AMADOR WATER AGENCY
Board of Directors
Regular Meeting
12800 Ridge Road, Sutter Creek, CA 95685
November 14, 2019
9:00 a.m.
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. INTRODUCTION OF NEW EMPLOYEE
   Quentin Carter, GIS CAD Technician

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

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

6. AGENCY GENERAL
   A. Board Recognition
      1. Adoption of Resolution No. 2019-17, Honoring Art Toy for his service as Board Member of the Amador Water Agency
   B. Board of Directors District 5 Vacancy
      1. Discussion and possible action regarding recommendation by the Ad Hoc committee for appointment of Director representing District 5 becoming effective November 14, 2019 or soon thereafter

Paul Molinelli Jr., President Rich Farrington, Vice President Vacant Susan Peters Gary Thomas
C. AWA Board of Directors
   1. Oath of Office – Swearing in of Director for District 5

D. Budget Augmentations
   1. Discussion and possible action to approve budget augmentations for construction projects carried over from Fiscal Year 2018/2019

7. WATER SYSTEM
   A. Redwood Potable Water Storage Tank Retrofit Project
      1. Discussion and possible action to award the construction contract to TNT Industrial Contractors, INC.

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

9. CLOSED SESSION
   A. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(D)(1) – Existing Administrative Proceedings – State Water Resources Control Board Bay-Delta Water Quality Control Plan Update Proceeding
   B. Conference with Agency Negotiators Pursuant to Government Code Section 54956.8 (b) with direction regarding the terms for a one-time water transfer with Bay Area Water Supply and Conservation Agency (BAWSCA)
   C. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(a) and (d)(1) – Existing Litigation – In re PG&E Corporation and Pacific Gas and Electric Company, United States Bankruptcy Court for the Northern District of California, Case No. 19-30088-DM (Chapter 11)
   D. Conference with real property negotiator involving the purchase, sale, lease or exchange of real property designated as Amador County APNs 023-070-165, & 033-800-021; Gene Mancebo, Agency negotiator. Instructions to the negotiator may include price. Terms of payment or both. Government Code sections 54954.5 (b) and 54956.8
   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.

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. COMMITTEE REPORTS, SPECIAL ASSIGNMENTS AND DIRECTOR COMMENTS
Policy Committee (10-30-19)
Fire Protection Committee (11-05-19)
Engineering and Planning (11-1-19)

12. GENERAL MANAGER'S REPORT
General discussion of various items in progress within each area of responsibility. This is for informational and communication purposes. Discussion only, no formal action will be taken. Any matter requiring action will be placed on an upcoming agenda for consideration.

13. ASSISTANT GENERAL MANAGER'S REPORT
General discussion of various items in progress within each area of responsibility. This is for informational and communication purposes. Discussion only, no formal action will be taken. Any matter requiring action will be placed on an upcoming agenda for consideration.

14. FUTURE AGENDA TOPICS

15. ADJOURNMENT
AMADOR WATER AGENCY
CONSENT AGENDA
November 14, 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 October 24, 2019

2. MISCELLANEOUS APPROvals
   A. Approval of Accounts Payable for October, 2019
   B. Approval of California Environmental Quality Act (CEQA) Notice of Exemption for the BAWSCA water transfer and direction to file the exemption.

3. RESOLUTIONS
   A. Adoption of Resolution No. 2019-16, accepting revisions to Employee Handbook Section 4.12 Policy Prohibiting Harassment and Discrimination

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

October 24, 2019

MINUTES

Directors Present:  Paul Molinelli Jr., President
                   Richard Farrington, Vice President
                   District 5- Vacant
                   Susan Peters
                   Gary Thomas

Directors Absent:  None

Staff Present:  Cris Thompson, AGM/ Clerk of the Board
               Karen Gish, HR/ Office Manager
               Tracey Hays, Finance Manager
               Rick Ferriera, Operations Manager
               Darrel Evensen, Engineering Manager

CALL TO ORDER- President Molinelli Jr. called the meeting to order at 9:03 a.m.

ADDITIONS TO THE AGENDA - None

INTRODUCTION OF NEW EMPLOYEE
Quentin Carter, GIS CAD Technician- Held over to the next meeting.

PUBLIC COMMENT - None

CONSENT AGENDA (0:7:57-10:01)

MOTION:  It was moved by Director Farrington, seconded by Director Peters, and carried to approve the consent agenda items as presented- Regular Meeting Minutes of October 10,2019, Special Meeting Minutes of October 8, 2019 and Accounts Payable for September, 2019.
Consent Item 1.A carried by the following vote:
Ayes: Directors Farrington, Peters, and Molinelli Jr.
Noes: None
Absent: None
Abstain: Director Thomas

Consent Items 1.B and 2.A carried by the following vote:
Ayes: Directors Farrington, Peters, Thomas and Molinelli Jr.
Noes: None
Absent: None
Abstain: None

DEPARTMENT REPORTS (0:10:01- 59:03)
A. Administration/Finance
B. Operations
C. Engineering

RECESS was called at 10:02 a.m. SESSION resumed at 10:12 a.m.

AGENCY GENERAL QUARTERLY INVESTMENT REPORT (59:27- 1:07:02)
Report of the Agency's Investment Performance through September 30, 2019

BOARD OF DIRECTOR DISTRICT REPORTS, COMMITTEE REPORTS AND DIRECTOR COMMENTS – (1:07:40- 2:12:32)

ASSISTANT GENERAL MANAGER’S REPORT (2:12:43-2:35:50)

FUTURE AGENDA TOPICS –
Video streaming

RECESS was called at 11:50 a.m. SESSION resumed at 12:14 p.m.

CLOSED SESSION was called at 12:15 p.m.
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)

Regular Board Meeting
October 24, 2019
Page 2
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--anticipated litigation; Government Code sections 54954.5(c) and 54956.9(a) and (d)(4); consideration of initiation of litigation involving one case

Closed Session items A - E not discussed
F. Pursuant to Government Code Sections 54957 Public Employee Performance Evaluation-General Manager

G. Pursuant to Government Code sections 54954.5 (e) and GC 54957 (b) Public employee discipline/dismissal/release.

OPEN SESSION resumed at 1:54 p.m. with nothing to report

ADJOURNMENT
President Molinelli Jr. adjourned the meeting at 1:54 p.m.

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

**Checks by Date - Summary by Check Date**

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**Printed:** 11/5/2019 9:20 AM

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ACH 4054  Horizon Communications 10/09/2019  533.06

Total for 10/9/2019: 533.06

1837 2853  Standard Insurance Company 10/11/2019  2,689.30

Total for 10/11/2019: 2,689.30

84460  1047  AT&T Mobility 10/15/2019  222.67

84461  1117  Business Recovery Services Inc 10/15/2019  1,005.03

84462  UB*01126  CA DEPT OF TRANSPORTATION 10/15/2019  1,530.00

84463  1216  CHEMTRAC SYSTEMS INC. 10/15/2019  23,490.00

84464  1205  CITY OF JACKSON 10/15/2019  131.88

84465  4132  Jerie Dowdy 10/15/2019  1,225.00

84466  4025  Enterprise FM Trust 10/15/2019  24,998.22

84467  3746  Enviro Tech Inc 10/15/2019  87.04

84468  1458  Richard Farrington 10/15/2019  69.60

84469  1621  Guy's Saw Center 10/15/2019  107.64

84470  3425  Lucinda J. Hackett 10/15/2019  247.50

84471  UB*01125  JENNIFER HARRIS 10/15/2019  25.13

84472  4191  INDUSTRIAL SILICA PRODUCTS LLC 10/15/2019  1,565.30

84473  3415  Maintenance Connection Inc 10/15/2019  8,274.32

84474  2205  Metro Presort Inc 10/15/2019  3,617.89

84475  4032  Paul Molinelli Jr. 10/15/2019  11.60

84476  4207  MOUNTAIN OASIS PURIFIED WATER L 10/15/2019  115.00

84477  3897  Alfred Mark Nunes 10/15/2019  81.48

84478  4034  O'REILLY AUTO PARTS 10/15/2019  42.01

84479  2410  Orenco Systems, Inc. 10/15/2019  192.63

84480  2520  P G & E 10/15/2019  6,524.48

84481  2520  P G & E 10/15/2019  3,361.31

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Total for 10/15/2019: 84,762.30

