AMADOR WATER AGENCY
Board of Directors
Regular Meeting
12800 Ridge Road, Sutter Creek, CA 95685
May 14, 2020
9:00 a.m.

* Please Note Closed Session will be called first on the Agenda

Rich Farrington, President District 3
Susan Peterso Vice President District 4
Paul Molinelli Jr., Director District 1
Gary Thomas, Director District 2
Randy Livingston, Director District 5

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

The Board President may take items out of order to accommodate the public or to promote the order of the meeting.

In order to accommodate the social distancing practices required to reduce the risk of spreading COVID-19 and provide for the safety of the public, our employees and Board of Directors, the Agency will conduct its public meetings via teleconference until further notice.

1. CLOSED SESSION will be called at 9:00 a.m.
   A. Pursuant to Government Code Sections 54957 Public Employee Performance Evaluation-Interim General Manager

2. OPEN SESSION WILL BE CALLED AT 10:00 a.m.
   Members of the public wishing to participate in the Regular Board meeting may dial in using the information below:

   United States (Toll Free): 1 866 899 4679
   - One-touch: tel:+18668994679,,238142085#

   United States: +1 (646) 749-3117
   - One-touch: tel:+16467493117,,238142085#

   Access Code: 238-142-085

The Board President will call for public comment on each agenda item at the appropriate time to ensure that the public may be heard and all votes by the Board will be taken by roll call.

Website Address: www.amadorwater.org
3. CALL TO ORDER – ROLL CALL

4. REPORT OUT FROM CLOSED SESSION

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

6. 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.

7. 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).

8. 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

9. AGENCY GENERAL
   A. Spending Freeze
      1. Informational Only
   B. Cash Flow Projections
      1. Discussion and possible action regarding year end cash flow projections and
         financing options to cover the anticipated operating cash shortfall.
   C. Short Term Internal Loan
      1. Discussion and possible action to adopt resolution 2020-09 authorizing a short term
         internal loan for an amount not to exceed $500,000 from Wastewater Capital Cash
         Participation Fee Reserves Account to the Water Operating Cash Account.
   D. FY 20-21 Budget Status
   E. Water, Wastewater and Participation Fees Cost of Service and Rate Study
      1. Discussion and possible action to delete or modify Task 6 of the Cost of Service Rate
         Study
   F. Declaration of Surplus Property
      1. Discussion and possible action to adopt Resolution 2020-12- Authorizing the Interim

Website Address: www.amadorwater.org
General Manager to dispose of Agency assets in accordance with Agency Policy AWA PL 013 - Disposing of Surplus Real Property, Vehicles, Equipment & Property Policy

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

11. INTERIM GENERAL MANAGER REPORT

12. COMMITTEE REPORTS, SPECIAL ASSIGNMENTS AND DIRECTOR COMMENTS
   A. Policy Committee (05-13-20)

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

14. ADJOURNMENT – The estimated adjournment time for this meeting is 1:00 p.m.
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 April 23, 2020

2. **RESOLUTIONS**  
   A. Adoption of Resolution 2020-10 the completion of the Capital Improvement Project of the Ione Water Treatment Plant Rehabilitation project  
   B. Adoption of Resolution 2020-11 authorizing Amador County Elections Department to conduct elections for Board of Director seats on behalf of Amador Water Agency

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**SCHEDULE OF UPCOMING BOARD MEETING**

**Thursday, May 28, 2020**  
Regular Board of Directors 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 upon request by contacting the Clerk of the Board Cris Thompson at cthompson@amadorwater.org

Website Address: www.amadorwater.org
AMADOR WATER AGENCY
Board of Directors
Regular Meeting

April 23, 2020

In order to accommodate the social distancing practices required to reduce the risk of spreading COVID-19 and provide for the safety of the public, our employees and Board of Directors, the Agency will conduct its public meetings via teleconference until further notice.

CLOSED SESSION was called at 9:00 a.m.
Pursuant to Government Code Sections 54957 Public Employee Performance Evaluation-Interim General Manager

OPEN SESSION WAS CALLED AT 10:14 a.m. (due to technical difficulties)

REPORT OUT FROM CLOSED SESSION:
President Farrington reported that direction was given to staff.

CALL TO ORDER – ROLL CALL
Director Livingston-Aye
Director Peters-Aye
Director Thomas-Aye
Director Molinelli Jr- Aye
Director Farrington- Aye

Staff Present:
John Kingsbury- Interim General Manager
Cris Thompson, Assistant GM/ Clerk of the Board
Karen Gish, HR Manager
Tracey Hays, Finance Manager
Darrel Evensen, Engineering Manager
Rick Ferriera, Operations Manager

Members of the Public:
James Bledsoe, Keller and Associates
Terrie Houssman, Grand Jury
Gail Cates, Grand Jury
Sharon West, Grand Jury
Tommy Daughetee, Citizen

Regular Board Meeting
April 23, 2020
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Shane Dante, Foothill Conservancy
Sanjay Gaur, Raftelis
Jeff Meyer, Hilltop Securities

ADDITIONS TO AGENDA - None

PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA - None

CONSENT AGENDA (03:10- 04:46)

MOTION: It was moved by Director Molinelli Jr., seconded by Director Peters and unanimously carried to approve the consent agenda as presented- Meeting Minutes of April 9, 2020, Special Board Meeting Minutes of April 16, 2020 and Accounts payable for the months of February and March, 2020.

Ayes: Directors Molinelli Jr., Peters, Thomas, Livingston, and Farrington
Noes: None
Absent: None
Abstain: None

AGENCY GENERAL

Water Master Plan (05:00- 27:26)
Progress Report Presentation by Keller and Associates

Financial Status Overview (27:58- 1:07:45)
Discussion and possible action regarding Year End Cash Projections

MOTION: It was moved by Director Livingston, seconded by Director Peters and unanimously carried that the Interim General Manager Kingsbury approve all Agency expenditures as essential and furthermore bring back options for dealing with the financial issues and the Interim General Manager is to bring back a general list of items that are considered essential and what is not.

Director Peters- Aye
Director Molinelli Jr- Aye
Director Thomas- Aye
Director Livingston- Aye
Director Farrington- Aye

Short Term Internal Loan (1:07:50- 1:16:18)
Discussion and possible direction to staff to draft a resolution to authorize a short term internal loan for an amount not to exceed $500,000 from Wastewater Capital Cash Participation Fee Reserves Account to the Water Operating Cash Account
Direction was given to staff to bring back a Resolution authorizing a short-term internal loan along with other financial options to the Board at the May 14, 2020 Board meeting or to a Special Board Meeting if the notice requirements are met for the internal loan and the additional financial option information is available.

Public Comment:
Sharon West, Grand Jury

FY 2020-2021 Budget Schedule- Update (1:16:20- 1:18:56)

Agency Water, Wastewater and Participation Fees Cost of Service and Rate Study (1:18:48- 2:18:31)
Discussion and possible action to authorize the Interim General Manager to execute a contract with Raftelis to conduct a Water, Wastewater and Participation Fees Cost of Service and Rate Study for an amount not to exceed $189,219

President Farrington reported that there was a revision to the scope and fee after the Board Agenda was posted, which reduced the total cost to $184,804

Public Comment:
Sharon West, Grand Jury

MOTION: It was moved by Director Molinelli Jr., seconded by Director Peters and unanimously carried to execute a contract with Raftelis to conduct a Water, Wastewater and Participation Fees Cost of Service and Rate Study for an amount not to exceed $184,804.

MOTION amended to include direction to the Interim General Manager to monitor the speed of the study and the impact on staff time and to develop a more extensive plan for input and public engagement.

Director Peters-Aye
Director Molinelli Jr-Aye
Director Livingston-Aye
Director Thomas-Aye
Director Farrington- Aye

Informational Only

Public Comment:
Gail Cates, Grand Jury
Discussion and possible action to adopt Resolution No. 2020-07- A resolution adopting a revised Records Retention Policy

MOTION: It was moved by Director Peters, seconded by Director Molinelli Jr. and unanimously carried to adopt Resolution 2020-07 adopting a revised Records Retention Policy.

