AMADOR WATER AGENCY
Board of Directors
Regular Meeting
12800 Ridge Road, Sutter Creek, CA 95685
August 8, 2019
9:00 a.m.
*Revised*
Website Address: www.amadorwater.org

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. 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.

4. 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).

5. AGENCY GENERAL
   A. Richardson and Co.
      1. Presentation by Ingrid Sheipline, of Richardson and Co., the Agency’s auditing firm regarding various financial reports required by the State of California

6. WATER SYSTEM
   A. 1985 Stipulation Agreement between Amador Water Agency and Pacific Gas and Electric

Paul Molinelli Jr., President Rich Farrington, Vice President Art Toy Susan Peters Gary Thomas
1. Discussion and possible action to authorize the Board President to execute Amendment Three to the 1985 Stipulation Agreement between Amador Water Agency and Pacific Gas and Electric

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

8. 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. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(a) and (d)(1) -- Existing Litigation – Howard Jarvis Taxpayers Association, et al. v. Amador Water Agency, et al. (Amador Superior Court Case No. 16-CVC-09564/Third District Court of Appeal Case No. C081757).
   F. Conference with legal counsel--anticipated litigation; Government Code sections 54954.5(c) and 54956.9(a) and (d)(4); consideration of initiation of litigation involving one case
   G. Pursuant to Government Code Sections 54957 Public Employee Performance Evaluation- General Manager
   H. Pursuant to Government Code sections 54954.5 (e) and GC 54957 (b) Public employee discipline/dismissal/release.

9. COMMITTEE REPORTS, SPECIAL ASSIGNMENTS AND DIRECTOR COMMENTS
   A. ACGMA 08-05-19

10. 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

11. FUTURE AGENDA TOPICS
   A. This item is to provide the Board Members an opportunity to request items to be placed on future
      agendas.
      August 22, 2019- Enterprise Fleet Presentation
      Sierra Business Council Presentation-Energy Efficiency Services Program

12. ADJOURNMENT
AMADOR WATER AGENCY
CONSENT AGENDA
August 8, 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 July 25, 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
AMADOR WATER AGENCY
Board of Directors
Regular Meeting

July 25, 2019

MINUTES

Directors Present: Paul Molinelli Jr., President
Richard Farrington, Vice President
Art Toy
Susan Peters
Gary Thomas

Directors Absent: None

Staff Present: Gene Mancebo, General Manager
Karen Gish, Deputy Clerk of the Board
Tracey Hays, Finance Manager
Rick Ferriera, Operations Manager
Darrel Evensen, Engineering Manager

CALL TO ORDER- President Molinelli Jr. called the meeting to order at 9:04 a.m.

ADDITIONS TO THE AGENDA (00:00:46) - None

PUBLIC COMMENT (0:01:03 – 0:04:10)
Engineering Manager Evensen shared some photos of the lone Hydro project

CONSENT AGENDA (0:04:11-0:04:31)

MOTION: It was moved by Director Thomas, seconded by Director Peters, and unanimously carried to approve the Consent Agenda.

AGENCY GENERAL
Fiscal Year 2019-2020 Budget (0:04:37-1:12:57)

MOTION: It was moved by Director Peters, seconded by Director Toy, and unanimously carried to approve the 2019-20 Amador Water Agency Budget with the suggested revisions.

Regular Board Meeting
July 25, 2019
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WATER SYSTEM
Discussion and possible action to approve a shared cost effort to participate in ACWA’s Legal Affairs Committee working group regarding inverse condemnation against water agencies systems damaged by wildfires and unable to provide water to fight the fire with the goal of reviewing and supporting proposed legislation and a cost not to exceed $1,500.

MOTION: It was moved by Director Thomas, seconded by Director Peters and carried by the following vote:

   AYES: Directors Thomas, Peters, Toy, Molinelli Jr.
   NOES: Director Farrington
   ABSTAIN: None
   ABSENT: None

CAWP REDWOOD TANKS AND FLOATING COVER RETROFIT PROJECT (1:23:10 – 1:36:05)
Report out regarding the bid opening

GENERAL MANAGER’S REPORT (1:36:15 – 2:00:00)

ASSISTANT GENERAL MANAGER’S REPORT (2:00:01-2:10:18)

BOARD OF DIRECTOR DISTRICT REPORTS, COMMITTEE REPORTS AND DIRECTOR COMMENTS (2:10:20 – 2:22:22)

FUTURE AGENDA TOPICS
8/8/19 Richardson & Company Presentation
8/22/19 Enterprise Presentation

LUNCH RECESS was called at 11:40 a.m. SESSION resumed at 12:44 p.m.

CLOSED SESSION resumed at 12:45 p.m.
A. Pursuant to Government Code Section 54957 Public Employee Performance Evaluation- General Manager

OPEN SESSION resumed at 3:00 p.m. with nothing to report

ADJOURNMENT
President Molinelli Jr. adjourned the meeting at 3:01 p.m.
Cris Thompson
Clerk of the Board of Directors
Approved: ____________________________
STAFF REPORT

THIRD AMENDMENT TO THE 1985 STIPULATION AND AGREEMENT BETWEEN AMADOR WATER AGENCY AND PACIFIC GAS AND ELECTRIC COMPANY

Requested Action:
Discussion and possible action to authorize the Board President to execute the Third Amendment to the 1985 Stipulation and Agreement between Amador Water Agency and Pacific Gas and Electric Company.

Background
Approximately a year ago, Pacific, Gas, and Electric Company (PG&E) raised concerns with the Water Agency serving areas of Amador County with a diversion outside of the Lake Tabeaud. Their interpretation of the 1985 Stipulation and Agreement (Agreement) would limit AWA’s use of the water to those areas being served at the time the Agreement was executed. In August 2018, discussions were initiated to resolve a difference of interpretation of the Agreement. Amendment #3 is the current proposed resolution to better define terms in the Agreement and subsequent amendments that is acceptable to both PG&E and AWA. The Agreement was amended in 1991 and 2004 primarily to allow for the Amador Transmission Pipeline and the corresponding PG&E benefit payments.