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| ACH 2515 | P.E.R.S.                   | 10/18/2019 | 22,392.45  |
| ACH 2849 | St. Of Calif - Edd         | 10/18/2019 | 5,071.40   |
| ACH 3848 | AWA Employee Association   | 10/18/2019 | 720.00     |
| ACH 4163 | Vantagepoint               | 10/18/2019 | 1,150.00   |
| 1843     | Calif. State Disbursement Unit | 10/18/2019 | 964.61     |
| 1844     | PERS Long-Term Care Program | 10/18/2019 | 61.03      |
| 84497    | 2824 A Specialized Printing Service | 10/18/2019 | 484.94     |
| 84498    | 2813 Accela INC #774375    | 10/18/2019 | 2,426.00   |
| 84499    | 1016 ACES Waste Srvs Inc   | 10/18/2019 | 736.07     |
| 84500    | 3218 Aramark Uniform Services | 10/18/2019 | 931.46     |
| 84501    | 3926 AT&amp;T U-VERSE          | 10/18/2019 | 80.25      |
| 84502    | 1087 Backflow Distributors Inc | 10/18/2019 | 89.70      |
| 84503    | UB<em>01128 GRAYSON BEAL      | 10/18/2019 | 15.72      |
| 84504    | 4129 Canon Financial Services Inc. | 10/18/2019 | 1,795.61   |
| 84505    | 1214 Capiol Enquiry, Inc.  | 10/18/2019 | 89.36      |
| 84506    | 1215 CITY OF SUTTER CREEK  | 10/18/2019 | 13,903.33  |
| 84507    | UB</em>01132 MARY-ANN DONNOLO  | 10/18/2019 | 4.90       |
| 84508    | 4226 ELLIS &amp; MAKUS LLP     | 10/18/2019 | 14,467.96  |
| 84509    | 1460 Fastenal Company      | 10/18/2019 | 951.54     |
| 84510    | UB<em>01130 BRANDON FOSTER    | 10/18/2019 | 18.34      |
| 84511    | UB</em>01129 RONALD FULLERTON  | 10/18/2019 | 85.35      |
| 84512    | 1150 G.A.M.S. Inc          | 10/18/2019 | 36.32      |
| 84513    | 4166 GAMBREL COMPANIES, INC.| 10/18/2019 | 581.85     |
| 84514    | 1605 George Reed, Inc.     | 10/18/2019 | 913.32     |
| 84515    | 3905 Global Labs, Inc      | 10/18/2019 | 5,858.00   |
| 84516    | 1607 Golden State Flow Measurement Inc | 10/18/2019 | 2,344.66   |
| 84517    | 1716 Harrington Plastics Inc | 10/18/2019 | 479.16     |
| 84518    | 1720 Hercules Industries Inc, | 10/18/2019 | 610.03     |
| 84519    | 1733 Hunt &amp; Sons Inc       | 10/18/2019 | 4,253.60   |
| 84520    | 4223 IQ DATA SYSTEMS, INC., | 10/18/2019 | 25.50      |
| 84521    | 1840 Jackson Tire Service Inc | 10/18/2019 | 911.40     |
| 84522    | 2116 Les Schwab Tire Center Of Cal Inc, | 10/18/2019 | 728.01     |
| 84523    | 2228 Meeks Building Center Inc, | 10/18/2019 | 36.49      |
| 84524    | 2205 Metro Presort Inc     | 10/18/2019 | 1,215.43   |
| 84525    | 2235 Mother Lode Printing  | 10/18/2019 | 344.80     |
| 84526    | 4216 MUNIQVIP, LLC         | 10/18/2019 | 2,691.09   |
| 84527    | UB*01133 TIMOTHY &amp; ROXANNE OLSON | 10/18/2019 | 28.40      |
| 84528    | 2520 P G &amp; E               | 10/18/2019 | 4,183.34   |
| 84529    | 2520 P G &amp; E               | 10/18/2019 | 696.18     |
| 84530    | 2430 Pace Supply Corp      | 10/18/2019 | 1,005.81   |</p>
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Total for 10/18/2019: 158,551.38

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Total for 10/21/2019: 95,888.70

| ACH     | 1826      | Internal Revenue Service                               | 10/25/2019    | 1,238.93     |
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| 1847     | 1001      | ACWA/JPIA                                              | 10/25/2019    | 21,325.74    |
| 1848     | 1712      | ACWA/JPIA-HBA                                          | 10/25/2019    | 106,183.86   |
| 1849     | 1076      | Allac                                                  | 10/25/2019    | 765.72       |
| 84540    | 3825      | American River Bank                                    | 10/25/2019    | 15,990.64    |
| 84541    | UB*01063  | STEVE BACH                                             | 10/25/2019    | 117.52       |
| 84542    | 4228      | CHARLES H. BARFIELD III                                | 10/25/2019    | 5,570.70     |
| 84543    | 1112      | Bartkiewicz, Kronick & Shanahan                        | 10/25/2019    | 11,092.50    |
| 84544    | 4036      | NHU BERGROM                                             | 10/25/2019    | 250.00       |
| 84545    | 4124      | Darrel Evensen                                         | 10/25/2019    | 219.96       |
| 84546    | 1460      | Fastenal Company                                       | 10/25/2019    | 246.96       |
| 84547    | 1508      | Federal Express Corp.                                  | 10/25/2019    | 81.36        |
| 84548    | 1618      | Ferguson Enterprises, Inc.                             | 10/25/2019    | 1,590.19     |
| 84549    | 1615      | Grainger Inc.                                          | 10/25/2019    | 100.76       |
| 84550    | 1621      | Guy's Saw Center                                       | 10/25/2019    | 60.18        |
| 84551    | 1733      | Hunt & Sons Inc.                                       | 10/25/2019    | 6,032.73     |
| 84552    | 3450      | Kamps Propane Inc                                      | 10/25/2019    | 825.59       |
| 84553    | 4178      | SEAN LOLAR                                             | 10/25/2019    | 35.35        |
| 84554    | 3819      | Lowe's Companies Inc                                   | 10/25/2019    | 490.49       |
| 84555    | 3730      | Mace Meadows Estates Owners                            | 10/25/2019    | 500.00       |
| 84556    | UB*01137  | MARTIN BROTHERS CONSTRUCTION,                         | 10/25/2019    | 1,500.00     |
| 84557    | 2205      | Metro Presort Inc                                      | 10/25/2019    | 2,938.07     |
| 84558    | UB*01135  | RACHEL & NATHAN NOTTNAGEL                             | 10/25/2019    | 0.95         |
| 84559    | 2520      | P & E                                                  | 10/25/2019    | 8,528.71     |
| 84560    | 2520      | P & E                                                  | 10/25/2019    | 8,528.71     |
| 84561    | 2430      | Pace Supply Corp                                       | 10/25/2019    | 4,048.22     |
| 84562    | 4114      | Rammco                                                | 10/25/2019    | 109.56       |
| 84563    | 2713      | Riebes Auto Parts LLC                                  | 10/25/2019    | 392.49       |
| 84564    | UB*01134  | RIVERLAND HOMES, INC.                                  | 10/25/2019    | 117.07       |
| 84565    | UB*01136  | RIVERLAND HOMES, INC.                                  | 10/25/2019    | 60.29        |
| 84566    | 3751      | SHRED-IT USA INC                                      | 10/25/2019    | 60.29        |
| 84567    | 2863      | Sterling Water Technologies                            | 10/25/2019    | 4,253.00     |
| 84568    | 2870      | Sweet Pea Ventures Inc                                | 10/25/2019    | 640.00       |
| 84569    | 2940      | U.S. Bank National Assoc./Dbia                        | 10/25/2019    | 213.35       |

AP Checks by Date - Summary by Check Date (11/5/2019 9:20 AM)
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Total for 10/25/2019:  
203,557.67

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Total for 10/30/2019:  
31,976.49

Report Total (200 checks):  
1,049,498.30
NOTICE OF EXEMPTION

To: X Amador County Clerk
    108 Court Street
    Jackson, CA 95642

From: Amador Water Agency
    12800 Ridge Road
    Sutter Creek, CA 95685

**Project Title:** Bay Area Water Supply and Conservation Agency Pilot Water Transfer

**Project Location-Specific:** North Fork Mokelumne River via Pacific Gas & Electric Company’s (PG&E) Hydroelectric Project, FERC No. 137, in Amador and Calaveras Counties. The buyer, the Bay Area Water Supply and Conservation Agency (BAWSCA) will take possession of the water at the tailrace of PG&E’s Electra Powerhouse, part of P-137, which is located upstream of Pardee Reservoir.

**Project Location-County:** Amador and Calaveras Counties (See attached project description for additional information)

**Description of Nature, Purpose and Beneficiaries of Project:** Amador Water Agency (AWA) will sell up to 1,000 AF of water to BAWSCA, which AWA has previously conserved through various conservation project involving its Amador Canal and other water supply facilities. The proposed transfer is a one-time pilot to test the feasibility of wheeling AWA’s conserved water into the Bay Area via East Bay Municipal Utility District’s (EBMUD) and other agencies’ facilities. The project does not involve the construction of any new facilities or the modification of existing facilities. Water will be released by AWA to BAWSCA at the tailrace of PG&E’s Electra Powerhouse, where BAWSCA will pick it up and wheel it through Pardee Reservoir. The transfer water then will be conveyed through EBMUD’s Mokelumne Aqueduct system, treated, and delivered to the City of Hayward via BAWSCA. (See the attached project description for more details)

**Name of Public Agency Approving Project:** Amador Water Agency

**Name of Person or Agency Carrying Out Project:** Amador Water Agency

**Exempt Status: (Check One)**

- [ ] Ministerial
- [ ] Declared Emergency (Sec. 15071(a))
- [ ] Emergency Project (Sec. 15071(a) and (c))
- [X] Statutory Exemption: Class 1 Exemption, CEQA Guidelines Section 15301
- [ ] Other:

**Reasons why project is exempt:**

This project does not involve the construction of any new facilities or modification of existing facilities and involves water supplies that have historically been used prior to conservation. This project will not involve a change to water releases from Pardee Reservoir or Lake Camanche for downstream users or any new facilities. It can be seen with certainty that the project will not have a significant effect on the environment.