Director Peters-Aye
Director Molinelli Jr- Aye
Director Livingston-Aye
Director Thomas-Aye
Director Farrington- Aye

Discussion and possible action to adopt Resolution No. 2020-08- Rescinding and Replacing Designated Portions Of The Agency’s Administrative Policy Manual, Approving new and Replacement Policies, and Reconfiguring the Manual.

MOTION: It was moved by Director Peters, seconded by Director Molinelli Jr. and unanimously carried to adopt Resolution No. 2020-08- Rescinding and Replacing Designated Portions of the Agency’s Administrative Policy Manual, Approving new and Replacement Policies, and Reconfiguring the Manual.

Director Peters-Aye
Director Molinelli Jr- Aye
Director Livingston-Aye
Director Thomas-Aye
Director Farrington- Aye

INTERIM GENERAL MANAGER REPORT (2:30:00- 2:35:44)

BOARD OF DIRECTOR DISTRICT REPORTS, COMMITTEE REPORTS AND DIRECTOR COMMENTS – (2:35:45- 2:37:32)
Budget and Finance (04-14-20)

FUTURE AGENDA TOPICS-
Internal Loan Resolution
Customer Outreach Program

ADJOURNMENT- President Farrington adjourned the meeting at 12:54 p.m.

_________________________  ______________________
Cris Thompson    Approved:
Clerk of the Board of Directors

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RESOLUTION NO. 2020-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY ACCEPTING COMPLETION OF THE IONE WATER TREATMENT PLANT REHABILITATION PHASE 1A PROJECT

WHEREAS, during the 2015 through 2017 budget cycles the Amador Water Agency (Agency) authorized $78,839 for preliminary engineering of the Ione Water Treatment Plant Rehabilitation Project (Project); and

WHEREAS, the Agency initially projected a cost of $3.65M for Phase 1 of the Project. For budgetary reasons however, the Agency reduced the scope of Phase 1 by delaying several improvements including: SCADA, programming & controls, clarifier replacement and the installation of new filter beds. The reduced scope phase was designated Phase 1A; and

WHEREAS, on October 12, 2017 the Agency authorized and directed construction of Phase 1A with a construction budget of $805,579 including construction management services and a 10% contingency; and

WHEREAS, on October 19, 2017 the Agency awarded the Phase 1A project to Vinciguerra Construction with a construction contract in the amount of $666,500. The Project scope included rehabilitation of the filter structures, replacement of the filter media, installation of yard piping and valves, and installation of a replacement backwash pump, along with the associated electrical instrumentation and controls; and

WHEREAS, on May 10, 2018 the Agency amended the project budget by adding installation of a new 10” raw water influent meter at the Ione Water Treatment Plant. A budget increase of $9,009 was authorized for an amended Phase 1A construction budget of $814,588; and

WHEREAS, construction was completed on August 16, 2019, and the Notice of Completion was recorded on August 23, 2019, with complete project closeout on February 8, 2020 after contractor negotiations. The Phase 1A project was completed in 22 months instead of the contracted 6 months, with extensive time delays that benefited the contractor but allowed for Project construction to cease during the high water demand months of the summer; and
WHEREAS, Phase 1A preliminary engineering expenses totaled $78,839 and construction expenses totaled $851,542, for a total Phase 1A project cost of $930,381.38. Construction expenses were $36,954 over the construction budget.

NOW, THEREFORE BE IT RESOLVED, the Board of Directors of the Amador Water Agency does hereby accept the completed capital improvements and notes that the Agency Clerk has already filed a Notice of Completion with the Amador County Recorder.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Amador Water Agency at a Regular meeting held on this 14th day of May, 2020 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Signed and approved by me after its passage this 14th day of May, 2020.

______________________________
Richard Farrington
President, Board of Directors

ATTEST:

______________________________
Cris L. Thompson
Clerk, Board of Directors
RESOLUTION NO. 2020-11
OF THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY
AUTHORIZING AMADOR COUNTY ELECTIONS DEPARTMENT TO CONDUCT
ELECTIONS ON BEHALF OF THE AMADOR WATER AGENCY

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Amador Water Agency hereby authorizes the Amador County Elections Department to conduct Board of Director Elections on half of the Amador Water Agency.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Amador Water Agency at a regular meeting held on this 14th day of May, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Signed and approved by me after its passage this 14th day of May, 2020

Richard Farrington, President
Board of Directors

ATTEST:

Cris L. Thompson
Clerk of the Board of Directors
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

- SB 998 Update – all items to implement have been completed. Final budget impact of costs to be reported at next meeting-waiting for one final invoice.

- COVID-19 Customer Service impacts
  - Office closed to the public
  - Suspended 10-day Shut Off Notice, Door Tags and Shut Offs
  - Suspended Delinquent Fees
  - Sending reminder notices and doing reminder calls to encourage payment plans
  - Have discussed and tested remote processes in case we move to Risk Level 4
  - Customer Service Staff rotating on working remotely

- COVID-19 HR impacts
  - Continuing to monitor law changes
  - Monitoring Emergency Sick Leave use
  - Supporting Staff as needed
  - Work remotely when possible

Finance/Accounting:

- Water Sales Revenues through the month of April are $7,215,826
- Wastewater Sales Revenues through the month of April are $1,526,218

- Reimbursements received: $243,236
- Outstanding Reimbursements are approximately $696,996

- Restricted and Unrestricted Cash: Attached

- Participation Fees Revenue through the month of April:
  Water $326,559
  Wastewater $72,513
- April Sales Comparison: Attached
Prepared by:  Karen Gish – HR Manager
            Tracey Hays - Finance Manager
## Restricted and Unrestricted Cash

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Operations Report

Covering April 1 – April 24, 2020

Operations Manager:

1. Worked on LHMP
2. O&M Budget Review and preparation for 2020/2021 Budget

Regulatory Compliance Specialist:

1. Annual water reports ¾ complete
2. Three separate Consumer Confidence Reports completed for AWA, PG&E and River Pines. Once printed it will be directly mailed to all water customers.

Water Treatment Plants:

3. Vegetation Management – Facility Spraying

Electrical:

4. Buckhorn WTP Influent Valve and Actuator Replacement

Construction:

5. PG and E augured thru a 6" AC main and a 2" PVC main on Buckhorn Ridge Rd Pioneer. Construction crew and distribution personnel made responded and repaired. (7hrs OT)
6. Finished Buckhorn Drying Bed Building

Distribution:

7. Repaired 1 out of service Fire Hydrants Near Airport
8. Building Roof Replacement

Canal:

9. Annual Spraying and Cleaning

Prepared by: Linda Nafus, Administrative Assistant II
Reviewed and edited by: Rick Ferrier, Operations Manager
City of Plymouth Department Report
Covering April 1, - April 24, 2020

Regulatory Compliance Specialist-

- Completed monthly and quarterly water reporting for the Division of Drinking Water and City Manager.
- Worked on Annual water report.
- Completed Consumer Confidence Report. Once proof has been received and approved will direct mail to all water customers.

Distribution-

- Routine flushing
- Routine Distribution Sampling

Wastewater-

- Removed blockage on Laverone Street
- Continued to monitor collection system
- Inspected grease traps and issued pump orders as needed

Staff hours: 37 hrs Water and 4.5 hrs WW

Prepared by: Andrea Hinton, Regulatory Compliance Specialist
Reviewed and edited by: Rick Ferriera, Operations and Maintenance Manager
River Pines Department Report  
April 1, – April 24, 2020

**Water Production/Sold**  
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<td>Well 3R</td>
<td>414,000</td>
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<td>555,120</td>
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<td>Well 6R</td>
<td>46,162</td>
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<td>888,662</td>
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</table>

**Regulatory Compliance Specialist**  
- Monthly reporting for water and wastewater, including No Spill report on CIWQS  
- Completed Consumer Confidence Report. Approved by Division of Drinking Water and sent to GM.  
- Working on Annual Report. Approximately 75% complete  

**Wastewater**  
- Influent flow **1,012,100 gallons**. Effluent Discharged **348,400 gallons**.  
- Running plant irrigation daily. Flows are up and a lot of excess paper towels being removed from lift stations.  
- Continued to monitor collection system

**Water**  
- Routine Well operation and maintenance  
- Operator re-plumbed piping at 2/3R facility due to previous break

**Electrical**  
- Onan generator repair effort on-going. Replaced generator diodes. Generator engine still does not start. Will continue to work on it as time allows.

