. Main raw water influent actuator control for valve has failed. Plant operation is in manual mode only until parts arrive.

4. PG&E:
a. Staff coordinating with PG&E staff to see who will complete storm damage repairs to the road. Cannot get propane deliveries to the generator with the condition of the road at the Tiger Creek Regulator. Construction estimates 3-4 days of work.

5. LaMel:
   a. Completed annual inspection with Division of Drinking Water in April.

Wastewater:
1. Pine Grove Camp
   a. Continuing to work with Operator in Training

2. Mace Meadows Golf Course Pond #7
   a. Worked with golf course employees to keep pond levels below freeboard levels.

3. AWA Systems
   a. Weed-eating, mowing and spraying all sites and facilities.
   b. All irrigation is up and running to drop pond levels at wastewater treatment plants.
   c. Had rip rap installed on all pond edges at Lk Camanche WWTP.

Electrical:
1. Worked on Cleanup of server room at Tanner warehouse
2. Ione Treatment Plant- PLC communication fail. Controls to plant unresponsive and clearwell was overflowing. Had to manually close plant influent valve. Control was regained by cycling plant on and off

Construction:
1. FEMA Ione Improvements
   a. Finished 600 feet of water main installation on market Street in Ione
2. Service line leak repair W. Marlette (10 gpm, Ione)
3. Main Break repair Sutter Lane (10 gpm, Ione)

Distribution:
1. Main Breaks:
   a. Sutter Lane (10 gpm, Ione)
   b. Karsan Dr. (40 gpm, Sutter Creek)
   c. Main St. (5 gpm, Sutter Creek)
   d. Lynn Way (10 gpm, Sunset Heights)
2. Service line Leak Repairs:
   a. Clinton Bar Rd. (3 gpm, Pine Acres)
   b. Circle View (5 gpm, Pioneer)
   c. Lynn Way (10 gpm, Sunset Heights)
   d. Sutter/Shakeley (15 gpm, Ione)
   e. Sutter Crest West (5 gpm, Sutter Creek)
   f. Coyote Dr. (5 gpm, Lk. Camanche)
   g. Mesa De Oro, ( gpm, Sutter Creek)
   h. Curran Rd. ( gpm, Camanche)
   i. Jacqueline Dr (30 gpm, Pioneer)
   j. Amador City (15 gpm)
   k. Creek View Ct. (10 gpm, Sutter Creek)
   l. Creek View Ct (10 gpm, Sutter Creek)
   m. Mesa De Oro 100+ gpm, Sutter Creek)
   n. W. Marlette (40 gpm, Ione)
   o. Coyote Dr. (5 gpm, Lk Camanche)
3. Repaired bad check valve at Ridgeway Pump Station
4. Hydrant install in Rabb Park
Canal:

1. Ione Canal Leak Repairs:
   a. 4 leaks below Badger St. between MM 1.25-2.50 (2.5 – 5 gpm)
   b. 2 leaks at MM 1.50 (5 gpm)

2. Main Canal Leak Repairs:
   a. Lake Tabeaud (2 gpm)
   b. Below Tabeaud Rd (5 gpm)
   c. Ranchette Dr. (2 gpm)
   d. West Clinton (5 gpm)
   e. Tabeaud Rd near M20 weir (2 gpm)
   f. Clinton Rd MM 2.50 (5 gpm)
   g. W. Clinton MM 10.00 (10 gpm)
   h. Pioneer Dr MM 12.75 (5 gpm)

3. Wastegate leak repairs:
   a. Clinton Rd. (2 gpm)
   b. Ranchette Dr. (2 gpm)
   c. Upper Previtalli Rd (2 gpm)
   d. Upper Previtalli Rd (5 gpm)
   e. West Clinton (5 gpm)
   f. Hwy 88/Swenson Slide (2 gpm)
City of Plymouth Dept Report
Covering May 1- May 31, 2019

Regulatory Compliance Specialist-
- Completed monthly water reporting. Sent to Interim City Manager
- Completed Consumer Confidence report. Copies will be drop shipped by June 7th and will be delivered to the City for mailing.
- The special sampling for Well A has ended. Staff will compile lab data and draft a correspondence to the State. We will share this draft with Plymouth before sending out.

Distribution-
- Repaired an 8” main caused by a bad tap saddle on Main St. (50 gpm)
- Repaired service line at 9535 Laverone St. (40 gpm)
- Routine flushing
- Routine Distribution Sampling

Wastewater-
- Unplugged main on Hwy 49
- Continue to monitor collection system
- Inspect grease traps monthly and issue grease trap pump orders as needed

Water-
- Finished the year long sampling of Well A to investigate whether or not it is under the influence of surface water.