**Contact Person**
Gene Mancebo, General Manager

**Area Code/Telephone/Extension**
(209) 223-3018

**Date Received by Clerk for Filing**

Gene Mancebo, General Manager
Project Description for the Bay Area Water Supply and Conservation Agency's
Pilot Water Transfer

SUMMARY:
The Bay Area Water Supply and Conservation Agency (BAWSCA) is proposing a one-
time pilot water transfer under which BAWSCA would purchase up to 1,000 acre-feet of
water from Amador Water Agency (AWA) for delivery and use within the BAWSCA
service area. AWA holds an entitlement of up to 15,000 acre-feet of water supplies
provided by the 1985 Stipulation and Agreement with the Pacific Gas and Electric
Company (PG&E) (1985 Stipulation) under various pre-1914 appropriative water rights
PG&E holds on the Mokelumne River. The proposed transfer water originates from
AWA's contractual Mokelumne River water supply entitlement pursuant to the 1985
Stipulation.

The Project would be located in Amador, Calaveras, San Joaquin, Contra Costa, and
Alameda Counties. Water deliveries will occur in Alameda County and may occur in
Santa Clara and San Mateo Counties. AWA would make the transfer water available to
BAWSCA from PG&E's Electra Powerhouse, upstream of East Bay Municipal Utility
District's (EBMUD) Pardee Reservoir. The transfer water would be released into the
North Fork of the Mokelumne River and flow into Pardee Reservoir. EBMUD would
then divert and convey the transfer water through its existing conveyance system, which
includes raw water aqueducts, treatment plants, and potable distribution systems, and
make the transfer water, less 20% for system losses, available to BAWSCA at the
Hayward Intertie at a rate of approximately 13 to 16 million gallons per day over an
estimated duration of 20 days. The Hayward Intertie is jointly owned by EBMUD and
SFPUC and operated by the City of Hayward. It connects the EBMUD and San
Francisco Public Utilities Commission (SFPUC) Regional Water System (RWS) through
the City of Hayward aqueduct system.

The City of Hayward, a BAWSCA member agency, holds a water supply contract with
SFPUC. Under the proposed Project, the City of Hayward would modify operation of its
water system to take delivery of the Project transfer water through the Hayward Intertie.
Transfer water coming through the Intertie would be used by Hayward, in-lieu of water
from SFPUC, and additional transfer water would be pumped into the RWS using the
City of Hayward-owned Hesperian Pump Station and delivered to other BAWSCA
member agencies. Figure 1 illustrates the pathway that the pilot transfer will follow. The
Project relies on existing facilities, and will not involve any expansion of those facilities.

The goal of this pilot Project is to evaluate the feasibility of delivering alternative water
supplies to BAWSCA member agencies in times of future supply interruptions or water
shortages. This pilot transfer will assist with (1) testing the viability of and impacts to the
existing infrastructure described above and (2) identifying the necessary elements of the
multiple institutional approvals and agreements required to deliver such transfer supplies.
The pilot transfer is planned to occur in January 2020. The pilot would be timed to coincide with a temporary shutdown of the Hetch Hetchy conveyance portion of the RWS.

PARTICIPANTS:

**BAWSCA** – BAWSCA provides regional water supply planning, resource development, and conservation program services for the benefit of its 26 member agencies. These activities include the planning and acquisition of supplemental water supplies to enhance the supply reliability of 16 cities, 8 water districts, and 2 private water providers that purchase wholesale water supplies from the SFPUC. These agencies provide water to 1.8 million people and businesses in Alameda, Santa Clara, and San Mateo Counties. Under the proposed Project, BAWSCA would manage the pilot transfer and coordinate the scheduling and delivery of transfer water with AWA, EBMUD, Hayward, and SFPUC.

**EBMUD** – EBMUD provides water to approximately 1.4 million people in parts of Alameda and Contra Costa counties in the San Francisco Bay Area. EBMUD owns and operates a system of surface water reservoirs, raw water aqueducts, water treatment plants, local storage facilities, and distribution pipelines and facilities. EBMUD uses these facilities to supply drinking water to its East Bay service area. Under the proposed Project, EBMUD would use its existing facilities to wheel the transfer water under agreements with AWA and BAWSCA, agree to the use of the Hayward Intertie for the pilot transfer, and make delivery of the wheeled quantity of water, less 20% system losses, to BAWSCA.

**AWA** – AWA provides water and wastewater services to a large portion of Amador County, including all 5 cities within the County. AWA provides both retail and wholesale water to approximately 27,000 residents through just under 7,000 service connections. Under the proposed Project, AWA would transfer water which it has determined can be made available through its water conservation efforts to BAWSCA.

**City of Hayward** – The City of Hayward delivers water to over 160,000 residents. The City of Hayward operates and maintains the Hayward Intertie. Under the proposed Project, the City of Hayward would agree to operate the Hayward Intertie and Hayward water system to receive pilot transfer water for use in the City of Hayward, and deliver transfer water south through the City of Hayward-owned conveyance system to SF RWS transmission lines.

**SFPUC** – San Francisco Public Utilities Commission manages the RWS and provides retail drinking water services to the City of San Francisco and wholesale water to three Bay Area counties. Under the proposed Project, SFPUC would agree to the use of the Hayward Intertie for the pilot transfer and receive transfer water into the RWS. SFPUC will deliver the pilot transfer water received into the RWS to BAWSCA member agencies.
STAFF REPORT

Resolution 2019-16
Revisions to Policy Prohibiting Harassment and Discrimination

Requested Action:


Background:
Per Board direction, the attached Policy was sent to the Policy Committee to review the additional proposed revisions to Section 4.12 Policy Prohibiting Harassment and Discrimination. The Policy has been reviewed by Agency Labor Attorney Law firm of Wiley, Price & Radulovich for compliance. The attached red-lined draft brings the Policy into compliance with current law. The Agency has met it’s obligations to offer to meet and confer with the Association and they have concurred with the attached red-lined revisions.

Fiscal Impact: None

Legal Review: Yes

Committee Review: Yes, Policy Committee recommends adoption.


Prepared by: Karen L. Gish, HR / Office Manager
Section 4.12  Policy Prohibiting Harassment and Discrimination

The Agency is committed to providing a work environment that is free of unlawful discrimination, harassment and retaliation. In keeping with the commitment, the Agency strictly prohibits harassment and discrimination on the basis of an employee’s race (including hairstyle), sex (including pregnancy, childbirth, breastfeeding, or related medical condition), gender, religion, creed, color, national origin, ancestry, citizenship, age, marital status, registered domestic partner status, medical condition, military or veteran status, sexual orientation, gender identity or gender expression, physical or mental disability, genetic information or any other characteristic protected by law (hereafter the Protected Characteristics). The Agency also prohibits harassment and discrimination based on a perception that an individual has any of these Protected Characteristics, or based on a perception that an individual is associated with a person who has, or is perceived to have, any of these Protected Characteristics. Harassment of, or discrimination or retaliation against, any Agency employee or Agency service provider on any of these bases is strictly prohibited.

Examples of conduct prohibited under this policy include, but are not limited to, the following:

- Verbal conduct such as jokes, derogatory comments or slurs based on a Protected Characteristic or unwanted sexual advances, invitations or comments;
- Physical conduct such as assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual based on one of the Protected Characteristics above;
- Visual conduct such as derogatory posters, cartoons or drawings on one of the Protected Characteristics listed above;
- Threats or demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, or offers of employment benefits in return for sexual favors;
- Conduct which does, or which has the potential to, affect an employee’s work performance negatively and/or create an intimidating, hostile or otherwise offensive work environment;
- Retaliation for having reported, or threatened to report, harassment and/or discrimination, or for having assisted another in reporting harassment or discrimination.

If you have reason to think you have been or are being harassed, discriminated or retaliated against in violation of this policy, or if you are aware of or suspect the
occurrence of any conduct in violation of this policy, you should immediately report this to your manager, any other Agency manager, the Human Resources Department or the General Manager.

Supervisors who receive a complaint under this policy must report it to Human Resources. The Agency will conduct a fair, timely and thorough investigation of such complaints promptly and, to the extent possible, discreetly. The investigation will be performed by impartial and qualified personnel, and will be appropriately documented. Following the investigation, those deemed by the Agency to have violated this policy will be subject to appropriate corrective action, including possible termination of employment.

There will be no retaliation against anyone for complaining of, reporting, or participating in any investigation of alleged harassment or discrimination.