Staff Hours:  
- Water: 81.25 hrs  
- WW: 109.5 hrs

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

April 1 - April 30, 2020

### Projects Under Construction

<table>
<thead>
<tr>
<th></th>
<th>Project Description</th>
<th>Percent Complete</th>
<th>On Schedule</th>
<th>On Budget</th>
<th>Completion Date</th>
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<tbody>
<tr>
<td>C.1</td>
<td>Ione Hydro</td>
<td>95</td>
<td>No</td>
<td>Yes</td>
<td>7-Jul-19</td>
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<tr>
<td>C.2</td>
<td>Ione WTP Rehab 2 (Upgrades)</td>
<td>80*</td>
<td>No*</td>
<td>Yes</td>
<td>1-May-20</td>
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<td>C.3</td>
<td>Redwood Tank Replacement</td>
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<tr>
<td>C.4</td>
<td>Hwy 49 MH</td>
<td>5</td>
<td>Yes</td>
<td>Yes</td>
<td>1-Jul-20</td>
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<td>C.5</td>
<td>Pioneer Ph II (CDBG)</td>
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<td>TBD</td>
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<td>31-Jul-21</td>
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<tr>
<td>C.6</td>
<td>Pioneer Ph III (USDA)</td>
<td>3</td>
<td>Yes</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>8-Aug-23</td>
</tr>
</tbody>
</table>

* - Project has been scaled back for this fiscal year. All filters online before the end of May

### Projects in Design

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<td>D.2</td>
<td>Hwy 49 Sewerline</td>
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<td>D.3</td>
<td>Amador Canal Slide (FEMA)</td>
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<td>D.4</td>
<td>Lift Station #2</td>
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<td>D.5</td>
<td>Wastewater Master Plan</td>
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### Projects in Planning/Funding

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<tbody>
<tr>
<td>P.1</td>
<td>LCV Unit 6 WWTP</td>
<td>Compiling Package for Grant Monies</td>
</tr>
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</table>
P.2  Mt. Crossman Tank/PS  Listed for Potential Grant Monies
P.3  Martell Future Sewer Rates  Investigative stage
P.4  La Mel WTP  Listed for Potential Grant Monies
P.5  Camanche 10-inch Pipe  Listed for Potential Grant Monies
P.6  Reclamation Projects  Investigative stage

**Developer Projects**

DP.1  Wildflower 3 and 5  Anticipated Start of Wildflower 3
DP.2  Castle Oaks 8A, 8B and 10  Anticipated Start of Castle Oaks 8

**Project Expenses through 4-30-20 are attached**

Prepared by: Darrel Evensen, Engineering Manager
<table>
<thead>
<tr>
<th>WATER PROJECTS</th>
<th>Funded By</th>
<th>Status</th>
<th>Funding Contract</th>
<th>Grant</th>
<th>FY 19-20 Budget</th>
<th>Expended to date</th>
<th>% of FY 19-20 Budget</th>
<th>Expended Life of Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lone Hydroelectric</td>
<td>Grant/Loan</td>
<td>5/30/2020</td>
<td>$ 2,222,000</td>
<td>1,505,000</td>
<td>1,369,916</td>
<td>91%</td>
<td>2,538,576</td>
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<tr>
<td>Redwood Tanks Replacement - Hazard Mitigation Grant</td>
<td>Grant/Oper Rates</td>
<td>3/1/2021</td>
<td>$ 1,660,533</td>
<td>1,161,410</td>
<td>22,261</td>
<td>2%</td>
<td>94,022</td>
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<tr>
<td>CDAA Storm Repairs - Amador Canal</td>
<td>Grant/Oper Rates</td>
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<td>$ 182,097</td>
<td>196,875</td>
<td>10,799</td>
<td>5%</td>
<td>14,374</td>
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<td>Pioneer Phase II CDBG</td>
<td>Grant</td>
<td>6/30/2021</td>
<td>$ 4,091,321</td>
<td>249,896</td>
<td>215,975</td>
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<td>225,455</td>
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<td>Pioneer Phase III USDA</td>
<td>Grant/Loan</td>
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<td>$ 1,376,000</td>
<td>2,001,486</td>
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<td>Water Master Plan and Modeling</td>
<td>Part. Fees / Prop Taxes</td>
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<td>292,174</td>
<td>128,057</td>
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<td>Fire Protection Improvements</td>
<td>Operating Rates</td>
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<td></td>
<td>8,786</td>
<td>-</td>
<td>0%</td>
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<td>Fire Flow Testing Program</td>
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<td>13,880</td>
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<td>Security Upgrades</td>
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<tr>
<td>Lone WTP Upgrades</td>
<td>Part. Fees / CFD</td>
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<td>1,386,223</td>
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<td>Buckhorn Backwash Cover</td>
<td>Part Fees</td>
<td></td>
<td></td>
<td>65,664</td>
<td>58,079</td>
<td>88%</td>
<td>8,286</td>
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<td>Buckhorn WTP Membrane Replacement and Upgrades</td>
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<td></td>
<td>57,106</td>
<td>8,288</td>
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<tr>
<td>Standby Generators Tanks A &amp; B</td>
<td>Part Fees</td>
<td></td>
<td></td>
<td>82,571</td>
<td>20,409</td>
<td>25%</td>
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<tr>
<td>SCADA Improvements</td>
<td>Part Fees</td>
<td></td>
<td></td>
<td>53,890</td>
<td>8,375</td>
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<td>Mt Crossman Tank</td>
<td>Part Fees</td>
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<td></td>
<td>55,206</td>
<td>73</td>
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<td>Silver Tiger PS modifications</td>
<td>Part Fees</td>
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<td>57,571</td>
<td>25</td>
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<td>CAWP Water Right</td>
<td>Part Fees</td>
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<td></td>
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<td>1,243</td>
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<td>Tank and Pipeline Cathodic Protection work</td>
<td>Part Fees</td>
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<td>AWA Portion SGMA and Monitoring Wells</td>
<td>Part Fees</td>
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<td></td>
<td>35,528</td>
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<td>Ridge Rd Raw Water Pipeline</td>
<td>Part Fees</td>
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<td></td>
<td>38,726</td>
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<td>Camanche MHI</td>
<td>Camanche Reserve</td>
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<td>25,126</td>
<td>13,727</td>
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<td>18-19 Generator Carryover</td>
<td>Operating Rates</td>
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<td></td>
<td>55,838</td>
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<td>Buckhorn Stairs</td>
<td>Operating Rates</td>
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<td></td>
<td>50,000</td>
<td>28,142</td>
<td>56%</td>
<td>28,142</td>
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<td>Buckhorn Snow Ice Protection over entry door</td>
<td>Operating Rates</td>
<td></td>
<td></td>
<td>7,500</td>
<td>12,363</td>
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<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>7,509,842</strong></td>
<td><strong>2,974,090</strong></td>
<td><strong>40%</strong></td>
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<tr>
<th>WASTEWATER PROJECTS</th>
<th>Funded By</th>
<th>Status</th>
<th>Funding Contract</th>
<th>Grant</th>
<th>FY 19-20 Budget</th>
<th>Expended to date</th>
<th>% of FY 19-20 Budget</th>
<th>Expended Life of Project</th>
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<td>Ridge Road Manhole Replacement</td>
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<td>Hwy 49 SS Upsize</td>
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<td>WW Standby Generators</td>
<td>Camanche Reserves</td>
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<td>Reclamation Master Planning</td>
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<td>Lift Station 2 Improvements</td>
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<td>Pine Grove Realignment Design Review</td>
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<td>Martell &amp; Camanche Inflow &amp; Infiltration - Study</td>
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<td>Martell Sewer Improvement Study</td>
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<td><strong>Total</strong></td>
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<td><strong>136,211</strong></td>
<td><strong>22%</strong></td>
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STAFF REPORT

NON-ESSENTIAL SPENDING

Informational Item:

At its April 23, 2020 Meeting, the Board discussed yearend financials and the need to stop spending of non-essential budgetary items. The Board also directed the Interim General Manager to authorize expenditures to July 1, 2020 and requested a list of essential spending items.