The overview of Amendment #3 is that AWA can continue to use Lake Tabeaud diversions (pipeline and canal) for the expanding service areas up to the entire 15,000 AFA and that AWA can serve other areas in or outside the county using new diversion points and conserved water. The calculation of the PG&E benefit payment will include water diverted at Lake Tabeaud and all other diversion points. In 2018, the total diversion for the Amador Water System was 7,068.4 AF and the calculated conserved water was 6,434.0 AF. The total water that AWA can use under the Agreement regardless of diversion point is 15,000 AFA. Under Amendment #3, AWA can use conserved water at the Lake Tabeaud diversions or other diversion locations, but the diversion points outside of the Lake Tabeaud diversions (canal and pipeline) must use conserved water only.

Alternatives:
Not authorize the execution of the agreement or request revisions to the proposed agreement.

Fiscal Impact:
Failure to execute this amendment would leave an outstanding disagreement regarding AWA’s place of use of water per the Agreement which would have unidentified, but significant revenue impacts to the Water Agency and ability to serve residents of Amador.
Reviewed by Committee: No.

Reviewed by Legal Counsel: Yes, and recommends approval.

Staff Recommendation
Authorize the Board President to execute the Third Amendment to the 1985 Stipulation and Agreement between Amador Water Agency and Pacific Gas and Electric Company.

Prepared by: Gene Mancebo, General Manager
THIRD AMENDMENT TO THE 1985 STIPULATION AND AGREEMENT BETWEEN AMADOR WATER AGENCY AND PACIFIC GAS AND ELECTRIC COMPANY

THIS THIRD AMENDMENT TO THE 1985 STIPULATION AND AGREEMENT BETWEEN AMADOR WATER AGENCY AND PACIFIC GAS AND ELECTRIC COMPANY ("Third Amendment") is made effective as of the date described in Section 5 hereof, in Amador County, California, by and between the Amador Water Agency ("AWA"), a public agency created by special act of the Legislature of the State of California, and Pacific Gas and Electric Company ("PGandE"), a California corporation. AWA and PGandE also are collectively referred to herein as the "Parties" and individually as a "Party".

RECITALS

WHEREAS, PGandE owns and operates the Mokelumne River Hydroelectric Project licensed by the Federal Energy Regulatory Commission as "Project 137", which consists of a series of dams, tunnels, reservoirs, and hydroelectric power plants on the Mokelumne and Bear Rivers and on other watercourses in Amador County, including the Electra Power Plant and its forebay, Lake Tabeaud;

WHEREAS, on March 13, 1985, Amador County Water Agency ("ACWA") and PGandE entered into a Stipulation and Agreement, filed with the Amador County Superior Court on March 13, 1985, in the action entitled Amador County Water Agency v. Pacific Gas and Electric Company, a corporation (Amador County Superior Court Case No. 12672) (the "Stipulation and Agreement");

WHEREAS, the Stipulation and Agreement provided the basis for the Final Order of Condemnation in the above-referenced action, filed by the Amador County Superior Court on April 1, 1985, and recorded on April 1, 1985, in Book 463, commencing at page 61 in the Official Records of the Amador County Recorder;

WHEREAS, under the Stipulation and Agreement, ACWA acquired PGandE's Amador Water System ("System"), a network of reservoirs, pipelines, canals, and treatment works serving treated surface water developed under PGandE's pre-1914 appropriative rights for Project 137 to customers in the communities of Ione, Drytown, Sutter Creek, Sutter Hill, Amador City, Jackson, and surrounding areas in Amador County;

WHEREAS, under the Stipulation and Agreement, PGandE also agreed to provide ACWA with a supply of water of up to 15,000 acre-feet per year at a maximum rate of 30 cubic feet per second for the consumptive needs of the System to be used by AWA for specified purposes ("AWS Entitlement");
WHEREAS, on August 29, 1991, ACWA and PGandE entered into the Agreement Between Amador County Water Agency and Pacific Gas and Electric Company ("1991 Amendment"), recorded in the Official Records of the Amador County Recorder on September 13, 1991, in Book 654, pages 590-592, which amended subparagraph (c) of Exhibit G to the Stipulation and Agreement; 

WHEREAS, in 1995, Amador County Water Agency changed its name to AWA; 

WHEREAS, on January 31, 2004, AWA and PGandE entered into the Second Amended Agreement Between Amador Water Agency and Pacific Gas and Electric Company Concerning the Amador Water System Transmission Project ("2004 AWSTP Agreement"), Section 14(b) and 14(c) of which amended certain provisions of the Stipulation and Agreement, as previously amended by the 1991 Amendment; 

WHEREAS, AWA operates the System as a public water system under its authority provided in the Amador Water Agency Act, Stats. 1959, chapter 2137, pg. 5061 (codified as Chapter 95 in West's Water Code Appendix, the "Agency Act") and other laws; and 

WHEREAS, AWA and PGandE desire to further amend the Stipulation and Agreement, as previously amended by the 1991 Amendment and the 2004 AWSTP Agreement (collectively, the "Existing Agreement"), to clarify the scope of AWA's permitted use of the AWS Entitlement, and to address related matters as set forth in this Third Amendment. 

AGREEMENT

NOW, THEREFORE, the Parties agree to amend the Existing Agreement as follows:

1. **Provisions Amending Paragraph 8 of the Existing Agreement.** Paragraph 8 of the Existing Agreement is hereby amended as follows:

   A. The first sentence of Subparagraph 8(b), as previously amended by the 2004 AWSTP Agreement, is amended to read in its entirety as follows:

   The water supply provided hereunder shall be up to, but not exceeding, 15,000 acre-feet per year at a maximum rate of 30 cubic feet per second (the "AWS Entitlement").

   B. The heading and the first sentence of Subparagraph 8(c), as previously amended by the 2004 AWSTP Agreement, is amended to read in its entirety as follows:

   (c) **Delivery Points.**
AWA may divert the water provided by PGandE pursuant to the AWS Entitlement at the intake structure referenced in subparagraph (b) of paragraph 2 of the 2004 AWSTP Agreement (which diverts water into the Amador Water System Transmission Project) and at the Tabeaud Pump Station referenced in the Stipulation and Agreement (which diverts water into the Amador Canal) (collectively, the "Tabeaud Delivery Points"), and at any new delivery points as authorized in Subparagraph 8(f), below, up to the maximum amount and maximum rate of the AWS Entitlement.