Agency Complaint Procedure

Both the State and Federal governments have agencies whose purpose is to address unlawful discrimination in the workplace. If an individual who provides services to the Agency believes they have been harmed by an unlawful practice, and is not satisfied with the Agency’s response to the problem, they may file a written complaint with these agencies. For the State of California, the agency is called the Department of Fair Employment and Housing (“DFEH”). The local address for the DFEH is 2218 Kauser Drive, #100, Elk Grove, CA 95758. For the Federal Government, the agency is called the Equal Employment Opportunity Commission (“EEOC”). The local address for the EEOC is 1301 Clay Street, #1170, Oakland, CA 94612.

If, after an investigation and hearing, either of these agencies finds that unlawful discrimination has occurred, the injured employee may, depending on the circumstances, be entitled to reinstatement or promotion, with or without back pay.

Retaliation

Retaliation against any individual for making a report, or for participating in an investigation, under this policy is strictly prohibited. Individuals are protected by law and by Agency policy from retaliation for opposing unlawful discriminatory practices, for filing an internal complaint under this policy or for filing a complaint with the DFEH or EEOC, or for otherwise participating in any proceedings conducted by the Agency under this policy and/or by either of these agencies.

Revised: 10/31/19
Adopted:
RESOLUTION NO. 2019-17
OF THE BOARD OF DIRECTORS
OF THE AMADOR WATER AGENCY
HONORING ARTHUR TOY UPON HIS RETIREMENT FROM
THE AMADOR WATER AGENCY

WHEREAS, Art Toy is retiring a member of the Amador Water Agency after serving 9 years and 10 months of dedicated and outstanding service; and

WHEREAS, Art has served with distinction as the President of the Amador Water Agency Board of Directors; and

WHEREAS, Art worked effectively and tirelessly representing the concerns and interests of District 5 and the Water Agency as a whole; and

WHEREAS, Art throughout his tenure as a member of the Board of Directors of the Water Agency, consistently worked with integrity to improve and expand the Water Agency’s ability to provide for the water and wastewater needs of all inhabitants of Amador County; and

WHEREAS, Art at all times made significant contributions towards the goals of the Water Agency; and

WHEREAS, Art made significant contributions to Budget and Finance, Engineering, Policy, Outreach, Security, Personnel Committees, Upper Mokelumne River Watershed Authority, Calaveras Amador Mokelumne River Authority, The Mokelumne Amador Calaveras Integrated Water Management Plan, Mountain Counties Water Resources, Association, and numerous Ad Hoc Committees; and

WHEREAS, Art brought his business bottom-line message to the Board with his focus on results, not activities; and

WHEREAS, Art made significant contributions to the Water Agency associated with the financial stability of the Water Agency, as well as insuring reliable water and wastewater facilities with projects such as the Gravity Supply Line, Lake Camanche Tank and Lateral Replacements, Ione Backwash Recycle Project, Pioneer Pipeline Rehabilitation Project, Tanner and Ione Hydroelectric generation projects, Buckhorn Disinfection By Products Project, Tanner Backwash Recycling Project, and other projects with grand funds exceeding $30,000,000; and

WHEREAS, Art was instrumental in the Agency assisting the City of Plymouth and River Pines Public Utilities District; and

WHEREAS, Art’s tenure as an Agency Board Member is only surpassed by the ever elusive 1940 Ford Pickup restoration for which most staff and other Board Members question its existence until they see it and get a ride; and

WHEREAS, Art is a man of few words, for which his few words provide much import; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Amador Water Agency that said Board does hereby adopt this resolution honoring Art Toy upon the occasion of his retirement from service to the Amador Water Agency, and expresses its sincere thanks and appreciation for his many years of faithful and compassionate service.
The foregoing Resolution was duly passed and adopted by the Board of Directors at a Regular Board Meeting held this 14th day of November, 2019 by the following vote:

AYES: Directors
NOES: None
ABSENT: None
ABSTAIN: None

Paul Molinelli, Jr., President
Board of Directors

Attest:
Cris L. Thompson
Clerk of the Board of Directors

Thank you, Art, for your dedication and 9 years and 10 months of outstanding service to the Amador Water Agency.
October 18, 2019

Amador Water Agency
Board of Directors
12800 Ridge Road,
Sutter Creek, CA, 95685

Directors,

My name is Brian Jobson and I have an interest in filling the District 5 vacancy on your Board. My wife and I have lived in Amador County, District 5 for over 40 years. Please review my attached resume documenting my professional experience in the water and power field. I understand and support the important mission of publicly owned providers of these essential utility services. I believe I can substantially contribute to the Agency accomplishments and I look forward to discussing this opportunity with you.

Feel free to contact me with any questions.

Sincerely,

Brian Jobson
17125 Stage Road
Sutter Creek, CA 95685
209-267-0598, 209-614-5831
jobsonbrian@hotmail.com
RELATED PROFESSIONAL EXPERIENCE:

2010-2019 **Jobson Consulting:** Provided expertise and strategic advice to various clients in CA and OR, including the San Luis and Delta Mendota Water Authority and Klamath Water and Power Authority, Jackson Valley Irrigation District, among others.

1984-2010 **Sacramento Municipal Utility District:** Supervisor of Regulatory Affairs and Power Contracts. Responsible for negotiating and administering contracts for purchase and sale of water, power, transmission and interconnection services. Served on numerous public power committees including the Central Valley Project, O&M Governing Board and the American Public Power Association Energy Restructuring Task Force. Regulatory accomplishments include protecting SMUD's Upper American River Project water rights in the Sacramento Water Forum negotiations and numerous successful lobbying efforts at the state and federal legislatures to protect and advance the attributes and mission of publicly owned utilities.

1982-1997 **Amador Co. Planning Commissioner:** Gained valuable experience working with other members and the public to reach good and fair decisions.

1978-1984 **Bureau of Reclamation:** Civil Engineering Technician and Natural Resource Specialist. Conducted Review of Operation and Maintenance Exams on dams, canals, pipelines, etc. of the Central Valley, Newlands, Humboldt and Klamath Projects. Produced environmental documents for various Reclamation activities and was the leader of the Mid-Pacific Regions Underwater Inspection Team.

1977-1978 **State Water Resources Control Board:** Conducted environmental review of water rights applications, inspected and surveyed diversion facilities around the state, and supported related litigation for the Division of Water Rights.

1975-1977 **Sonoma County Water Agency:** Water Plant Operator for water diversion and treatment facility.

EDUCATION:

**University of California, Davis:** Graduate studies in Water Science, 1979

**State University, Sonoma:** B.S. Environmental Science, minor in Geology, 1978
Amador Water Agency Board of Directors
Attention: Paul Molinelli, Jr. and Susan Peters
12800 Ridge Road
Sutter Creek, CA 95685

22 October 2019

Amador Water Agency Board Members:

If you believe I can help, I would be pleased to serve as the District 5 Board member. I am a registered voter and permanent resident of District 5 of Amador County.

I believe my training and career could be helpful to the board as it carries out its mission. I am trained as a Mechanical Engineer (ME), receiving a degree from the University of Washington, Magna Cum Laude. I am licensed as an ME in the State of California. I am retired after 36 years in Water and Power - all of which provided me with a deep understanding of water delivery systems, water law and water rights, and the politics of it all. My career encompassed work in most of California’s foothill communities and with the water delivery companies associated with these communities. So while I am not a long time Amador resident, I have seen the breadth of different challenges that foothill communities regularly deal with.

I hope you will consider my application for this role.

Sincerely,

Randal S. Livingston
STAFF REPORT

Budget Augmentation – Tanner WTP Backwash Recycling, lone WTP Rehabilitation, and lone Hydroelectric

Requested Action:
Staff requests the Board of Directors authorize a budget augmentation of $1,288,972.

Tanner WTP Backwash Recycling $2,080
lone WTP Rehabilitation $221,675
lone Hydroelectric $1,065,217

Background:
These projects were accounted for in last fiscal year's budget and the project construction extended into this fiscal year without all the costs being captured in the adopted Fiscal Year 2019-2020 budget. The Tanner WTP Backwash Recycling project required an engineering report and programming that were outside the scope of work. The lone WTP Rehabilitation project costs were to wrap up the construction that wasn't completed last fiscal year and these costs are mostly project retainage. The lone Hydroelectric project costs were already covered by existing grants and loans and just need to be added to this fiscal year's budget numbers with the construction proceeding at a slower pace than anticipated.

Reviewed by Committee: Yes, recommended by the Engineering & Planning Committee.

Recommendation: Staff requests the Board of Directors authorize a budget augmentation of $1,065,217.

Prepared by: Darrel Evensen, PE
Engineering Manager
Board Meeting: November 14, 2019

Agenda Item No. 7.A.1.

STAFF REPORT

CAWP - Redwood Potable Water Storage Tank Retrofit Project (601020)

Requested Action:

1. Certify that TNT Industrial Contractors, Inc. (TNT), with a bid of $1,635,554 is the lowest responsible responsive Bidder whose Bid complies with the requirements of the CAWP Redwood Tanks Retrofit Project at Ridgeway Pines and Pine Acres (Project) contract documents and authorize the General Manager to issue the Notice of Award and Notice to Proceed when all contract requirements have been met by the contractor.