The management team is and has been focused on spending our customer dollars prudently. The Board’s direction to suspend non-essential expenditures due to the current budget reinforces the commitment to its fiducial responsibility of the Agency. Based on Board direction, I only approve expenditures that staff considers to be essential and necessary for health and safety, on-going system operations and maintenance, CIP commitments, and/or regulatory compliance or contractual obligations. If on any urgent operational matter, depending on my availability, I have authorized the department managers to make the decision, while keeping me informed.

Essential expenditures are far reaching and will include such items as chemicals, fuel, electricity, State fees, permits, stocked replacement parts and values for repairs, etc. While such items considered non-essential would be travel, training, conferences, they have been curtailed by COVID-19. Other non-essential items and supplies are shared between departments to avoid unnecessary spending.

Staff has also taken this focus and thought process into the 2020-2021 budget process as well, with a commitment to bring the Board a balanced budget with no overall budget increase for fiscal year 2020-2021.

Prepared by: John Kingsbury, Interim General Manager
STAFF REPORT

Short Term Funding Options for Potential Shortfall on Water Fund

Requested Action: Adoption of Resolution 2020-09 a short term loan from Wastewater Participation Fee funds, for an amount not to exceed $500,000 plus interest at LAIF rate (currently 1.787%).

Background: The Amador Water Agency has been impacted by the Covid-19 virus. The statewide stay-at-home order has caused some commercial customers to cease business since March 18, 2020; and residents may be working from home or temporarily unemployed. This has led to a potential delay in receiving customer cash receipts. Current cash projections reflect the potential of a cash shortfall on the water fund before June 30, 2020.

Alternatives: Alternatively, the Agency could apply for a retail loan in the same amount of $500,000. Application fees of approximately $100, and current interest rates ranging from 3.6-4.2% would apply.

Fiscal Impact: This is variable depending on the needs of the water fund. Funds would only be used to offset any shortfall. Interest would be paid on the funds needed. Bear in mind, the AWA legal counsel is confident that PGE, once it emerges from bankruptcy, assumed to be after June 30, 2020, will reimburse approximately $170,000 being held in pre-bankruptcy proceedings. These funds should be used to replenish the outstanding loan, in whole or in part, to reduce any impact to the 2020-21 revenues.

Reviewed by Committee: Yes

Recommendation: Adoption of Resolution No. 2020-09, approving a short term loan from the Wastewater Participation Fee funds plus interest to fund any potential shortfall in the Water Operating funds, for an amount not to exceed $500,000.

Prepared by: Tracey Hays, Finance Manager
RESOLUTION NO. 2020-09
OF THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY
CREATING A REVOLVING LOAN FOR THE PURPOSE OF SHORT-TERM
OPERATIONS FINANCING FROM THE AMADOR WATER SYSTEM WASTEWATER
CAPITAL CASH PARTICIPATION FEE RESERVE ACCOUNT TO THE AMADOR
WATER AGENCY OPERATING CASH ACCOUNT

WHEREAS, the Board of Directors of the Amador Water Agency ("Water Agency") adopted Internal Loan Policy AWA PL BOD 009 of the Amador Water Agency’s (AWA) Policy Manual by Resolution 2020-08 which provides for internal loan policies;

WHEREAS, the Board of Directors desires to create a revolving loan fund for purposes of covering shortfalls in the Agency’s Water Operating Fund Cash Account which will be used to pay for operations and maintenance costs;

WHEREAS, consistent with Section 2 AWA PL BOD 009 of the AWA Policy Manual, the Agency has provided at least 10 days advance notice of its intent to create the revolving loan fund by placing the proposed creation of the fund and intent to adopt this resolution on the agenda for the Water Agency’s May 14, 2020 regular Board meeting;

WHEREAS, the Water Agency intends the sources of money to repay the loan will be from revenues generated by rates, charges, assessments, reimbursements from loan or grant proceeds, and/or standby assessments or charges imposed on customers and lands within the Water Agency’s service area;

WHEREAS, the Board of Directors of the Water Agency now desires to establish a revolving loan fund to make short-term water system operating loan from the Amador Water Agency Wastewater Capital Cash Participation Fee Reserve Fund, General Ledger account number 120-22-132000 for an amount not to exceed $500,000 as provided in this resolution; and

WHEREAS, the Water Agency’s Water Operating Fund Cash Account would repay loans made by the Amador Water Agency Wastewater Capital Cash Participation Fee Reserve Fund by paying interest at the same rate paid on Agency investments by the Local Agency Investment Fund (LAIF).

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Amador Water as follows:

1. The Board of Directors of the Water Agency finds and determines that: (a) the Amador Water Agency Wastewater Capital Cash Participation Fee Reserve Fund may
loan funds under and pursuant to the terms of this Resolution that are not required for the immediate necessities of that fund; (b) such funds will be fully repaid before they are required for the necessities of such fund; (c) there are sources of money available to ensure repayment of the loan provided hereunder; and (d) the loan provided pursuant to this Resolution is prudent, necessary, and in the best interests of the Water Agency.

2. The General Manager is hereby authorized and directed to establish a revolving short-term operating loan for an amount not to exceed 500,000 from the Wastewater Capital Cash Participation Fee Reserve 120-22-13200 to be utilized by the Amador Water Agency Water Operating Cash Fund 102-04-13100.

3. The General Manager of the Water Agency shall keep or cause to be kept detailed records of the funds transferred in order that an accurate record of the liability to the Water Operating Cash Fund can be ascertained and monitored.

4. The Water Operating Cash Fund shall pay the Wastewater Capital Cash Participation Fee Reserve the sum borrowed plus interest within 90 days of the borrowing date. Such installments and interest shall be paid through rates, charges, assessments, reimbursements from loan or grant proceeds, and/or standby charges or assessments imposed on customers and lands within the Agency’s service area.

5. Interest shall be charged at a variable rate based on the PMIA average monthly yields as published by LAIF for the month(s) immediately following the applicable principal borrowing date. Interest shall be calculated and paid on the same date that the principal payment(s) is(are) made.

6. The General Manager shall report to the Board at the next regularly scheduled Board meeting after each loan is made from the revolving fund authorized by this resolution by providing the amount and purpose of the individual loan, the date the loan was made, and the date when repayment is expected. The General Manager will report on each individual loan made from the fund at the first regular Board meeting held each month until the loan is repaid in full as provided herein.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Amador Water Agency at a regular meeting held on this 14th day of May, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
Signed and approved by me after its passage on this 14th day of May, 2020

By: ________________________
Richard Farrington, President of the Board of Directors

ATTEST:

____________________
Cris L. Thompson
Clerk, Board of Directors
WATER FUND CASH

<table>
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<tr>
<th>FUND</th>
<th>JUL</th>
<th>AUG</th>
<th>SEPT</th>
<th>OCT</th>
<th>NOV</th>
<th>DEC</th>
<th>JAN</th>
<th>FEB</th>
<th>MAR</th>
<th>APR</th>
<th>MAY</th>
<th>JUN</th>
<th>TOTAL</th>
<th>%</th>
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<td>$406,729</td>
<td>$588,970</td>
<td>$791,454</td>
<td>$226,899</td>
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<td>$699,470</td>
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## TOTAL FUND CASH

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<th>Apr</th>
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### Amador Water Agency
Unrestricted Cash Flow Projection
2020
DRAFT

#### Unrestricted - Water

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<th>Sources</th>
<th>April Actual</th>
<th>May Projection</th>
<th>June Projection</th>
<th>July Projection</th>
<th>August Projection</th>
<th>September Projection</th>
<th>October Projection</th>
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<td>(201,000)</td>
<td>(201,000)</td>
<td>(201,000)</td>
<td>(201,000)</td>
<td>(201,000)</td>
<td>(201,000)</td>
<td>(201,000)</td>
<td>(201,000)</td>
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| Sub-total | 867,130 | 1,531,915 | 795,721 | 738,621 | 917,821 | 822,774 | 739,121 | 1,211,626 | 834,069 |

#### Uses:

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<th>June</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
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<th>December</th>
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| Sub-total | 705,432 | 2,175,878 | 662,005 | 722,440 | 668,000 | 898,600 | 757,760 | 1,323,303 | 742,966 |