C. The last sentence of the first paragraph of Subparagraph 8(c), beginning with the words “Agency shall have the right...”, is deleted in its entirety.

D. Subparagraph 8(e), as previously amended by the 2004 AWSTP Agreement, is amended to read in its entirety as follows:

(c) Water Measurement.

Water diverted by AWA at the Tabeaud Delivery Points, and at any new delivery points as authorized in Subparagraph 8(f), below, shall be measured and recorded by facilities installed, maintained, calibrated, repaired, replaced, and monitored by AWA at its sole cost and expense.

In the event that any delivery point is relocated by PGandE, as provided in Subparagraph 8(c), PGandE shall install facilities required to measure and record the quantity of water supplied to AWA at its sole cost and expense. Any such facilities shall be maintained, calibrated, repaired, replaced, and monitored by AWA at its sole cost and expense.

AWA shall comply with all state requirements for proper measurement and recording of diversions at all delivery points, which shall be subject to PGandE concurrence that the facilities comply with state measurement and recording requirements. PGandE may request to inspect any such measurement and recording facilities at any delivery points during normal business hours upon 48 hours’ written notice. If AWA is relying on another agency’s measurement and recording facilities, it shall ensure that those facilities comply with all state requirements and include a contractual provision that permits PGandE’s employees and agents access to them. PGandE may request testing of any measurement device suspected to be performing out of compliance with applicable state requirements at AWA’s expense. AWA shall insure that all facilities stay in state compliance including
periodic calibration and testing. AWA shall timely report water diversion data to PGandE as needed to meet state reporting requirements.

E. Existing Subparagraph 8(f) is re-labeled as Subparagraph 8(g).

F. The following new Subparagraph 8(f) is added to read in its entirety as follows:

(f) **Diversion of Water for System and Non-System Use**

(i) **System Water.** AWA may divert water at the Tabeaud Delivery Points to serve its customers in the System (whether retail, wholesale, or otherwise), and both Parties agree that the “System” as described in the Existing Agreement can be expanded incrementally from the physical condition that existed in 1985, provided such areas of expansion are supplied by AWA through the Tabeaud Delivery Points and the Amador Canal or the Amador Water System Transmission Project or any extensions thereof. At AWA’s discretion, it may provide water to areas of the System that are currently or were previously supplied from the Tabeaud Delivery Points using a new delivery point. Any such diversions also shall be counted as water diverted pursuant to the AWS Entitlement.

(ii) **Non-System Water and New Delivery Points.** If AWA desires to add new delivery points to provide water to serve areas outside of the System (as defined in Subparagraph 8(f)(i), above), whether in or outside of Amador County (“Non-System Users”), PGandE will permit AWA to divert a portion of the AWS Entitlement for such purposes at additional delivery points, subject to applicable provisions of the Existing Agreement as amended by this Third Amendment and as hereafter amended. AWA’s diversions of water for Non-System Users shall be limited to the amount of AWA’s Conserved Supplies (as defined in Subparagraph 8(f)(vi), below).

(iii) **Limit on Total Diversions.** The total combined diversions by AWA from the Tabeaud Delivery Points and any new delivery points authorized under Subparagraphs 8(f)(i) and (ii), above, shall not exceed the maximum amount or rate of diversion of the AWS Entitlement.

(iv) **Notice of New Delivery Point.** AWA shall notify PGandE of the addition of any new delivery point authorized under Subparagraphs 8(f)(i) and (ii), above, as soon as practical but no less than thirty (30) days prior to commencing diversions through the new delivery point.
(v) **Scheduling.** Consistent with the Existing Agreement and custom and practice, on or before January 15 of each calendar year, AWA shall provide PGandE's Project 137 management with an annual estimated water diversion schedule, stated on a monthly basis, for that calendar year, and shall coordinate with PGandE's local hydro division for water diversions at all new delivery points and regarding changes to the estimated water diversion schedule. The water diversion schedule shall separately designate the quantity of water on a monthly basis AWA estimates it will divert from each delivery point.

(vi) **Conserved Supplies.** AWA has employed multiple measures to conserve water, such as constructing the Amador Transmission Pipeline from Lake Taber aun. AWA shall calculate annual total water saved due to its conservation efforts ("Conserved Supplies") and provide those conservation quantities to PGandE for reporting purposes. AWA shall, upon request by PGandE, promptly provide its measurements and calculations used to determine its Conserved Supplies in any year. By way of example, in 2017, AWA calculated that its Conserved Supplies were 6,589 acre-feet. AWA expects that future increases in its water diversions from Lake Taber aud will result in corresponding increases in calculated Conserved Supplies.

(vii) **Duties of AWA.** AWA shall, at its sole cost and expense, be responsible for all aspects of planning, permitting, environmental review, design, acquisition, construction, operation, maintenance, repair and replacement of all diversion facilities at any new delivery point(s) authorized under Subparagraph 8(f)(i) and (ii) and for any diversions of water from such new facilities.

2. **Amendment of Paragraph 22 of the Existing Agreement.** The following paragraph is added at the end of Paragraph 22 of the Existing Agreement:

AWA shall indemnify, defend and hold harmless PGandE, its officers, directors, agents and employees, for all claims, demands, losses, damages, costs, expenses, and liability (legal, contractual, or otherwise) (collectively, "Claims") arising from AWA's exercising of its rights under the Existing Agreement, as amended by this Third Amendment and as hereafter amended, including but not limited to Claims arising from any operational changes due to AWA's diversion of its AWS Entitlement at new or different delivery points. Defense shall be provided by AWA's general counsel or other counsel, as mutually agreed by PGandE and AWA, and at AWA's sole cost and expense.
3. **Changes to Appendix A – Calculation of PGandE Benefit Payment.** Appendix A to the 2004 AWSTP Agreement is hereby amended as follows:

A. The initial paragraph of Appendix A is amended to read in its entirety as follows:

   The PGandE Benefit Payment consists of four elements: Payments A, B and C, and Credit A, with the formula to be used to calculate each element as set forth below. The PGandE Benefit Payment will be made at the designated time set forth in the Existing Agreement as amended by this Third Amendment and as hereafter amended.