2. Authorize a total of $664,214 in Agency match funding and contingency for the Project.

3. Authorize the construction and implementation of the Project with a total cost of $2,324,747.

Background:

AWA received funding through the FEMA Hazard Mitigation Grant program to replace the three redwood tanks at Ridgeway Pines and Pine Acres with new steel tanks. The two redwood Pine Acres tanks will be consolidated with one approximately 190,000 gallon steel tank (previously 190,000 gallons combined) and the Ridgway Pines redwood tank will be replaced with a 48,000 gallon steel tank (previously 48,000 gallons).

AWA was initially awarded a grant (DR-4240 -PJ0013) for the Project by the California Office of Emergency Services (CalOES). The Hazard Mitigation Grant Program will pay for 75% of the replacement costs. The Agency must come up with the matching 25% and has requested a SRF loan. In 2016 the AWA Board authorized a 25% funding match for a total match of $307,273.04. The Agency has to date spent $80,937 that qualifies as local match funding on the Project.

In 2019 AWA requested and received a scope of work and budget change to modify the grant project scope to include only the Ridgeway Pines and Pine Acres sites, with an estimated project cost of $2,214,044. A five percent contingency of $110,703 takes the total project cost to $2,324,747, including approximately $408,000 of AWA staff time, depending on staff availability and project demands. A time extension has been approved for a project completion by March 1, 2021. The grant funding was subsequently increased up to $1,660,533 (75% maximum federal share), with a $553,511 funding match requirement.
The Agency's funding match commitment for this project would be $553,511, excluding contingency, which is $246,238 more than the originally approved AWA funding match.

Bids for the Project, a public works construction contract, were noticed by AWA on June 7, 2019. On July 23, 2019, two bid packages were received and reviewed, ranging from $1,635,554 to $1,779,841, with TNT as the apparent lowest responsive bidder. An option to delay the notice to award of up to four months through November 23, 2019 was included in the Project contract documents. If the Project is not awarded by November 23, 2019 the Project would be required to be rebid.

AWA is attempting to secure a SRF loan for the 25% local funding match requirement.

**Fiscal Impact:** Approximately $2,324,747 for this budgeted project, including $125,000 for specialty inspections, plus staff time for construction management and inspection.

- Total Estimated Project Costs: $2,324,747 (including contingency)
- Total Grant Amount: $1,660,533
- Net Estimated Budgetary Impact: $664,214 (including contingency)

**Reviewed by Committee:** Reviewed and recommended by the Budget and Finance Committee.

**Project Alternatives:**

1. **Option #1:** Decline to award the project and possibly seek alternative funding sources. Should alternative sources be obtained, the project would need to be rebid.

2. **Option #2:** Issue the Notice of Award immediately and the Notice to Proceed when all contract requirements have been met by the contractor. Attempt to secure SRF financing for the 25% local funding match requirement even after the Notice to Proceed is issued.

3. **Option #3:** Issue the Notice of Award immediately. Delay the Notice to Proceed for up to 120 days while awaiting SRF funding. Issue the Notice to Proceed when SRF funding has been obtained and all contract requirements have been met by the contractor. Should SRF funding not be obtained within 120 days of the Notice to Award, issue the Notice to Proceed and proceed with AWA funding. This option will delay project startup by up to four months and may prohibit timely completion of the project within the current grant completion date. This option may lead contractors to avoid future projects with AWA. Should project completion be delayed a project extension may be requested from the grant agency.

**Recommendation:**

(1) Certify that TNT Industrial Contractors, Inc. (TNT), with a bid of $1,635,554 is the lowest responsible responsive Bidder whose Bid complies with the requirements of the CAWP.
Redwood Tanks Retrofit Project at Ridgeway Pines and Pine Acres (Project) contract documents and authorize the General Manager to issue the Notice of Award and Notice to Proceed when all contract requirements have been met by the contractor.

(2) Authorize a total of $664,214 in Agency match funding and contingency for the Project and continue to pursue the SRF funds for the matching portion. If matching portion is not obtained, then staff time of $408,000 could be used as part of the matching portion.

(3) Authorize the construction and implementation of the Project with a total cost of $2,324,747.

Prepared by: Darrel Evensen, P.E.
Engineering Manager
MEMORANDUM

TO: BOARD OF DIRECTORS, AMADOR WATER AGENCY
CC: GENE MANCEBO, GENERAL MANAGER
FROM: JOSH HOROWITZ, PAT FITZGERALD & BRITTANY BRACE
DATE: NOVEMBER 7, 2019
RE: LEGISLATIVE REPORT FOR THE NOVEMBER 14, 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
Status: 10/10/19 – Approved by the Governor. Chaptered by Secretary of State - Chapter 709, Statutes of 2019.
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: 10/10/19 – Approved by the Governor. Chaptered by Secretary of State - Chapter 711, Statutes of 2019.
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: None.
AB 60 (Friedman) - Water conservation: water meters: accuracy standards.
Introduced: 12/03/18
Status: 5/17/19 - 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
Status: 10/9/19 – Approved by the Governor. Chaptered by Secretary of State - Chapter 655, Statutes of 2019.
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: 9/13/19 – Re-referred to Comm. on Budget & Fiscal Review; Dead.
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: 7/10/19 – Failed deadline for passage out of Sen. Comm. on Environmental Quality; may be acted upon Jan. 2020 (2-year bill).
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 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:** 10/12/19 – Vetoed by Governor.
This bill would have prohibited 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 have established 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 contained similar provisions as AB 3081, which passed the legislature last term but was vetoed by Governor Brown. In his Veto Message, Governor Newsom indicated that FEHA already protects survivors of sexual harassment, and stated that incorporating sexual harassment into the Labor Code, as this bill contemplated, could potentially weaken FEHA’s existing protections.
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 on 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 287 (Voepel) - Public employees' retirement: annual audits.
Introduced: 1/28/19
Status: 2/07/19 - Referred to Asm. Committee on Public Employment & Retirement; Dead.
Current law requires each state and local public pension or retirement system, on and after the 90th day following the completion of the annual audit of the system, to provide a concise annual report on the investments and earnings of the system, as specified, to any member who makes a request and pays a fee, if required, for the costs incurred in preparation and dissemination of that report. This bill would also require each state and local pension or retirement system to post a concise annual audit of the information described above on that system's website no later than the 90th day following the audit's completion.
ACWA: None.

AB 289 (Fong) – California Public Records Act Ombudsperson.
Introduced: 1/28/19
Status: 7/2/19 – Failed passage from Sen. Comm. on Judiciary. Reconsideration granted; Dead.
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
Status: 9/15/19 – Failed deadline for passage out of Sen. Rules Comm; may be acted upon Jan. 2020 (2-year bill).
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; Dead.
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 352 (Garcia, Eduardo) - Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.
Introduced: 2/4/19
Status: 8/14/19: Read second time, amended, and re-referred to Sen. Comm. on Env. Quality; Dead.
Previously a bill concerning the Greenhouse Gas Reduction Fund, AB 352 was gutted-and-amended on August 14 to serve as a vehicle for a new legislative bond. If passed by the legislature and approved by voters in the November 3, 2020, statewide general election, this bill would authorize the issuance of $3.92 billion in bonds to finance wildfire prevention, wastewater projects, drought preparation, and flood protection projects. As drafted, the bond would include $925 million for safe drinking water and water supply and water quality measures, including $275 million for water supply and water quality projects, $100 million for groundwater management and habitat projects, and $150 million for flood management projects. According to ACWA staff, there are ongoing discussions at the highest levels whether or not the legislature should act quickly on a bond before the legislature adjourn in September or take more time to work on bond and pass it in time for the 2020 election.
ACWA: Favor if amended.

AB 402 (Quirk) – State Water Resources Control Board: local primacy delegation: funding stabilization program.
Introduced: 2/6/19
Status: 8/30/19 – Failed deadline for passage out of Sen. Comm. on Appr.; may be acted upon Jan. 2020 (2-year bill).
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.

In August, ACWA and the coalition, including the Agency, withdrew opposition to the bill and adopted a “watch” position after reviewing proposed amendments that would reduce the overall cost of the program and potential fees imposed on public water systems.

**ACWA: Watch.**

**AB 441 (Eggman) – Water: underground storage.**
**Introduced:** 2/11/19
**Status:** 5/17/19 – Failed deadline for passage out of Asm. Comm on Appropriations; may be acted upon Jan. 2020 (2-year bill).

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

**ACWA: Watch.**

**AB 456 (Chu, Bonta, Low) – Public contracts: claim resolution.**
**Introduced:** 2/11/19
**Status:** 10/3/19 – Approved by the Governor. Chaptered by Secretary of State - Chapter 489, Statutes of 2019.

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. As amended in August, this bill would extend the sunset date to January 1, 2027.