### Beginning Balance 3/31/2020

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<th>July</th>
<th>August</th>
<th>September</th>
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<th>December</th>
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<td>206,089</td>
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## Unrestricted - Water

### Sources:
- Customer Receipts
- Developer AR
- PGE Money Meter/CEER
- City of Plymouth DS
- ATL - CFD
- ATL - PF
- Tax Revenues
- Ridge/Hillside DS
- Retiree Health Ins
- Mt Zion ATT Lease
- Misc Receipts
- Contract Services
- Reimb Salaries/Benefits - Projects
- Debt Svc Acct Transfer
- Internal Loans
- Reserve Funds

### Uses:
- Vendor AP
- Payroll
- Debt Service
- Internal Loans
- Short Term Loan

### Beginning Balance: 3/31/2020

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<th>July</th>
<th>August</th>
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<th>November</th>
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<td>820,000</td>
<td>820,000</td>
<td>815,000</td>
<td>790,000</td>
<td>750,000</td>
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<tr>
<td>Projection</td>
<td>6,977</td>
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<td>1,500</td>
<td>176,700</td>
<td>48,202</td>
<td>64,448</td>
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<tr>
<td>PGE Money Meter/CEER</td>
<td>100,787</td>
<td>175,000</td>
<td>11,000</td>
<td>11,000</td>
<td>3,000</td>
<td>12,500</td>
<td>108,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Plymouth DS</td>
<td>57,887</td>
<td>116,381</td>
<td>500</td>
<td>100</td>
<td>61,653</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ATL - CFD</td>
<td></td>
<td></td>
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<td></td>
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<td></td>
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<tr>
<td>ATL - PF</td>
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<tr>
<td>Tax Revenues</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Ridge/Hillside DS</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Retiree Health Ins</td>
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<td></td>
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<td></td>
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<td></td>
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</tr>
<tr>
<td>Mt Zion ATT Lease</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Misc Receipts</td>
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<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Contract Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reimb Salaries/Benefits - Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt Svc Acct Transfer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Internal Loans</td>
<td></td>
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<td></td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Reserve Funds</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less: Debt Service Transfer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Short Term Loan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Short Term Loan

| Sub-total                      | 130,683  | 1,662,598 | 795,721  | 738,621  | 917,821  | 822,774   | 739,121   | 1,211,626 | 834,069   |

### Uses:

<table>
<thead>
<tr>
<th>Uses</th>
<th>April</th>
<th>May</th>
<th>June</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vendor AP</td>
<td>(230,558)</td>
<td>(275,000)</td>
<td>(165,000)</td>
<td>(287,000)</td>
<td>(287,000)</td>
<td>(287,000)</td>
<td>(287,000)</td>
<td>(287,000)</td>
<td>(287,000)</td>
</tr>
<tr>
<td>Payroll</td>
<td>(367,162)</td>
<td>(517,500)</td>
<td>(370,000)</td>
<td>(381,000)</td>
<td>(381,000)</td>
<td>(381,000)</td>
<td>(381,000)</td>
<td>(571,500)</td>
<td>(381,000)</td>
</tr>
<tr>
<td>Debt Service</td>
<td>(107,713)</td>
<td>(1,383,378)</td>
<td>(54,440)</td>
<td>(230,600)</td>
<td>(89,760)</td>
<td>(464,803)</td>
<td>(74,966)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Internal Loans</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Short Term Loan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Sub-total                     | (130,683)                  | (127,005)  |           |           |           |           |           |           |           |

### Total

| Total                         | 351,582  | 513,280  | 0         | 133,716  | 149,897  | 269,035   | 193,209   | 174,570   | 62,893    | 153,995   |
### Debt Service Account

**Beginning Balance** 3/31/2020

<table>
<thead>
<tr>
<th>Source:</th>
<th>Customer Receipts</th>
<th>Interest (see above)</th>
<th>Sub-total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>201,000</td>
<td></td>
<td>201,769</td>
</tr>
<tr>
<td></td>
<td>769</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Uses:</th>
<th>BNY Mellon DS</th>
<th>Transfer</th>
<th>Sub-total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(549,657)</td>
<td>-</td>
<td>(549,657)</td>
</tr>
<tr>
<td></td>
<td>347,888</td>
<td>152,000</td>
<td>304,000</td>
</tr>
</tbody>
</table>

|         | 456,000       | 608,000  | 143,197   |
|         | 295,197       |          |           |

### Reserve Account

**Beginning Balance** 3/31/2020

<table>
<thead>
<tr>
<th></th>
<th>Operating Reserve</th>
<th>Maintenance Reserve</th>
<th>Capital Reserve</th>
<th>Interest</th>
<th>Sub-total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>16,914</td>
<td>3,334</td>
<td>2,503</td>
<td>186</td>
<td>22,937</td>
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</table>

<table>
<thead>
<tr>
<th>Total Cash Balances</th>
<th>722,406</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1,085,873</td>
</tr>
</tbody>
</table>
Amador Water Agency  
Restricted Cash Flow Projections

### Assumed Cash Receipts

<table>
<thead>
<tr>
<th>Component</th>
<th>APR</th>
<th>MAY</th>
<th>JUN</th>
<th>JUN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation Fees</td>
<td>5,994</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ione Hydro - Loan</td>
<td></td>
<td></td>
<td>243,237</td>
<td></td>
</tr>
<tr>
<td>Ione Hydro - Grant</td>
<td></td>
<td></td>
<td>153,348</td>
<td></td>
</tr>
<tr>
<td>CAWP Redwood Tank Repl (HMGP)</td>
<td></td>
<td></td>
<td>76,921</td>
<td>150,000</td>
</tr>
<tr>
<td>Tanks A&amp;B Pioneer PH 3 USDA</td>
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<td></td>
<td></td>
<td>110,544</td>
</tr>
<tr>
<td>Pioneer Pipeline II CDBG</td>
<td></td>
<td></td>
<td>85,000</td>
<td></td>
</tr>
<tr>
<td>Reserves</td>
<td></td>
<td></td>
<td></td>
<td>79,940</td>
</tr>
<tr>
<td>CFD Revenues (County Receipts)</td>
<td></td>
<td></td>
<td>60,000</td>
<td>153,568</td>
</tr>
<tr>
<td>Tax Revenues</td>
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<td></td>
</tr>
<tr>
<td>Internal Loans</td>
<td>5,907</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Investment Interest</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Estimated Cash Receipts</strong></td>
<td>395,077</td>
<td>187,464</td>
<td>388,348</td>
<td>153,568</td>
</tr>
</tbody>
</table>

### Assumed Disbursements

<table>
<thead>
<tr>
<th>Component</th>
<th>APR</th>
<th>MAY</th>
<th>JUN</th>
<th>JUN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ione Hydro</td>
<td>10,071</td>
<td>5,000</td>
<td>30,000</td>
<td></td>
</tr>
<tr>
<td>Ione WTP Upgrades</td>
<td>301,080</td>
<td>120,000</td>
<td>90,000</td>
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<tr>
<td>CAWP Redwood Tank Replacements</td>
<td>1,329</td>
<td>200,000</td>
<td>250,000</td>
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</tr>
<tr>
<td>Tanks A&amp;B Pioneer PH 3 USDA</td>
<td>21,589</td>
<td>20,000</td>
<td>10,000</td>
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</tr>
<tr>
<td>Water Master Plan</td>
<td>540</td>
<td>20,000</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>Pioneer Pipeline II CDBG</td>
<td>89,682</td>
<td>85,000</td>
<td>70,000</td>
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</tr>
<tr>
<td>CDA Amador Canal</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Mt Crossman Tank Site</td>
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</tr>
<tr>
<td>Cathodic Protection</td>
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<td></td>
<td>37,571</td>
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<tr>
<td>SGMA</td>
<td>109</td>
<td>35,527</td>
<td>5,000</td>
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<tr>
<td>CAWP Water Right</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buckhorn Backwash Cover</td>
<td>13,584</td>
<td>20,000</td>
<td>15,000</td>
<td></td>
</tr>
<tr>
<td>SCADA improvements</td>
<td></td>
<td></td>
<td>20,000</td>
<td>30,000</td>
</tr>
<tr>
<td>Buckhorn WTP Membrane Replacement</td>
<td></td>
<td></td>
<td>175,000</td>
<td></td>
</tr>
<tr>
<td>Tanner Backwash</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt Service Funding - ATL</td>
<td></td>
<td></td>
<td></td>
<td>30,900</td>
</tr>
<tr>
<td>Internal Loans</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Estimated Cash Disbursements</strong></td>
<td>437,983</td>
<td>665,000</td>
<td>583,098</td>
<td>30,900</td>
</tr>
</tbody>
</table>