Water hrs: 68.75      WW Hrs: 14

Prepared by: Andrea Hinton, Regulatory Compliance Specialist
Reviewed and edited by: Rick Ferriera, Operations Manager
River Pines Dept. Report  
May 1 - May 30, 2019

**Water Production/Sold**

<table>
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<tr>
<th>Well</th>
<th>Gallons</th>
<th>Total Produced: 945,445 gallons</th>
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<tbody>
<tr>
<td>Well 2</td>
<td>570,400</td>
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<tr>
<td>Well 3R</td>
<td>364,000</td>
<td>Total Sold: 729,283 gallons</td>
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<tr>
<td>Well 6R</td>
<td>11,045</td>
<td>Unaccounted Loss: 23%</td>
</tr>
</tbody>
</table>

---

**Regulatory Compliance Specialist**

- Completed monthly reporting for water and wastewater. Including No Spill Report to CIWQS
- Completed Consumer Confidence Report and sent to General Manager to mail out and post.

**Wastewater**

- Influent flow 1,221,300 gallons. Effluent Discharged 605,700 gallons.
- Continue to maintain pond level and irrigate whenever possible.
- Continue to monitor collection system.
- Weed-eating and mowing in all areas of system

**Water**

- Completed all regulatory sampling.
- Staff continues to operate Wells 2 / 3R and 6R facilities
- Back Pressure valve was recalled. Replaced valve. New skid back online.

**Distribution**

- Routine flushing

**Water hrs:** 92.25  **WW Hrs:** 69.75

Prepared by: Andrea Hinton, Regulatory Specialist

Reviewed by: Rick Ferriera, Operations Manager
Engineering Department Report

May 1 – May 31, 2019

PROJECTS UNDER CONSTRUCTION

Capital Projects

- Ione Hydro – The turbine arrived and is stored at the Campbell Construction yard. Contractor has constructed the hydro facility wet well. Schedule has been delayed by rain days and electrical equipment long-lead time (30% Complete).

- Ione WTP Rehabilitation – Contractor has completed coating of filters and replacing the media. On final punch list. Project has been substantially delayed (95% Complete).

Developer Projects

- Sutter Creek Bridge – G5 boxes and air vacuum/release valve stations still to be completed, Project has been substantially delayed (95% Complete).

- Cal-Fire Ione – Wrapping up construction. Main tie-in completed (90% Complete).

PROJECTS IN DESIGN

Capital Projects

- FEMA HMGP Tank Replacements – Out for re-bid for the replacement of four redwood tanks for three new welded steel water tanks (Pine Acres, Tank C, and Ridgeway Tank) and to replace two hypalon covers with new aluminum geodesic dome covers (Ranch House and Jackson Pines). With the high bids received for the complete project, the project scope has been reduced to include only Pine Acres and Ridgeway water tanks. There is a concern about receiving the same funding package for the scaled down project (Design 100% Complete).

- Pioneer Pipeline Phase II (CDBG) – Working with Amador County for the authorization from CDBG to proceed with the design of a 12-inch pipeline along Buckhorn Ridge Road to connect to the Phase I and Phase III pipeline and Tanks A & B. Progress is very slow (Design 5% Complete).

- Pioneer Pipeline Phase III (USDA) – Basis of Design (BOD) meeting with consultant for the design phase of the 12-inch pipeline and two, 1 – MG water storage tanks to replace Tanks A & B. (Design 15% Complete)
• Ridge Road Manhole Replacement – Project will be bid out this month with construction starting the next fiscal year for the replacement of the manhole located on Ridge Road and Hwy 49.

• Hwy 49 Sewerline – Project design complete and will be bid out after the manhole replacement project is complete. This project will increase the sewer line size from 6-inch to 8-inch ductile iron pipe along Hwy 49.

• FEMA Amador Canal Slide – Received notification of funding from CalOES on May 7, 2019. Geotechnical firm is preparing report on repair options after visiting site and performing soil and stability tests. Schedule has been delayed.

Developer Projects

• Wildflower 5 – Waiting on booster pumping station design from the developer (Design 10% Complete).

• Wildflower 3 – Received updated plans for review.

• Castle Oaks 8 – Received updated plans for review.

PLANNING/FUNDING

Capital Projects

• Mt. Crossman Pumping Station and Mt. Crossman Tank, La Mel WTP, Camanche 10-inch Waterline, and Standby Generators – Prepared grant documents for project funding.

• SGMA – Selected two locations to install groundwater monitoring wells with DWR grant funding. Discussions with DWR staff to initiate a site visit and construction is likely this summer.