B. The second paragraph of the "Payment C" section of Appendix A is amended to read in its entirety as follows:

   Payment = (i) For the portion of AWA's Annual Measured Water Consumption up to 10,000 acre-feet ("Af"), the amount of the Annual Measured Water Consumption, times 0.5, times 1020 KWh/AF, times Energy Prices, as defined below; and (ii) for the portion of AWA's Annual Measured Water Consumption in excess of 10,000 AF up to the 15,000 AF maximum amount of the AWS Entitlement, [15,000 AF minus the amount of the Annual Measured Water Consumption], times 1020 KWh/AF, times Energy Prices, as defined below.

C. The last paragraph of the "Payment C" section of Appendix A is amended to read in its entirety as follows:

   "Annual Measured Water Consumption", for purposes of Payment A and Payment C, will be calculated as the sum of the amount of water diverted by AWA in a calendar year at the Tabeaud Delivery Points and at any new delivery points as authorized in Paragraph 8(f) of the Existing Agreement as amended by this Third Amendment and as hereafter amended.

D. A new section is added to Appendix A, to follow the "Payment C" section, to read in its entirety as follows:

   **Credit A.**

   If AWA adds any new delivery points in accordance with Subparagraphs 8(f)(i) or (ii) of the Existing Agreement as amended by this Third Amendment and as hereafter amended that are within the North Fork Mokelumne River watershed and are upstream of the Tabeaud Delivery
Points, PGandE shall receive a credit against the amount of the PGandE Benefit Payment in any calendar year to compensate for lost power generation according to the following formula:

\[
\text{Payment} = \text{Operations Factor}, \times \text{Diversion Quantity}, \times \text{Duty}, \times \text{Partial Peak Energy Price}
\]

For purposes of this formula, the following definitions apply:

"Operations Factor" means the long-term average water operation of the Mokelumne River. The Operations Factor for West Point and Electra powerhouses is 0.561 and assumed to be 1.0 for Tiger Creek powerhouse.

"Diversion Quantity" means the quantity of water diverted at the new delivery points in acre-feet.

"Duty" means the combined duty of all the powerhouses that are adversely affected by the diversion at the new delivery points. Duty is expressed as kilowatt-hours per acre-foot (KWh/AF). The current duties for Tiger Creek, West Point and Electra Powerhouses are 1038 KWh/AF, 250 KWh/AF and 1034 KWh/AF, respectively. For diversions pursuant to Subparagraph 8(b)(i) of the Existing Agreement as amended by the Third Amendment and as hereafter amended, a powerhouse is adversely affected if the new delivery point is at or upstream from the diversion point for one or more PGandE powerhouses, excluding the Electra Powerhouse. For diversions pursuant to Subparagraph 8(b)(ii), a powerhouse is adversely affected if the new delivery point is at or upstream from the diversion point for one or more PGandE powerhouses, including Electra.

"Partial Peak Energy Price" means the Partial Peak Energy Price for Qualified Facilities published by the California Public Utilities Commission that applies during time period when the diversions are made.

4. **Effect on Existing Agreement.** Except as specifically provided herein, all of the terms and conditions set forth in the Existing Agreement shall remain in effect. If there is any conflict between the terms of this Third Amendment and the terms of the Existing Agreement, the terms of this Third Amendment shall govern.

5. **Effective Date.** This Third Amendment shall be effective as of the date that the last Party signs and delivers two wet ink original counterparts of this Third Amendment to the Party that previously signed, which date shall be deemed the "Effective Date".
6. **Recitals.** The recitals on pages 1 and 2 of this Third Amendment are true and are incorporated herein and made a part hereof.

7. **Binding on Successors and Assigns.** This Third Amendment shall inure to the benefit of and be binding on the successors, transferees and assigns of the Parties.

8. **Terminology.** Capitalized terms used herein, unless otherwise defined, shall have the meanings given them in the Existing Agreement. All references to “Stipulation and Agreement” in the Existing Agreement shall mean and refer to the Existing Agreement, as amended by this Third Amendment. All references to “Agency” in the Existing Agreement shall mean and refer to AWA.

9. **Neutral Construction.** This Third Amendment is the product of negotiation between the Parties. No Party is deemed the drafter of this Agreement, and any applicable law that states that contracts are construed against the drafter shall not apply.

IN WITNESS WHEREOF, the Parties hereto have executed this Third Amendment on the Effective Date.

**PACIFIC GAS AND ELECTRIC COMPANY**

By: ________________________________

[Name]

[Title]

Dated: __________________________, 2019

**AMADOR WATER AGENCY**

By: ________________________________

Paul Molinelli, Jr.
President, Board of Directors

Dated: __________________________, 2019
Attest:

By: ____________________________
   Cris L. Thompson
   Clerk, Board of Directors
MEMORANDUM

TO: BOARD OF DIRECTORS, AMADOR WATER AGENCY

CC: GENE MANCEBO, GENERAL MANAGER

FROM: JOSH HOROWITZ & PAT FITZGERALD

DATE: JULY 30, 2019

RE: LEGISLATIVE REPORT FOR THE AUGUST 8, 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
Status: 7/10/19 – Passed by Sen. Comm. on Judiciary and re-referred to Comm. on Appropriations.
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.
On June 12, this bill was amended to clarify that a local agency, special district, or water corporation may consider an ADU to be a new residential use for purposes of calculating connection fees or capacity charges, and subject to a new or separate utility connection between the ADU and the utility, if the ADU is constructed with a new single-family home. In addition, while current law exempts an ADU from requirements to install a new or separate utility connection and to pay connection fees or capacity charges if the ADU is within an existing structure, the bill now would exempt ADUs that would be within an existing structure that includes an expansion of up to 150 square feet to accommodate ingress and egress.
ACWA: Watch.
**AB 100 (Committee on Budget) – Drinking water.**

**Introduced:** 12/3/2018

**Status:** 6/24/19 – Passed by Sen. Comm. on Budget & Fiscal Review. Ordered to third reading.

This bill is the Assembly budget trailer bill concerning safe and affordable drinking water funding. For the latest information on the state and affordable drinking water funding proposal, see the discussion following AB 134, below.