### Ending Balance

<table>
<thead>
<tr>
<th>Component</th>
<th>APR</th>
<th>MAY</th>
<th>JUN</th>
<th>JUN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hillside, Ridge Cluster, Debt Reserves Not for use in Projects</td>
<td>317,003</td>
<td>291,250</td>
<td>291,500</td>
<td>291,500</td>
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<tr>
<td><strong>Total Restricted Funds</strong></td>
<td>1,691,396</td>
<td>1,188,107</td>
<td>993,607</td>
<td>1,116,275</td>
</tr>
</tbody>
</table>
At its March 23, 2020 meeting, the Board took action to authorize the Interim General Manager to execute a contract with Raftelis to conduct a Water, Wastewater and Participation Fees Cost of Service and Rate Study for an amount not to exceed $184,804, to gauge implementation schedule, and ensure the public is brought into the process.

Director Farrington has interest in removing Task 6 from the Cost of Service Rate Study. Director Farrington questions the need for Task 6 of the Raftelis Rate Study as AWA has an authorized Water Shortage strategy with four Stages and Surcharges that were developed by The Reed Group and approved by the Board in 2015 in the 218 process.

Currently, the Interim General Manager is in discussion with Raftelis and AWA legal counsel on the contract. It is anticipated to commence the Cost of Service and Rate Study July 1, 2020 to coincide with the 2020-2021 Budget cycle.

COST OF SERVICE RATE STUDY

Executive Summary

Task 6: Drought Rate Development – Raftelis will collaborate closely with Agency staff to review different drought stages in order to develop drought rates. This task will include up to four (4) webinars with Agency staff to review results and the preparation of a drought rate model and presentation materials.

Project Approach

Task 6: Drought Rate Development

The District also wishes to develop drought rates. As part of this task, Raftelis will review with District staff demand reduction scenarios (or drought stages) representing varying levels of reduced demands (e.g. overall percent reduction in total demand, and categories of demand (i.e. irrigation, residential, or commercial) that are reduced), and associated water supply reduction. The results will be based on the proposed rates developed in Task 5 and this water allocation plan.
Raftelis will build the model to accommodate up to ten different drought stages based on District staff’s input and the allocation plan. The drought rate model will calculate the rates for each demand reduction scenario and present the resulting customers’ impacts in both numerical and graphical format using the dashboard platform.

After completing the analysis, we will present the results to District staff via webinar.

MEETINGS: Up to four webinars with staff

DELIVERABLES: Drought Rate Model, presentation materials

Task Fees
$10,550

Background

In the AWA’s 2015 Urban Water Master Plan, Chapter 8 addresses water shortage contingency planning and drought rates. The Agency established a four (4) stage drought plan (8.1 Stages of Action) and a rate surcharge for each stage (8.6.1 Drought Surcharge). See Exhibit A.

Task 6 is intended to build a drought rate model based on the Agency’s existing drought Stages.

Recommendation: Discussion and possible action to delete Task 6 of the Cost of Service Rate Study

Prepared by: John Kingsbury, Interim General Manager
Chapter 8  Water Shortage Contingency Planning

8.1 Stages of Action

The Agency has adopted a Water Shortage Contingency Plan (WSCP) in order to reduce demands when supplies are low. Stage 0 of the WSCP represents recommended conservation during normal conditions, while Stages 1 through 4 are determined by the level of State-mandated water restrictions or by the advent of an internal emergency, such as the failure of a dam or treatment plant. Stages 1 through 4 are mandatory restrictions, and violations are enforced by penalties. The stages are described in Table 8-1. Appendix I contains the Agency’s complete WSCP (referred to as its Water Conservation Policy, Section 2.19 of the Agency’s Water Code), as adopted on May 14, 2015.

Table 8-1: Stages of Water Shortage Contingency Plan (DWR Table 8-1)

<table>
<thead>
<tr>
<th>Stage</th>
<th>Percent Supply Reduction</th>
<th>Water Supply Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0%</td>
<td>Normal Conditions - Recommended Conservation Measures</td>
</tr>
<tr>
<td>1</td>
<td>1%-20%</td>
<td>State Mandated Water Alert</td>
</tr>
<tr>
<td>2</td>
<td>21%-30%</td>
<td>State Mandated Water Warning</td>
</tr>
<tr>
<td>3</td>
<td>31%-40%</td>
<td>State Mandated Water Crisis</td>
</tr>
<tr>
<td>4</td>
<td>41%-50%</td>
<td>State Mandated Water Emergency or Internal Emergency</td>
</tr>
</tbody>
</table>

1 One stage in the Water Shortage Contingency Plan must address a water shortage of 50%.

Notes: An Internal Emergency could be a dam or treatment plant failure.

8.2 Prohibitions on End Uses

This section describes the program elements of the WSCP that place prohibitions against specific end uses in order to reduce water use and eliminate waste where possible. Table 8-2 details the restrictions that shall take effect at different stages of water shortage. Each stage of water shortage requires adherence to the measures of the previous stage of water shortage in addition to new measures required for the current stage. The water use restrictions in Stages 1 through 4 are enforced by penalties as described in Section 8.3, Penalties, Charges, Other Enforcement of Prohibitions.

Table 8-2: Restrictions and Prohibitions on End Uses (DWR Table 8-2)

<table>
<thead>
<tr>
<th>Stage</th>
<th>Restrictions and Prohibitions on End Users</th>
<th>Additional Explanation or Reference</th>
<th>Penalty, Charge, or Other Enforcement?</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>Other - Customers must repair leaks, breaks, and malfunctions in a timely manner</td>
<td></td>
<td>No</td>
</tr>
<tr>
<td>0</td>
<td>Landscape - Limit landscape irrigation to specific times</td>
<td>Discontinue landscape irrigation between 9:00am and 7:00pm</td>
<td>No</td>
</tr>
</tbody>
</table>

June 2016
8.5 Determining Water Shortage Reductions

Water use during normal, wet, and dry periods is monitored by several means. Agency customers are fully metered and meters are installed on all new connections to an Agency water system. All customers receiving water service are metered and billed on a volumetric basis. Records are kept of both water production and consumption (meter readings). These records are maintained and analyzed to identify losses in the system and to establish baselines in case of a declaration of emergency. In case of an emergency, achievement of reductions and the effectiveness of implementing each stage of the WSCP is determined by the Agency through comparison of the customer’s prior year’s seasonal usage with the seasonal usage during the year of the drought or other emergency. If the drought is severe enough, the Board can order monitoring of water production and uses on a weekly or even daily basis. The high percentage of metered customers within the service area facilitates this effort.

8.6 Revenue and Expenditure Impacts

During water shortages, it is not uncommon for an agency’s revenue to decrease as a result of reduced water sales from conservation measures and implementation of the WSCP. Expenditures can also increase due to increased public outreach, water conservation giveaways, and rate studies needed during times of drought. In 2015, the Agency found that the mandatory reductions in water use due to a multi-year drought led to a deficit between revenues and expenses. In response to the April 20, 2015 Fourth District Court of Appeal decision in the Capistrano Tax Payers Association v. City of San Juan Capistrano, the Agency eliminated its tiered rate structure in July 2015 in favor of a uniform water rate applied on a volumetric basis. The Agency’s inclusion of the water shortage surcharge helps to ensure that fees are charged at the rate required to meet the Agency’s costs.

8.6.1 Drought Surcharge

As has been experienced recently, reduced water sales causes an unsustainable financial situation; therefore, the Agency adopted a resolution on July 21, 2015 to implement water shortage surcharges. The amount of the water shortage surcharge, as detailed in the resolution, is determined by the stage of water shortage declared by the Agency and is projected to resolve revenue deficits and increased expenditures during water shortages. The surcharge level for each stage of shortage is detailed below:

- Stage 1 = 18% surcharge on all usage rates
- Stage 2 = 34% surcharge on all usage rates
- Stage 3 = 54% surcharge on all usage rates
- Stage 4 = 75% surcharge on all usage rates

The implementation of this surcharge structure does not affect the monthly service charge to customers and is temporary, as it will be terminated at the end of a declared shortage.