• ARSA – City of Sutter Creek is proceeding with a tertiary treatment plant preliminary design.

Project Expenses and Current Status through 5-31-19 are attached

Project Status:  Green: On Schedule
               Yellow: Caution
               Red: Problem

Prepared by:  Darrel Evensen, Engineering Manager
<table>
<thead>
<tr>
<th>Project</th>
<th>Funded By</th>
<th>Status</th>
<th>Funding Contract</th>
<th>Grant Funds</th>
<th>FY 18-19 Budget</th>
<th>Expended to date</th>
<th>% of FY 18-19 Budget</th>
<th>Expended Life of Project</th>
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<tbody>
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<td>Completed</td>
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<td>Tanner Backwash Recycling</td>
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<td>CDAA Storm Repairs - Amador Canal</td>
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<td>Completed</td>
<td>10/1/2018</td>
<td>$41,140</td>
<td>$9,824</td>
<td>$9,824</td>
<td>15%</td>
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<tr>
<td>CDAA Storm Repairs - Eggman Lane</td>
<td>Grant</td>
<td>Completed</td>
<td>6/30/2019</td>
<td>$324,865</td>
<td>$168,403</td>
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<td>Lone Hydroelectric</td>
<td>Grant/ Loan</td>
<td>Completed</td>
<td>12/31/2019</td>
<td>$2,222,000</td>
<td>$2,058,850</td>
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<tr>
<td>Lone WTP Rehabilitation Design &amp; Construction</td>
<td>Fees</td>
<td>Completed</td>
<td>3/31/2019</td>
<td>$540,592</td>
<td>$467,901</td>
<td>$467,901</td>
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<tr>
<td>CDQB Phase II</td>
<td>Grant</td>
<td>Completed</td>
<td>9/21/2018</td>
<td>$3,777,321</td>
<td>$9,480</td>
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<td>0%</td>
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<tr>
<td>CDAA Tiger Creek Intake (FEMA)</td>
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<td>Completed</td>
<td>9/20/2018</td>
<td>$90,749</td>
<td>$90,749</td>
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<td>CDAA Tree Mortality Phase II</td>
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<td>Completed</td>
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<td>$242,533</td>
<td>$52,164</td>
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<td>USDA Pioneer Water Rehabilitation Phase III</td>
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<td>$1,976,000</td>
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<tr>
<td>Water Master Plan &amp; Modeling Ph I Agency Mapping</td>
<td>Part, Fees/ Prop Taxes</td>
<td>Completed</td>
<td>3/31/2019</td>
<td>$15,920</td>
<td>$4,708</td>
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<td>Fire Protection Improvements</td>
<td>Part, Fees</td>
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<td>3/31/2019</td>
<td>$15,000</td>
<td>$0</td>
<td>$0</td>
<td>0%</td>
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<td>Distribution System Improvements</td>
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<td>Completed</td>
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<td>0%</td>
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<td>Fire Flow Testing Program</td>
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<td>3/31/2019</td>
<td>$6,596</td>
<td>$0</td>
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<tr>
<td>Security Upgrades - Lone</td>
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<tr>
<td>Tank and Pipeline Cathodic Protection Study</td>
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<td>3/31/2019</td>
<td>$10,048</td>
<td>$617</td>
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<tr>
<td>CAWP/RAAB Tank Consolidation - Study</td>
<td>Operating Rates</td>
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<td>$3,184</td>
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<tr>
<td>Lone School District Reestablish Loop</td>
<td>School</td>
<td>Completed</td>
<td>3/31/2019</td>
<td>$40,050</td>
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<td>AWA Portion SGMA and Monitoring Wells</td>
<td>Operating Rates</td>
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<tr>
<td>Wastewater</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$11,585,758</td>
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<table>
<thead>
<tr>
<th>Project</th>
<th>Funded By</th>
<th>Status</th>
<th>Funding Contract</th>
<th>Grant Funds</th>
<th>FY 18-19 Budget</th>
<th>Expended to date</th>
<th>% of FY 18-19 Budget</th>
<th>Expended Life of Project</th>
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<tbody>
<tr>
<td>Highway 49 / Ridge Road Manhole Replacement</td>
<td>Grant</td>
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<td>Hwy 49 Sewerline</td>
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<td>2/28/2019</td>
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<td>Martell &amp; Camanche Inflow &amp; Infiltration - Study</td>
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</table>

| Developer/Contract Services Projects through 05-31-19                | $242,487.31  |              | 51.53%            | $12,163,318 | $6,267,535      | $6,267,535       | 51.53%                | -                      |