**ACWA:** Support.

**AB 134 (Bloom) – Safe drinking water restoration.**

**Introduced:** 12/05/18

**Status:** 6/25/19 – In Sen. Comm. on Environmental Quality. Hearing cancelled at the request of author.

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. Governor 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 proposed a water tax and failed in summer 2018). This bill was seen as a potential vehicle 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 into compliance, and program accountability and oversight.

On May 15, the Senate Budget and Fiscal Review Committee Subcommittee No. 2 rejected the Governor’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.
**Update on Safe and Affordable Drinking Water Legislation**

In June, the Legislature's Conference Committee on the Budget reached a deal to provide safe and affordable drinking water in the State budget without a "water tax". The 2019 Budget Act (AB 74, which has been passed by the Legislature and signed by the Governor), includes initial funding for a Safe and Affordable Drinking Water Fund with $100 million from the Greenhouse Gas Reduction Fund (GGRF) and $30 million from the General Fund.

On July 24, Governor Newsom signed SB 200 (Monning), which creates the Safe and Affordable Drinking Water Fund to provide the legal structure and process for managing the funds first allocated in the 2019-2020 budget signed by the Governor in June. After the initial allocation of $130 million from the budget, beginning in the 2020-21 fiscal year, SB 200 will transfer 5% of the annual proceeds of the GGRF, up to the sum of $130,000,000, into the Safe and Affordable Drinking Water Fund. Beginning in the 2023-24 fiscal year, the bill will add the General Fund as a backstop to ensure annual allocations of $130 million to the fund. The funding will sunset in 2030.

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

**Introduced:** 1/24/19  
**Status:** 7/10/19 – Passed by Sen. Comm. on Labor, Public Employment and Retirement. Referred to Comm. on Appropriations.  
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 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 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
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 position 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 402 (Quirk) – State Water Resources Control Board: local primacy delegation: funding stabilization program.
Introduced: 2/6/19
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 held 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. On June 18, the bill was amended to include provisions that would require each public water system to submit an annual fee to the State Water Board under a fee schedule adopted by the board. ACWA continues to organize opposition to the bill, arguing that the recent amendments represent a substantial shift from the original intent of the bill to assess fees only on small public water systems, rather than the current proposal to assess fees on all public water systems.

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
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
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: 7/19/19 – Enrolled and presented to the Governor.
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).
ACWA: Oppose.
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
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
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.
Introduce: 2/20/19
Status: 7/1/19 – Read second time and amended by Senate. Ordered to third reading.
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 in this manner to 50% of the agency’s investment portfolio. As amended on July 1, the 50% portfolio limit would expire on January 1, 2026, at which time a 30% portfolio limit would become operative.

ACWA: Favor.

AB 992 (Mullin) – Open meetings: local agencies: social media.
Introduce: 2/21/2019
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: retention of writings transmitted by email.
Introduce: 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: Support.

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
Existing law requires each urban retail water supplier to develop water use targets 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.

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
Status: 7/9/19 – Passed by Asm. Comm. on Judiciary and re-referred to Comm. on Appropriations.
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 under certain circumstances. 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
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.

On July 1, the bill was amended to exclude from the definition of “impact fee” any connection fee or capacity charged by a local agency, special district, or water corporation. As a result, ACWA, along with the California Municipal Utilities Association and the California Association of Sanitation Agencies, withdrew its opposition to the bill.
ACWA: Watch.

SB 19 (Dodd) – Water resources: stream gages.
Introduced: 12/03/18
Status: 7/3/19 – Placed on Assembly Appropriations suspense file.
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.

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: 1/03/19
Status: 7/19/19 - Enrolled and presented to the Governor.
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 101 (Committee on Budget and Fiscal Review) - Drinking Water.
Introduced: 1/10/19
This bill is the Senate budget trailer bill concerning safe and affordable drinking water. For the latest on the state and affordable drinking water funding proposal, see the discussion following AB 134, above.
ACWA: Oppose.

SB 134 (Hertzberg) - Water conservation: water loss performance standards: enforcement.
Introduced: 1/15/19
**Status:** 6/18/19 – Passed by Asm. Comm. on Water, Parks & Wildlife. Re-referred to Comm. on Appropriations.

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 the 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

**Status:** 7/24/2019 – Chaptered by Secretary of State- Chapter 120, Statutes of 2019.

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 the discussion following AB 134, above.

**ACWA:** Support.

**SB 307 (Roth) - Water conveyance: use of facility with unused capacity.**

**Introduced:** 2/15/19

**Status:** 7/18/19 – Enrolled.

Existing law prohibits the state or a regional or local public agency from denying a bona fide transferor of water from using a water conveyance facility that has unused capacity for the period of time for which that capacity is available, if fair compensation is paid for that use and other requirements are met. This bill would, notwithstanding that provision, prohibit a transferor of water from using a water conveyance facility that has unused
capacity to transfer water from a groundwater basin underlying “desert lands,” as defined, that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands. ACWA opposed the bill, which is intended to add an additional layer of review for the Cadiz Valley Water Conservation, Recovery, and Storage Project, because adding the additional approvals would set a bad precedent for other water projects that otherwise meet regulatory requirements.

ACWA: Not favor.

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 518 (Wieckowski) - Public records: disclosure: court costs and attorney’s fees.
Introduced: 2/21/19
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.

In June, the bill was gutted and amended. In current form, the bill now would amend section 998 of the Code of Civil Procedure, concerning pre-trial settlement offers. In its current form, the bill would exempt CPRA actions from section 998’s provisions that shift certain litigation fees and costs to a party that rejects a settlement offer and subsequently fails to obtain a more favorable judgment or award.
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 646 (Morrell) - Local agency utility services: extension of utility services.
Introduced: 2/22/19
Status: 7/10/19 – Approved by the Governor. Chaptered by Secretary of State. Chapter 78, Statutes of 2019.
The Mitigation Fee Act limits a local agency’s fees for water or sewer connections or capacity charges to the estimated reasonable cost of providing the service for which the fee or charge is imposed, unless a question regarding the amount of the fee or charge imposed in excess of the reasonable cost of providing the service or materials is submitted to and approved by 2/3 of the electors voting on the issue. The Mitigation Fee Act defines the term “fee” for these purposes. This bill would revise the definition of “fee” to mean a fee for the physical facilities necessary to make a water connection or sewer connection, and that the estimated reasonable cost of labor and materials for installation of those facilities bears a
fair or reasonable relationship to the payor's burdens on, or benefits received from, the water connection or sewer connection.