8.6.2 Use of Financial Reserves

In addition to implementing the water shortage surcharge, the Agency has cut costs wherever possible. The Agency can use a portion of available financial reserves, when available, to help bridge the deficit and can reduce funding for planned capital projects in the most severe shortage conditions.

8.7 Resolution or Ordinance

The most recent update to the Agency’s WSCP, as adopted through Resolution 2015-07, is included in the Agency’s Water Code (Appendix I) Catastrophic Supply Interruption

In addition to drought, the Agency has planned for other catastrophes that could impact water supply and quality. For example, in case of a short-term regional power outage, the Agency has purchased or has access to emergency generators to pump and treat water. The Buckhorn, Tanner, and Ione Water Treatment Plants

June 2016
STAFF REPORT

DISPOSAL OF SURPLUS PROPERTY

Requested Action: Adoption of Resolution NO. 2020-12 A Resolution Declaring the surplus of properties APN 003-420-124 and 003-420-125 and direction to staff to dispose of this real property in accordance with Agency Policy AWA PL Adm 013 Disposing of Surplus Real Property, Vehicles, Equipment & Property Policy

Background:
In 2004, the Agency acquired two parcels (approximately 80 acres) through the transfer of County Service Areas. The two parcels 003-420-124 and 003-420-125. The Operations Manager and Engineering Manager agree that these parcels are not required for service to the area. The properties were previously declared surplus in 2004. This action is to confirm the current Board’s concurrence to surplus the property and direct staff to dispose of it accordingly.

Fiscal Impact: Potential Revenue from the sale of property

Reviewed by Committee: No

Recommendation:
Declaration of surplus properties APN 003-420-124 and 003-420-125 and direct staff to dispose of this real property in accordance with Agency Policy AWA PL Adm 013 Disposing of Surplus Real Property, Vehicles, Equipment & Property Policy

Prepared by: Cris Thompson, Assistant General Manager
RESOLUTION NO. 2020-12
OF THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY
DECLARING CERTAIN PROPERTIES OF THE AMADOR WATER AGENCY AS
SURPLUS

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Amador Water Agency hereby declares real properties APN 003-420-124 and APN 003-420-125 as shown in Exhibit A as surplus and hereby authorizes the Interim General Manager to dispose of this real property in accordance with Agency Policy AWA PL Adm 013.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Amador Water Agency at a regular meeting held on this 14th day of May, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Signed and approved by me after its passage this 14th day of May, 2020

Richard Farrington, President
Board of Directors

ATTEST:

Cris L. Thompson
Clerk of the Board of Directors
<table>
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<tr>
<th>Parcel Number</th>
<th>Owner</th>
<th>S Street Address</th>
<th>S City State Zip</th>
<th>Mail Name</th>
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<td>IONE CA 95640</td>
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<td>WATER AGENCY AMADOR</td>
<td>12800 RIDGE RD</td>
<td>SUTTER CREEK CA 95685</td>
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<td>12800 RIDGE RD</td>
<td>SUTTER CREEK CA 95685</td>
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https://pqweb.parcelquest.com/
Ownership

County: AMADOR, CA
Assessor: JAMES B. ROONEY, ASSESSOR
Parcel #: 002-420-124-000
Parcel Status: ACTIVE
Owner Name: AMADOR WATER AGENCY
Mailing Address: 12800 RIDGE RD SUTTER CREEK CA 95685
Legal Description: COMP PAR 1

Assessment

Total Value: Use Code: MV 052-038
Land Value: Tax Rate Area: 2019
Impr Value: Year Assd: 
Other Value: Property Tax:
% Improved: Delinquent Yr:
Exempt Amt: HO Exempt:

Sale History

Document Date: Sale 1 Sale 2 Sale 3 Transfer
Document Number: 12/04/2003
Document Type: 2003R019139
Transfer Amount:
Seller (Grantor):

Property Characteristics

Bedrooms: Replace: Units:
Baths (Full): A/C: Stories:
Baths (Half): Heating: Quality:
Total Rooms: Pool: Building Class:
Bldg/Liv Area: Park Type: Condition:
Lot Acres: Spaces: Site Influence:
Lot SqFt: Garage SqFt: Timber Preserve:
Yard Built: Fireplace: Ag Preserve:
Effective Year:

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**Ownership**

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<td>JAMES B. ROONEY, ASSESSOR</td>
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**Legal Description:** COMP PAR 2

**Assessment**

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<td>Other Value</td>
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**Use Type:** VACANT

**Zoning:** 3.04/2

**Sale History**

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<td>Sale 2</td>
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<td>Seller (Grantor):</td>
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**Property Characteristics**

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https://pqweb.parcelquest.com/
MEMORANDUM

TO: BOARD OF DIRECTORS, AMADOR WATER AGENCY

CC: JOHN KINGSBURY, INTERIM GENERAL MANAGER

FROM: JOSH HOROWITZ & BRITTANY BRACE

DATE: MAY 7, 2020

RE: LEGISLATIVE REPORT FOR THE MAY 14, 2020 AMADOR WATER AGENCY BOARD MEETING

The following are bills of potential interest to the Amador Water Agency pending in the 2020 session of the California Legislature. [** - denotes bills added since last month’s report.] Note that the Legislature recently reconvened on May 4 after its recess due to the concerns around the COVID-19 outbreak.

STATE ASSEMBLY

AB 235 (Mayes) - Electrical corporations: wildfire victim recovery bonds.
Introduced: 1/18/19
AB 235 would create the California Wildfire Catastrophe Fund Authority, which would reimburse participating utilities for liability costs that exceed their established insurance levels. The bill would authorize electrical corporations and local publicly owned electric utilities to participate in the authority. The bill would require each participating entity to make an initial contribution and annual contributions to the authority, and would require the authority’s board to deposit those contributions into an account dedicated to receiving contributions from that participating entity.
ACWA: None.

AB 289 (Fong) - California Public Records Act Ombudsperson.
Introduced: 1/28/19
No action has yet been taken on this bill, but it is still active and listed in the committee process. If passed, AB 289 would declare the intent of the Legislature to enact legislation that would establish an ombudsman within the California State Auditor's Office who would serve as the appeals body for all requests related to the California Public Records Act.
ACWA: None.
AB 291 (Chu) – Local Emergency Preparedness and Hazard Mitigation Fund.
Introduced: 1/28/19
Under the Federal Emergency Management Act (FEMA), the state is required to have a mitigation plan as a condition for disaster assistance and grant funding. The California Emergency Services Act requires the Office of Emergency Services to implement this mandate by coordinating with all interested state agencies to jointly establish a standardized emergency management system for use by all emergency response agencies. This bill would establish a Local Emergency Preparedness and Hazard Mitigation Fund, and the Hazard Mitigation Fund Committee under the Standardized Emergency Management System Advisory Board, to support local governments with staffing, planning, and other emergency mitigation priorities necessary to meet emergency management, preparedness, readiness and resilience goals.
ACWA: Favor.

AB 292 (Quirk) - Recycled water: raw water and groundwater augmentation.
Introduced: 1/28/19
Current law requires the State Water Resources Control Board (State Water Board), on or before December 31, 2023, to adopt uniform water recycling criteria for direct potable reuse through raw water augmentation. This bill would eliminate the definition of "direct potable reuse" and would instead 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 Water Board to adopt uniform water recycling criteria for raw water augmentation. Although this bill has not yet been acted on in 2020, it is still an active bill in the floor process.
ACWA: Support.