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 (Arambula) – Water rights: water management.
Introduced: 2/15/19
Status: 10/9/19 – Approved by the Governor. Chaptered by Secretary of State - Chapter 678, Statutes of 2019.
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: 7/31/19 – Approved by the Governor. Chaptered by Secretary of State - Chapter 162, Statutes of 2019.
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 (collectively, PFAS). The bill also would require a public water system to publish and keep current on its 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 PFAS should instead follow the process set forth in AB 841 (see below). In addition, ACWA was concerned this bill would set a precedent specifically for PFAS contaminants via legislation instead of the regulatory process. Additional regulatory action concerning PFAS is expected from the State Water Board’s Division of Drinking Water.

ACWA: Oppose.

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

Introduced: 2/20/19

Status: 7/10/2019 – Failed deadline for passage out of policy committee; may be acted upon Jan. 2020 (2-year bill).

This bill would require the state Office of Environmental Health Hazard Assessment to adopt and complete a work plan to assess which PFAS 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
Status: 10/9/19 – Approved by the Governor. Chaptered by Secretary of State - Chapter 659, Statutes of 2019.
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. As amended in August, this bill would require a local agency that has the power to designate where ADUs may be permitted but does not provide water or sewer service to consult with the local water or sewer service provided regarding the adequacy of water and sewer services before making such a designation.
ACWA: None.

AB 945 (McCarty) – Local government: financial affairs: surplus funds.
Introduced: 2/20/19
Status: 10/8/19 – Approved by the Governor. Chaptered by Secretary of State - Chapter 619, Statutes of 2019.
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 September 4, 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.
Introduced: 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.
Introduced: 2/21/19
Status: 10/13/2019 – Vetoed by Governor.
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. As amended in August, this bill would only apply to emails that otherwise meet the definition of “public record” under the California Public Records Act. In his Veto Message, Governor Newsom indicated the bill did not strike an appropriate balance between public agency transparency and the burden of record retention requirements.
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.

Introduced: 2/22/2019


Previously related to fire protection, this bill was gutted-and-amended in August to become a vehicle for a new legislative bond to finance a climate resiliency, fire risk reduction, recycling, groundwater and drinking water supply, clean beaches, and jobs infrastructure program. If passed by the legislature and approved by voters at the November 3, 2020, statewide general election, this bill would authorize the issuance of an as-yet-unspecified amount of money for projects, including projects for safe drinking water, water quality, and flood control.

ACWA: Not yet considered.

AB 1347 (Boerner Horvath) – Electricity: renewable energy and zero-carbon resources: state and local government buildings.

Introduced: 2/22/2019


Existing law establishes the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of all retail sales of electricity to California end-use customers and 100% of electricity procured to serve all state agencies by December 31, 2045. This bill would establish the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of all retail sales of electricity to state and local government buildings by December 31, 2030.

ACWA: None.

AB 1375 (Bigelow) - Disaster relief: dead and dying tree removal: allocation to local agencies.

Introduced: 2/22/18


The California Disaster Assistance Act provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs. This bill would provide that the state share for the removal of dead and dying trees in connection with the Governor’s Proclamation of a State of Emergency issued on October 30, 2015, is no more than 90% of total state eligible costs.

ACWA: Favor.
AB 1414 (Friedman) - Urban retail water suppliers: reporting.
Introduced: 2/22/18
Status: 9/5/19 – Approved by the Governor. Chaptered by Secretary of State - Chapter 239, Statutes of 2019.
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. The purpose of the bill is to streamline urban retail water suppliers’ reporting obligations by permitting combined reporting documents and to consolidate various reporting deadlines for consistency.

This bill requires 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 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 (Aguiar-Curry) Local government financing: affordable housing and public infrastructure: voter approval.
Introduced: 12/03/18
Status: 8/19/19 – Read third time. Refused adoption. Motion to reconsider made by Assembly Member Aguiar-Curry; Dead.
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.

Introduced: 12/03/18


In an effort to combat revisions to federal air, water, and endangered species protection regulations, this bill would require respective state agencies to monitor federal rulemaking and consider taking certain actions to maintain a 2017 baseline under state law if federal standards are relaxed. The bill also would create a private right of action authorizing citizen suits in state courts to enforce the new state regulations under certain circumstances, including if citizen suit enforcement of those standards is no longer available under federal law. As amended, the bill would also use state rulemaking to enforce minimum labor and worker health and safety standards.

ACWA led a coalition of water suppliers to seek additional amendments to the bill. ACWA's primary concerns are that: by allowing state agencies to adopt federal statutes and regulations, including biological opinions governing water operations that no longer are in effect at the federal level, the bill would cause uncertainty in future operations and environmental responsibilities of the State Water Project and put at risk the SWP's ability to participate in the Bay-Delta Voluntary Agreement process; the bill would remove certain due process rights by waiving Administrative Procedure Act safeguards when state agencies adopt federal baseline standards; and the bill would apply the California Endangered Species Act to the federal Central Valley Project, the legality of which is uncertain, and which likely would lead to significant litigation if SB 1 passed in its current form.

Although the Governor did not mention them in his Veto Message, ACWA and others understand that a primary reason for the veto was to protect the ongoing Bay-Delta Voluntary Agreement negotiations.

ACWA: Oppose unless amended.

SB 13 (Wieckowski) - Accessory dwelling units.

Introduced: 12/03/18

Status: 10/9/19 – Approved by the Governor. Chaptered by Secretary of State - Chapter 653, Statutes of 2019.

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 25% of any impact fee in proportion to the square footage of the primary dwelling unit.
As amended on September 6, the bill would 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: 9/27/19 – Approved by the Governor. Chaptered by Secretary of State - Chapter 361, Statutes of 2019.
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:** 7/30/19 – Approved by the Governor. Chaptered by Secretary of State. Chapter 137, Statutes of 2019.

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

**Status:** 6/24/19 – From committee with author's amendments. Read second time and amended. Re-referred to Asm. Comm. on Budget; Dead.

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:** 8/30/19 – Approved by the Governor. Chaptered by Secretary of State. Chapter 203, Statutes of 2019.

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

SB 307 (Roth) - Water conveyance: use of facility with unused capacity.
Introduced: 2/15/19
Status: 7/31/19 – Approved by the Governor. Chaptered by Secretary of State. Chapter 169, Statutes of 2019.
Existing law prohibits the state or a regional or local public agency from denying a bona fide transfer 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 transfer 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
Status: 8/30/2019 – Failed deadline for passage out of Asm. Comm. on Appr.; may be acted upon on Jan 2020 (2-year bill).
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) - Civil Actions: settlement offers.

Introduced: 2/21/19

Status: 10/12/19 – Vetoed by Governor. In Senate. Consideration of Governor’s veto pending.

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. In his Veto Message, Governor Newsom indicated that he did not sign the bill because it would prohibit public agencies from making a good faith effort to enter into pre-trial settlements in CPRA litigation.

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
Status: 5/16/19 – May 16 hearing: Held in Sen. Comm on Appropriations under submission; Dead.
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; may be acted upon on Jan 2020 (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: 8/30/19 – Approved by the Governor. Chaptered by Secretary of State. Chapter 215, Statutes of 2019.

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, unless they are seasonal or temporary employees, who must receive training by January 1, 2021 (as amended by SB 530, Chapter 722, Statutes of 2019). 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

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

Introduced: 6/20/2019

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 project. 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: 1 (FYI: date of last incident: 10/28/19)
  - 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


- Board Conferences: None

- Certifications/Renewals: McNew-D2; Wilson-D3, Hutchison-CWEA Membership; K Miller-PAPA Membership; Shortridge-D4; Mancebo-T3

- Staffing: No changes

- Vacancies: Instrumentation/Electrical Supervisor-advertising

- Liens filed: None
- Liens Released: 1 - $338.93
- Currently Outstanding Lien Balance: $45,821.21

- Completed monthly Door Tags/Shut Offs for River Pines PUD, including monthly customer deposit
- Customer calls-either coverage or escalated issue
- Work with and provide training to Customer Service Rep II on customer wastewater inquiry
- Work with Customer Service Rep III on forfeiture issue
- Leadership Program
- Leadership Development with AWA Managers
- Set up Inhouse Training Opportunities (Customer Service, 1st Aid/CPR)
- Participate with review of Facebook topics
- Prepare 10/10 and 10/8 Agendas and packet
- Work through no power multiple times this month – working with Electrical and Meter Reader to hook up office computers to power through extension cords, etc.
- CalPERS Salary Audit – part of a random selection; results in November
Initial review of SB 998 and how it will impact Water Code, billing - ongoing
Open Enrollment for Benefits – Two presentations on Open Enrollment and RHS Plan
Set Up Section 125/AFLAC sign ups for November
Finalize IVR Alert Process and work on setting up training with Operations staff for November
Continue working with Admin II on Safety Manual
Sign AP checks
Sexual Harassment Policy revisions – through Committee; emailed to AWA EA
Payroll review
Draft and/or review employee evaluations
Initiate contract with GovInvest for OPEB software
Initiate contract with Sonitrol for security system at Buckhorn Plant