ACWA: Watch.

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. 2-year bill.
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 2,4000 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 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: 7/5/19 – From Asm. consent calendar, ordered to third reading.
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: 7/2/19 – Passed by Asm. Comm. on Water, Parks & Wildlife, re-referred to Comm. on Appropriations.
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.

FEDERAL LEGISLATION

**S 1932 (Gardner) – Drought Resiliency and Water Supply Infrastructure Act.
Introduced: 6/20/2019
Status: 7/18/2019 – Hearings held in Senate Energy and Natural Resources Subcommittee on Water and Power.
This bill would expand and update funding authorizations for the Bureau of Reclamation under the Water Infrastructure Improvements for the Nation (WIIN) Act. It would extend WIIN Act funding for an additional five years, including $670 million for surface and groundwater storage projects, and supporting conveyance, $100 million for water recycling projects, and $60 million for desalination projects. In addition, the bill would create a new loan program at 30-year Treasury rates (currently around 2.6%) for water supply projects. Under this program, repayment can be deferred until five years after completion of the
The bill also would authorize $140 million for habitat restoration and environmental compliance projects, including forest, meadow and watershed restoration and projects that benefit threatened and endangered species. The bill contains two provisions to offset the costs of these appropriations: (1) an extension of WIIN Act provisions allowing water districts to prepay outstanding capital debts and to convert to indefinite length water supply contracts to bring in additional revenue over the next ten years, and (2) a process to deauthorize inactive water recycling project authorizations. ACWA: Support.
Administration Department Report

Customer Service/Human Resources:

- The 2019/2020 (7/1/19-6/30/20) Safety Statistics for Agency staff are:
  - Lost time worker’s comp incident: 0 (FYI: date of last incident: 6/27/19)
  - Other Worker Comp incident: 0 (FYI: date of last incident: 5/10/17)
  - First Aid incident: 0
  - Avoidable vehicle accident: 0 (FYI: date of last accident: 9/13/18)
  - Unavoidable vehicle accident: 0

- Training: Cook/C Thompson-CDBG Training; Gish-JPIA HR Workshop; Dalmau, Pechette, Roussan, Hinton, Petretti-DISC Workshop (in-house)
- Board Conferences: None

- Certifications/Renewals: K Miller-CWEA Membership; M Thompson-D4

- Staffing: No Changes
- Vacancies: Instrumentation/Electrical Supervisor; Meter Reader/CST, GIS/CAD Tech

- Liens filed: 0
- Liens Released: 0
- Currently Outstanding Lien Balance: $43,503.25

- Completed monthly Door Tags/Shut Offs for River Pines PUD, including monthly customer deposit
- 19/20 Budget
- Camanche Customer List to AGM for Camanche MHI
- Customer calls regarding leaks, new wastewater commercial billings
- Provided information to Auditors and/or Finance Manager
- Bottled Water Program-new provider
- Leadership Program
- Leadership Development with AWA Managers
- DiSC Inhouse Workshop Presentation
- 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
- Water, Wastewater, Participation Fee Schedules – completed and distributed
- Work on Wastewater Commercial Customer water usage for July updates
- Work on MOU implementations for July
Revise Salary Schedules based on 7/1/2019 2% COLA
- Work on Retiree Health Savings Plan
- Work on Grand Jury Report Response
- Review Meter Reader Applications
- River Pines PUD information request (subpoena)

Finance/Accounting:

- Water Sales Revenues through the month of July are $795,774
- Wastewater Sales Revenues through the month of July are $150,365
- Reimbursements received: $369,550
- Outstanding Reimbursements are approximately $978,493
- Restricted and Unrestricted Cash: Attached
- July Sales Comparison: Attached
- Delinquency report- Attached

- Continue updating data and reformatting style for 2019-20 Budget process including forecasting cash balances
- Update Springbrook software with new expense chart of accounts related to budget reformatting
- 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, fraud policy, and grant tracking are in process
- Compile and deliver information to auditors for interim (Completed July 17) and year-end audit process
- Compile information from auditors, state controller’s office, GFOA, GASB, FASB, CA Special District Uniform Accounting and Reporting Guide for Grand Jury responses
- Leadership Development with AWA Managers
- River Pines PUD information request (subpoena)

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

<table>
<thead>
<tr>
<th></th>
<th>Aug-17</th>
<th>Aug-18</th>
<th>Sep-17</th>
<th>Sep-18</th>
<th>Oct-17</th>
<th>Oct-18</th>
<th>Nov-17</th>
<th>Nov-18</th>
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<td>552,103</td>
<td>2,007,227</td>
<td>943,710</td>
<td>1,775,040</td>
<td>890,718</td>
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<td><strong>Restricted</strong></td>
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<td>1,484,851</td>
<td>1,935,895</td>
<td>1,182,421</td>
<td>2,026,833</td>
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<td><strong>TOTAL</strong></td>
<td>1,784,956</td>
<td>3,223,209</td>
<td>3,119,335</td>
<td>3,259,891</td>
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<th>Dec-17</th>
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<th>Jan-18</th>
<th>Jan-19</th>
<th>Feb-18</th>
<th>Feb-19</th>
<th>Mar-18</th>
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<td>139,342</td>
<td>190,859</td>
<td>219,762</td>
<td>146,917</td>
<td>190,879</td>
<td>220,176</td>
<td>140,089</td>
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<td>Residential</td>
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<td>101,354</td>
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<td>Transfer in Purchased</td>
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<tr>
<td>102-04-416000</td>
<td>Wholesale</td>
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<td>48,284</td>
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<td>120,423</td>
<td>70,441</td>
<td>62,325</td>
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<td>102-04-417000</td>
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<td>1,470</td>
<td>634</td>
<td>1,737</td>
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<td>Adjustment To Sales-Write-Off</td>
<td>(2,382)</td>
<td>(347)</td>
<td>(6,936)</td>
<td>(5)</td>
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<td>102-04-419000</td>
<td>Debt Service Charge</td>
<td>157,240</td>
<td>148,187</td>
<td>149,687</td>
<td>162,586</td>
<td>148,305</td>
<td>149,925</td>
<td>151,487</td>
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| 479,354 | 573,816 | 624,465 | 669,894 | 712,254 | 697,370 | 764,707 | 816,990 | 795,774 |

YTD TOTAL 795,774
19-20 Budget 8,668,306
% of Budget 9.18%
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<th>Date</th>
<th>Total</th>
<th>Over 120</th>
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<th>60-90</th>
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<td>Totals</td>
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<td>7/31/2019</td>
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<tr>
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<td>8,185.78</td>
<td>660.01</td>
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<td>Totals</td>
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<td>7/31/2018</td>
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<td>13,092.27</td>
<td>735.99</td>
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<td>7/31/2019</td>
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<td>13,200.45</td>
<td>522.38</td>
<td>1140.73</td>
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Operations Report

Covering July 1, - July 28, 2019

Operations Manager:

1. Tank condition assessment, inspections and dive reports reviews and presented
2. Ione Water Treatment Plant condition assessment and production
3. Visited Tiger Creek and Silver Creek facilities condition assessment
4. Worked on Standby Power / Generators installation and logistics

Regulatory Compliance Specialist:

1. On-going cross training of Admin Assist II.
2. Scheduling lead and copper monitoring for July and August
3. Posting to website of breaks, leaks and boil advisories as well as Social Media postings
4. Created PowerPoint presentation on Agency storage tanks
5. Completed all quarterly reporting

Water Treatment Plants

1. Tanner Plant:
   a. Tanner Hydro facility generator 1 and 2 have tripped out several times on over load. Staff has been unable to identify the problem and will bring in Canyon Hydro to help with diagnosing the issue.
   b. Emergency replacement of effluent pump. Staff picked up pump in the Bay Area on a Saturday morning and installed same day.

2. Ione Plant:
   a. Operations changed the Ione Treatment plant raw water supply from a blended supply of Tanner and Ione Res. water to 100% Ione Res water and within 12 hours developed a Taste and Odor. Went back to Tanner supply and are now blending 10% at a time from Ione Res to a Target of 50/50 blend.
   c. Filter #3 effluent valve fails intermittently. Troubleshooting to keep operational.
   d. Filter #2 magnatrol level controller fails intermittently causing filter overflow.
   e. Staff continues to identify and repair leaks in clearwell cover.
   f. Continue to experience communication failures causing interruptions to plant, pump stations and tank operations.
3. Buckhorn Plant:
   a. High service pump #2 continues to fail which means we do not have a reliable redundant pump. We will be bringing in a motor expert to help troubleshoot and resolve the problem.
   b. Recycle Facility- check valves on the effluent pump discharge are causing air and turbidity problems on start up. Staff recommends installing an actuator control valve on discharge line to isolate system during shut downs.
   c. Regulator and PG&E WTP access- Staff was notified of limited access to Regulator and PGE WTP due to on-going dredging operations in the After-Bay and road closures. Staff will access the Regulator via the Spur 1 Road and continue to work with PG&E on ensuring that we have emergency access until their project is complete in December.

Wastewater:

1. Completed all semi-annual well monitoring
2. 50% complete on septic tank inspections for the year
3. Continue to mow and weed-eat and spray all sites. We are working towards getting outside

Electrical:

1. Failures:
   a. Camanche Lift Station C- Transducer -Replaced
   b. Martell Boxcar Lift Station HMI – Needs replacing. Part ordered will install when it arrives
   c. Tanner Effluent Pump # 2 - Replaced
   d. Admin Office- UPS- needed battery replacement.
   e. Replaced failed lone plant clear well transducer
   f. Mt Crossman Pump Station-control relay caused pump not to run. Replaced 2 relays
   g. Tiger Creek Wastewater Lift Station Pump #2, replaced.

Construction:

1. Built chain link fences around Lift Station C and D in Camanche and poured concrete pads for new generators.
2. Repaired main break on Trent Way (Sutter Creek)
3. Replaced 3 leaking water services and paved on Creekview Ct. (Sutter Creek)
4. Leak Repairs:
   a. Fiefield Alley (Sutter Creek)
   b. Lynn Way (Buckhorn, 5gpm)
   c. Forest Oak (Buckhorn)

Distribution:

1. Main Line Leak Repair:
   a. Village Dr (Camanche, 15 gpm)
2. Service line Leak Repairs:
   a. Creekview Ct (Sutter Creek, 3 gpm)
   b. S. Buena Vista St (lone, 3 gpm)
   c. Lynn Way (Buckhorn, 5 gpm)
   d. Lynn Way (Buckhorn, 8 gpm)
3. Two service line replacements at Creek View Ct. Sutter Creek.
Canal:

1. Berm Leak Repairs:
   a. Upper Canal MM 2.00 (Clinton Rd. 2.5 gpm)
   b. Upper Canal MM 3.00 (Clinton Rd. 5 gpm)
   c. Upper Canal MM 9.75 W. (Clinton Rd. 2 gpm)
   d. Upper Canal MM 11.25 (Hwy 88 3 gpm)
   e. Ione Canal MM 2.75 (Badger St. 3 gpm)
   f. Ione Canal MM 2.50 (Badger St. 2 gpm)
   g. Ione Canal MM 1.50 (Badger St. 7 gpm)

2. Canal Cleaning and Brushing:
   a. Upper Canal MM 1.00 - 1.50 (Mi Wuk to Tabeaud Rd)
   b. Upper Canal MM 15.00 – 15.25 (Mi Wuk to Canal Way)
   c. Lower Canal MM 1.25 – 2.25 (Mi Wuk to NY Ranch Rd)

Prepared by: Andrea Hinton, Regulatory Compliance Specialist
Reviewed and edited by: Rick Ferriera, Operations Manager
City of Plymouth Dept Report
Covering July 1- July 31, 2019

Regulatory Compliance Specialist-
- Completed monthly water reporting. Sent to City Manager
- Toured Plymouth Water treatment plant and well facilities with Division of Drinking Water
- Completed Annual inspection response to Division of Drinking Water.
- Entered all sampling dates into our CMMS system for Well A and Hawksview Well.
- Completed triennial lead and copper testing. All results were in compliance. The 90th percentile for Lead was 0.0076 mg/L (Action Level for Lead is 0.015 mg/L) and the 90th percentile for Copper was 0.10 mg/l (Action Level for Copper is 1.3 mg/L). Report sent to Division of Drinking Water and result letters to customers. Copy of report sent to City Manager.