Finance/Accounting:

Water Sales Revenues through the month of October are $3,330,102
Wastewater Sales Revenues through the month of October are $608,548

Reimbursements received: $0

Outstanding Reimbursements are approximately $42,717

Restricted and Unrestricted Cash: Attached

Participation Fees Revenue through the month of October:
Water $118,849
Wastewater $72,513

October Sales Comparison: Attached

Delinquency report- Attached
Continue updating “Final” Budget for enhanced year-end process
Continue addressing outstanding items on the Audit Management letter. Presented to the Budget and Finance Committee. Accounting policies and fraud policy have been provided to Policy Committee. Grant tracking is in process
Compile and deliver information to auditors for year-end audit process – ongoing
Research and calculate Tanner BW grant amounts for prior year entry
Collect sample RFP’s for Banking and Investments
Attend CalTrust seminar
Leadership Development with AWA Managers
Attend Customer Service/1st Aid/CPR training
Review and assess information for SRF
Assist with budget augmentations
Address Calcard migration to electronic/online process and provide direction to Agency credit card holders

Prepared by: Karen Gish – HR / Office Manager
Tracey Hays - Finance Manager
## Delinquency Report  
**October 2019**

<table>
<thead>
<tr>
<th>October 31, 2018</th>
<th>Total</th>
<th>Over 120</th>
<th>90-120</th>
<th>60-90</th>
<th>30-60</th>
</tr>
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<tbody>
<tr>
<td>Standby/Assessments</td>
<td>9,311.23</td>
<td>9,298.95</td>
<td>12.28</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Wastewater</td>
<td>12,257.39</td>
<td>10,548.68</td>
<td>287.87</td>
<td>301.68</td>
<td>1,119.16</td>
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<tr>
<td>Water</td>
<td>29,708.05</td>
<td>11,156.11</td>
<td>139.82</td>
<td>1,195.95</td>
<td>17,216.17</td>
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<td>Totals</td>
<td>51,276.67</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>October 31, 2019</th>
<th>Total</th>
<th>Over 120</th>
<th>90-120</th>
<th>60-90</th>
<th>30-60</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standby/Assessments</td>
<td>15,668.90</td>
<td>15,668.90</td>
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<td></td>
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<tr>
<td>Wastewater</td>
<td>18,082.12</td>
<td>10,967.92</td>
<td>1,593.69</td>
<td>1,991.50</td>
<td>3,529.01</td>
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<tr>
<td>Water</td>
<td>49,160.15</td>
<td>6,154.81</td>
<td>3,233.15</td>
<td>5,043.67</td>
<td>34,728.52</td>
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<td>Totals</td>
<td>82,911.17</td>
<td></td>
<td></td>
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<td></td>
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</tbody>
</table>

### Deleted Accounts
- **10/31/2018**: 15,015.85  
  - Over 120: 14,995.99  
  - 90-120: 1,669.10  
  - 60-90: 1,670.77  
  - 30-60: 5,991.17
- **10/31/2019**: 10,786.92  
  - Over 120: 7386.34  
  - 90-120: 380.01  
  - 60-90: 2177.57  
  - 30-60: 843

Note: All Standby/Assessment Accounts are liened or on tax rolls with notes for future connect.
<table>
<thead>
<tr>
<th></th>
<th>Nov-17</th>
<th>Nov-18</th>
<th>Dec-17</th>
<th>Dec-18</th>
<th>Jan-18</th>
<th>Jan-19</th>
<th>Feb-18</th>
<th>Feb-19</th>
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</thead>
<tbody>
<tr>
<td><strong>Unrestricted</strong></td>
<td>1,308,110</td>
<td>1,290,540</td>
<td>1,380,979</td>
<td>1,372,418</td>
<td>1,233,003</td>
<td>868,327</td>
<td>994,690</td>
<td>1,303,441</td>
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<td><strong>Restricted</strong></td>
<td>2,026,833</td>
<td>1,276,086</td>
<td>2,040,034</td>
<td>1,318,855</td>
<td>2,046,111</td>
<td>1,133,583</td>
<td>1,978,370</td>
<td>1,845,029</td>
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<td><strong>TOTAL</strong></td>
<td>3,334,943</td>
<td>2,566,626</td>
<td>3,421,013</td>
<td>2,691,273</td>
<td>3,279,114</td>
<td>2,001,910</td>
<td>2,973,060</td>
<td>3,148,470</td>
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<tr>
<td><strong>Mar-18</strong></td>
<td>1,355,643</td>
<td>1,426,687</td>
<td>1,538,312</td>
<td>2,047,687</td>
<td>552,008</td>
<td>598,638</td>
<td>1,790,263</td>
<td>567,523</td>
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<td><strong>Mar-19</strong></td>
<td>1,398,796</td>
<td>1,555,505</td>
<td>3,472,019</td>
<td>3,868,671</td>
<td>2,169,615</td>
<td>2,453,840</td>
<td>2,856,992</td>
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<td><strong>Apr-18</strong></td>
<td>1,420,153</td>
<td>1,728,818</td>
<td>1,933,707</td>
<td>1,820,984</td>
<td>1,817,607</td>
<td>1,855,202</td>
<td>1,066,729</td>
<td>2,707,171</td>
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<tr>
<td><strong>Apr-19</strong></td>
<td>1,535,505</td>
<td>1,762,505</td>
<td>2,169,615</td>
<td>3,868,671</td>
<td>2,169,615</td>
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<td>2,856,992</td>
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<td>2,856,992</td>
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<tr>
<td><strong>Jun-18</strong></td>
<td>1,420,153</td>
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<td>1,817,607</td>
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<td><strong>Jul-18</strong></td>
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<td>1,085,413</td>
<td>1,775,040</td>
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<tr>
<td><strong>Aug-18</strong></td>
<td>1,140,858</td>
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<td>1,215,982</td>
<td>2,539,376</td>
<td>1,484,851</td>
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**Restricted and Unrestricted Cash**

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<td><strong>TOTAL</strong></td>
<td>3,398,796</td>
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<td>2,453,840</td>
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**Restricted and Unrestricted Cash**

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<td>1,360,963</td>
<td>1,605,540</td>
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<td>3,160,529</td>
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<td>142,380</td>
<td>201,475</td>
<td>249,297</td>
<td>137,718</td>
<td>142,649</td>
<td>248,930</td>
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<td>102-04-412000 Commercial</td>
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<td>83,345</td>
<td>77,433</td>
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<td>102-04-413000 Industrial</td>
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<td>102-04-413010 Limited Industrial</td>
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<td>45,613</td>
<td>48,083</td>
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<td>40,461</td>
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<td>148,901</td>
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<td>102-04-419020 Water Shortage Surcharge</td>
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<td>759,438</td>
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YTD 3,330,102 $ 8,668,306

% of Budget 38%
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<th>Portfolio Investments</th>
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<th>Balance at 10/31/2019</th>
<th>Market Weight</th>
<th>Interest Earned</th>
<th>Quoted Yield</th>
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<td>USDA - CDBG II</td>
<td>1,000</td>
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<td>-</td>
<td>0.020%</td>
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<td>LAIF</td>
<td>S-T Interest Account</td>
<td>2,890,249</td>
<td>2,890,249</td>
<td>71%</td>
<td>48,836</td>
<td>2.280%</td>
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| Total                 |                                      | 4,078,163              | $ 49,026      |                 |              |               |               |

Unrestricted

| Restricted            |                                      | 2,994,192              |                 |                 |              |               |               |

|                      |                                      | 4,078,163              |                 |                 |              |               |               |

Portfolio Weighted Average Return 1.62%
Operations Report

Covering October 1, - October 31, 2019

Operations Manager:

1. Worked with Ops Staff on PG&E PSPS logistic preparation
2. Attended kick off meeting with Keller and Associations for Master Plan information request.
3. Attended web meeting with Pro IT on upcoming projects and budget
4. Attended Water Master Plan kick off meeting
5. Attended Emergency Action Plan Seminar for PG&E Dams

Regulatory Compliance Specialist:

1. Monthly and 3rd quarter reporting for Water and wastewater
2. Posting to website of breaks, leaks and boil advisories as well as Social Media posting.
3. Attended kick off meeting with Keller and Associations for Master Plan information request. Pulled 5 yrs of data for Keller.
4. Attended web meeting with Pro IT on upcoming projects and budget
5. Kept Division of Drinking Water apprised of our PSPS situation.

Water Treatment Plants:

1. Tanner Plant:
   a. Lost siphon on Amador Transmission Line. Worked with Canal staff, Distribution staff and Amador Fire Protection District to purge air from pipeline, recharge using water and pumping trucks. Levels trended low but no treated water customers were ever out of service.

2. Lone Plant:
   a. Managed operations through multiple PSPS events. Generator startups, failure of rental generator and scheduling of fuel deliveries.
   b. Coordinated with Mule Creek State Prison to isolate tank fills in order to manage Prison tank and Wildflower tank. No one was ever out of water.
   c. Level controller failed on Filter #2. This part has been slated for replacement. Until then ongoing manual operation will take place.
   d. Staff placed Lone Reservoir back online as the main supply to the Lone Plant. Staff continues to analyze for Geosmin to keep an eye on taste and odor issues. So far no complaints.