Distribution-
- Dropped off and collected 10 bottles for lead and copper sampling
- Routine flushing
- Routine Distribution Sampling

Wastewater-
- Continue to monitor collection system
- Inspect grease traps monthly and issue grease trap pump orders as needed
- Jet system as needed

Water Hours: 163.5
Wastewater Hours: 4

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

**Water Production/Sold**

<table>
<thead>
<tr>
<th>Well</th>
<th>Production</th>
<th>Total Produced:</th>
<th>Total Sold:</th>
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<tr>
<td>Well 2</td>
<td>695,300 gallons</td>
<td>1,356,088 gallons</td>
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<tr>
<td>Well 3R</td>
<td>617,800 gallons</td>
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<td>798,414 gallons</td>
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<tr>
<td>Well 6R</td>
<td>42,988 gallons</td>
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</table>

**Regulatory Compliance Specialist**

- Completed monthly reporting for water and wastewater. Including No Spill Report to CIWQS.

**Wastewater**

- Influent flow 1,089,500 gallons. Effluent Discharged 671,200 gallons.
- Completed and began sampling the new monitoring wells on a quarterly basis.
- Continue to monitor collection system and run wastewater plant.

**Water**

- Completed all regulatory sampling.
- Staff continues to operate Wells 2 / 3R and 6R facilities.
- Completed a rebuild on pressure reducing valve which supplies sample slow water to the CL17 analyzer.
- Assisted Cooper Control’s instrumentation technician in completing the calibrations of Wells 2, 3R, and 6R meters and 6R chart recorder.

**Distribution**

- Routine flushing
- Service line leak repair on Fern Ave (3gpm)

Water Hours: 51
Wastewater Hours: 52.5

Prepared by: Andrea Hinton, Regulatory Specialist
Reviewed by: Rick Ferriera, Operations Manager
Engineering Department Report

July 1 – July 31, 2019

PROJECTS UNDER CONSTRUCTION

Capital Projects

- Ione Hydro – Contractor completed most of the building and placed the turbine and generator. Schedule has been delayed by PG&E review and electrical equipment long-lead time but Gilkes is scheduled to be on-site August 5th for equipment alignment and project completion is scheduled for the second week of September (50% Complete). YELLOW

- Ione WTP Rehabilitation – Project at substantial completion. Final punch list nearing completion, Project has been substantially delayed (99% Complete). YELLOW

Developer Projects

- City of Sutter Creek Bridge Project – Installation of reduced pressure backflow preventers are the only outstanding issue. The City of Sutter Creek project has been substantially delayed (99% Complete). YELLOW

- State of California Cal-Fire Ione Project – Finishing final punch list items for this State of California project (98% Complete). GREEN

PROJECTS IN DESIGN

Capital Projects

- FEMA HMGGP Redwood Tank Replacement Project – Received two bids for the modified project scope of replacing three redwood tanks with two welded steel water tanks at Pine Acres and Ridgeway. The original scope was to replace 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 original project, the project scope was reduced. There is a concern about receiving the same funding package for the scaled down project. Staff is working with Cal Oes regarding the scope, budget and schedule revisions, and SRFs for the matching funds. (Design 100% Complete). YELLOW

- 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). **GREEN**

- **Pioneer Pipeline Phase III (USDA)** – Received 50% design document for review and comments for the 12-inch pipeline and two, 1 – MG water storage tanks to replace Tanks A & B. (Design 50% Complete) **GREEN**

- **Ridge Road Manhole Replacement** – Project will be bid out this month with construction starting the 2019/2020 fiscal year for the replacement of the manhole located on Ridge Road and Hwy 49. **GREEN**

- **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. **GREEN**

- **FEMA Amador Canal Slide** – Received partial funding from CalOES. Geotechnical firm has completed soil site tests and prepared a report on repair options. Schedule has been delayed and staff will file for an extension request once the project construction is underway. **YELLOW**

- **Lift Station #2 Design** – Engineering department has started the design to rehabilitate the existing Lift Station #2 in Martell that discharges wastewater from Walmart and other entities along Highway 88 to Highway 49 and Ridge Road. The design will utilize the existing concrete wetwell structural and involve new submersible pumps and valve vault box. **GREEN**

**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** – Reviewed updated plans. Developer to update water model.

**PLANNING/FUNDING**

**Capital Projects**
- **Mt. Crossman Pumping Station and Mt. Crossman Tank, La Mel WTP, Camanche 10-inch Waterline, and Standby Generators** – Response to questions and comments, in review by OES/FEMA

- **SGMA** – One monitoring well has been installed on Bamert Rd at the confluence of Dry and Jackson Creeks, and another site at the Carbondale Industrial Park has finally been approved for installing the other monitoring well. These wells are being paid for by DWR grant funding.

- **ARSA** – Nothing to report.

**Project Expenses through 7-31-19 are attached**

Prepared by: Darrel Evensen, Engineering Manager
### Project Expenses through 07-31-19

#### WATER PROJECTS

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Funded By</th>
<th>Status</th>
<th>Funding Contract Deadlines</th>
<th>FY 19-20 Budget</th>
<th>Expended to date</th>
<th>% of FY 19-20 Budget</th>
<th>Expended Life of Project</th>
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#### WASTEWATER PROJECTS

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<tr>
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<th>Status</th>
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#### Total

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