3. Buckhorn Plant:

4. LaMel Plant:

5. PG&E Plant:
   a. Managed multiple PG&E PSPS events. This included monitoring of tank levels, notification of PG&E staff, and adjustments to alarm parameters of plant operations.

Wastewater:

1. Continued to keep all storage ponds at lowest level
2. Collected quarterly samples
3. Grease trap inspections completed for the month
4. Began servicing generators
5. Dealing with generator failures during PSPS event
6. Checked in with Pine grove Camp to assist in any way

Electrical:

1. Failures:
   a. Lk Camanche Well 9 VFD. Installed new and back online
   b. Mt. Zion repeater UPS failed.
   c. Pine Acres Lift Station sensaphone battery failed
   d. Sierra West lift station generator failed
   e. Trent Way generator motor failed

Construction:

1. Repaired a 6" water main break for First Mace Meadows (20gpm)
2. Repaired service line leak on Lakeview Dr. (Camanche)
3. Repaired wastewater broken cleanout at service connection to collection main in Camanche near Lakeview rive.
4. Prepared concrete pads, dug trenches for power and propane and moved generators from Lift Stations C and D to lift stations A and B.
5. Moved fuel and generators to keep water and wastewater flowing during PSPS events.

Distribution:

1. Main Line Leak Repair:
   a. 6" break First Mace Meadows (20 gpm)
2. Service line Leak Repairs:
   a. Hill Top Rd (20 gpm, Pioneer)
   b. Lynn Way (4gpm, Pioneer)
   c. California Drive (2 gpm, Sutter Creek)
3. Lost Amador Transmission Line siphon
4. PG&E PSPS events

Canal:

1. Ione Canal – Badger St.
   a. MM 1.25 Pipe (10gpm)
   b. MM 3.00 6 leaks repaired within 100 ft of each other (2-5gpm)
   c. 8 concrete sacks used to repair lone canal (80 pounds each)
2. Main Canal
   a. MM 15.50 Canal Way (10 gpm)
   b. MM 12.75 Molfino Rd. (15 gpm)
   c. MM 10.00 W. Clinton Rd. (2 gpm)
   d. MM 2.50 Clinton Rd. (5 gpm)
   e. WG #13 Canal Way (10 gpm)
   f. 4 concrete sacks used to repair Main canal (80 pounds each)

3. Brush Removal
   a. Pioneer Drive MM 13.25 – 13.50

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

Regulatory Compliance Specialist-
- Completed monthly and 3rd quarter water reporting. Sent to City Manager
- Worked on Cross Connection Control Program
- Created new logs for wastewater treatment plant

Distribution-
- Routine flushing
- Routine Distribution Sampling

Wastewater-
- Continued to monitor collection system
- Inspected grease traps and issued pump orders as needed
- Covered for plant operator while on vacation including weekends

Construction-
- Service line leak repairs:
  - Bush Street
  - Landrum Street

- Water Hours: 29.5
- Wastewater Hours: 10.5

Prepared by: Andrea Hinton, Regulatory Compliance Specialist
Reviewed and edited by: Rick Ferriera, Operations Manager
River Pines Dept. Report
October 1 - October 31, 2019

Water Production/Sold

<table>
<thead>
<tr>
<th>Well</th>
<th>Production/Gallons</th>
<th>Total Produced:</th>
<th>Total Sold:</th>
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<tbody>
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<td>Well 2</td>
<td>480,600 gallons</td>
<td>922,055 gallons</td>
<td>692,001 gallons</td>
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<tr>
<td>Well 3R</td>
<td>405,400 gallons</td>
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<tr>
<td>Well 6R</td>
<td>36,055 gallons</td>
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</tbody>
</table>

Unaccounted Loss: 25%

Regulatory Compliance Specialist-

Wastewater-
- Influent flow 918,000 gallons. Effluent Discharged 491,500 gallons.
- Continued to keep storage ponds as low as possible.
- Weekly lift station monitoring
- Decontaminated monitoring wells
- Collected quarterly samples
- Stand by generator failed at Eastside Lift Station. Rented replacement until it can be fixed.

Water-
- Completed all regulatory sampling.
- Staff managed multiple PG&E PSPS events. This included manual generator start-ups, managing fuel deliveries and UPS repairs. No treated water customers were ever out of water during these events.
- The Hach online turbidimeter at Well 6R went out and failed prior to the PSPS events. Staff has been using the benchtop turbidimeter during the manual plant operations to verify filtrate NTU water quality. Replacement quote will be submitted for Board approval.

Electrical-
- East Side Lift Station’s generator pump failed

Water Hours: 71.25
Wastewater Hours: 62

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

October 1 – October 31, 2019

PROJECTS UNDER CONSTRUCTION

Capital Projects

- Ione Hydro – High pressure pipeline tie-in completed. Ongoing electrical wiring inside the turbine building. PG&E needs to set power poles to switchgear pad. Schedule has been delayed by PG&E review and electrical equipment long-lead time and is now being delayed waiting for the power poles to be set. Project completion is scheduled for the first of December (80% Complete). YELLOW

- Ione WTP Upgrades – Valves and electric actuators shipment received. One motor control center (MCC) pre-purchased and quotes are being acquired for the other one. Electrical design engineer preparing electrician contractor packages for bidding (25% Complete). GREEN

PROJECTS IN DESIGN

Capital Projects

- FEMA HMGP Redwood Tank Replacement Project – Staff is working on SRF matching funds so AWA can issue the Notice to Proceed (NTP). (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). YELLOW

- Pioneer Pipeline Phase III (USDA) – 90% design documents reviewed for the 12-inch pipeline and two, 1-MG water storage tanks to replace Tanks A and B. (Design 90% Complete) GREEN

- Ridge Road Manhole Replacement – Project will be bid out soon depending on the construction market with construction starting the 2019/2020 fiscal year for the replacement of the manhole located on Ridge Road and Hwy 49. (Design 100%) 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. (Design 100%) GREEN
• FEMA Amador Canal Slide – Negotiating with property owners for site access. 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 to the City of Sutter Creek. (Design 10%) **GREEN**

**Developer Projects**

• Wildflower 5 – Waiting on booster pumping station design from the developer (Design 10% Complete).
• Wildflower 3 – Received updated plans for review, requesting MLX.
• Castle Oaks 8 – Developer revising water model per staff comments.

**PLANNING/FUNDING**

**Capital Projects**

• Mt. Crossman Pumping Station and Mt. Crossman Tank, La Mel WTP, Camanche 10-inch Waterline, and Standby Generators – Projects did not receive funding from OES/ FEMA, they have been placed on the waiting list.

• SGMA – The Carbondale Industrial Park monitoring well is approved by the County and scheduled for install by DWR mid-November. The well is being paid for by DWR grant funding.

• ARSA – Nothing to report.

**Project Expenses through 10-31-19 are attached**

Prepared by: Darrel Evensen, Engineering Manager
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<td>Contract Pine Grove CSD OS</td>
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91,734.23
Priority Items:

2. CAWP Water Right Application: Waiting for response following meeting with US Bureau of Reclamation to discuss our request to withdraw/resolve their protest. Josh will prepare new request to DWR. Planning to meet with Reclamation in early December at the ACWA conference.

On-going Items:

5. Reporting/Discussion at the Calaveras Amador Mokelumne Authority (CAMRA) regarding concept of a mutual aid agreement to share equipment and resources during power outages and other emergencies: On hold waiting for Operations Managers.
6. CAMRA- process for early detection, review, and action (including lobbyist & cost sharing) for legislation affecting CAMRA members. Scheduling meetings with General Managers.
7. PG&E Bankruptcy: Tracking with counsel and special counsel. Confirmed outstanding claims.
8. Leadership Training, Leadership Essentials for the Water Industry (JPIA)-half of the manager have completed the program and the balance of the managers started the training program on November 7, 2019.-DISC training all employees in groups: continuing
10. Working with UMRWA (and Director Farrington) for implementation of a possible grant for DAC identification/project need assessment/ project development and future grant applications with coordinated efforts Amador/Calaveras Counties: On hold.
11. Stainable Groundwater Management Act (SGMA) Grant for groundwater monitoring well. Carbondale well scheduled for construction November 2019
12. Discussions with property owners respecting possible Mt. Crossman tank site-preferred site being surveyed. Waiting on land survey to complete property negotiations.
14. Investigating potential reuse opportunities associated with Sutter Creek WWTP improvements- Waiting for more details from Sutter Creek
15. Completed continuing education for Treatment 3 certification
16. Initiated discussions with California Rural Water Association to investigate the source of Geosmin which has been causing T&O issues at the Lone Reservoir.
17. General AWA presentation to EBMUD Water Resource team- November 7, 2019
18. Review information for easement acquisition for Canal berm repair
19. Misc. items and on-going meetings omitted