AB 402 (Quirk) – State Water Resources Control Board: local primacy delegation: funding stabilization program.
Introduced: 2/6/19
The California Safe Drinking Water Act requires the State Water Board to administer provisions relating to the regulation of drinking water to protect public health. The act requires the State Water Board to provide certain local agencies (called local primacy agencies), to the extent funds are available from the Safe Drinking Water Account, with an annual drinking water surveillance program grant to cover the costs of conducting inspection, monitoring, surveillance, and water quality evaluation activities. The act requires the State Water Board to adopt a schedule of fees and requires a public water system under the jurisdiction of a local primacy agency to pay these fees to the local primacy agency in lieu of the State Water Board.
Although there has been no 2020 activity on this bill yet, it is still listed as active and in the committee process. Early in this bill’s legislative cycle last year, ACWA adopted an oppose-unless-amended position on the bill, after learning that the author intended 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. However, ACWA withdrew opposition to the bill last August 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 841 (Ting) - Drinking water: contaminants: perfluoroalkyl and polyfluoroalkyl substances.**
**Introduced:** 2/20/19
**Status:** 7/10/2019 – Failed deadline for passage out of Sen. Policy Comm. (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. Although no action has been taken on this bill in 2020 so far, the bill is still active and in the committee process.
ACWA: Favor.

**AB 992 (Mullin) - Open meetings: local agencies: social media.**
**Introduced:** 2/21/19
**Status:** 1/30/20 - In Senate. Read first time. To Sen. Comm. on Rules for assignment.
AB 992 would provide guidance on how local elected officials may use social media to engage with their community while complying with the Brown Act. The Brown Act requires that legislative bodies of local agencies conduct meetings openly, and prohibits a majority of the members of a legislative body from using a series of communications of any kind to discuss, deliberate, or take action on any item within the subject matter jurisdiction of the legislative body outside a meeting authorized by the act. This bill would set the same standard for social media as is currently in place under the community meetings exception to the Brown Act, which would allow a majority of the members of a local agency’s legislative body to participate in social media platforms so long as those members do not partake in discussion among themselves regarding specific business within the body’s subject matter jurisdiction.
ACWA: None.
AB 1415 (Friedman) - Department of Water Resources: reporting requirements; civil penalties.
Introduced: 2/22/19
Status: 08/30/19 - In Sen. Comm. on Appr.: Held under submission.
Under existing law, certain entities are required to prepare and submit specified plans and reports relating to water management, such as aggregated farm-gate delivery data, urban water management plans, and water loss audit reports to the Department of Water Resources (Department). This bill would require the Department to impose a civil penalty on an entity that fails to file such specified reports or plans by the deadline required for each respective report or plan, subject to exceptions related to curing the entity’s reporting requirements and other circumstances. No action has been taken on this bill in 2020, however it is still active and in the committee process.
ACWA: Not favor unless amended.

AB 1839 (Bonta) – Climate change: California Green New Deal.
Introduced: 1/6/20
A reintroduction of Assemblymember Bonta’s AB 1276 (2019), AB 1839 would create the California Green New Deal. As amended on May 4, 2020, the bill would also create, within the Strategic Growth Council, the California New Green Deal Task Force, with membership from state officials and public representatives, and subject to open meetings laws. The bill would require the task force to prepare a report after holding public workshops and conducting public outreach as prescribed to be submitted by the Strategic Growth Council to the Legislature no later than January 1, 2022. Otherwise, the bill largely consists of findings and declarations detailing the rights of Californians, and articulates the Legislature’s intent for the Legislature and state agencies to consider a series of goals, including, among other things, healthcare, employment training and transition, worker rights, climate change effects assistance, affordable housing, environmental conditions such as air quality, land use decision-making, and racial equity.
ACWA: Watch.

AB 1936 (Rodriguez) – Price gouging: public safety power shutoffs.
Introduced: 1/16/20
Status: 3/16/20 – Re-referred to Asm. Comm. on Appr.
Under existing law, upon the proclamation of a state of emergency, it is a misdemeanor with specified penalties for a person, contractor, business, or other entity to sell or offer to sell certain goods and services for a price that exceeds the price charged by that person immediately prior to the proclamation or declaration of emergency by ten percent, except as specified. This bill would apply price gouging prohibition and penalties upon an announcement of a public safety power shutoff (PSPS) event by an official, board, or other governing body authorized to make that announcement in any county, city, or city and county. This bill would also expand the price gouging protections, which currently cover
fuel costs, to cover costs for generator rentals or parts and repair. ACWA adopted a “Favor if amended” position on this bill, indicating it would support the bill if it was amended to explicitly cover costs associated with generator rentals or parts and repair in the bill’s list of protected goods and services.

ACWA: Favor if amended.

**AB 1941 (Gallagher) - California Renewables Portfolio Standard: hydroelectric and nuclear generation and suspension.**

**Introduced:** 1/16/20  
**Status:** 2/19/20 – Re-referred to Asm. Comm. on Utilities and Energy.

Existing law establishes the California Renewables Portfolio Standard Program, which, among other things, requires the Public Utilities Commission to implement annual targets for the procurement of eligible renewable energy resources for all retail sellers. Under this program, it is state policy that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers and 100% of electricity procured to serve all state agencies by December 31, 2045. Currently, eligible renewable energy resources include small hydroelectric generation facilities of 30 megawatts or less that meet specified criteria.

AB 1941 would revise the definition of an eligible renewable energy resource for the purposes of the California Renewables Portfolio Standard Program to include all hydroelectric generating facilities in operation as of January 1, 2021. This bill would also suspend the requirements of the program and the state policy that are applicable to retail sellers, unless the commission makes unspecified factual determinations and issues an order reinstating those requirements. The bill would require the commission to determine the amount saved by an electrical corporation due to any suspension and would require the electrical corporation to expend that amount to improve its transmission and distribution infrastructure to minimize the risk of wildfire ignition. The bill would prohibit electrical corporations from increasing the salaries of, or providing bonuses to, their executive officers during the suspension of the program’s requirements.

**ACWA:** None.

**AB 1947 (Kalra) - Employment violation complaints: requirements: time.**

**Introduced:** 1/17/20  
**Status:** 3/16/20: In committee: Hearing postponed by Asm. Comm. on Labor and Employment.

This bill would extend the period of time for filing a complaint with the Division of Labor Standards Enforcement alleging unlawful discharge or discrimination from six months to one year after the occurrence of the violation. AB 1947 would also provide reasonable attorney’s fees for plaintiffs that bring a successful claim for an employer’s violation of whistleblower protections.

**ACWA:** None.
AB 1958 (Cooper) - State Plan of Flood Control: facilities.

Introduced: 1/17/20

AB 1958, which is a reintroduction of Assemblymember Cooper’s AB 137 from last year, would declare that the State Plan of Flood Control (SPFC) is composed of essential public safety infrastructure necessary for the protection of life property, and the economy. In response to the September 2018 Ninth Circuit Court of Appeals ruling in Martin v. City of Boise that local governments could not cite homeless individuals for sleeping outside if there are no adequate alternatives, it would ensure that encampments along levees are treated differently from other homeless encampments. The bill would also prohibit a person from altering, occupying, or physically or visually obstructing any levee forming part of any flood control plan without permission of the Central Valley Flood Protection Board. Additionally, this bill would authorize the Board or a local agency that maintains the levee or facility to inspect and remove any physical or visual obstructions or alterations made on any of the levees or facilities that are part of the SPFC.

ACWA: Support.

AB 2076 (Bigelow) - Public lands: Department of Parks and Recreation: wildfire management plan: fire hazard severity zones.

Introduced: 2/5/20

This bill would require the Department of Parks and Recreation (Department) to develop and implement a wildfire management plan for all property under the jurisdiction of the Department, including state parks and recreational trials, that is located within a high or very high fire hazard severity zone, as identified by the Director of Forestry and Fire Protection. This plan would outline the Department’s fire prevention goals, future projects for prescribed fire, defensible space, fire resilient restoration projects, and the fire hardening of the Department’s structures. Additionally, the plan must include recommendations for policy changes and resources needed for the Department to adapt to the increasing high severity wildfire threat. This bill would require the Department to complete the development of the first half of the plan on or before January 1, 2024, and to complete the second half of the Plan on or before January 1, 2026. ACWA staff recommended adopting a position in favor of the bill, noting that it may provide tangential benefits for entities whose water supplies travel through Department owned land and by promoting proactive forest management generally.

ACWA: Favor.
AB 2093 (Gloria) – Public records: writing transmitted by electronic mail: retention.
**Introduced:** 2/5/20
**Status:** 3/10/20 – From committee: Do pass and re-refer to Asm. Comm. on Appr.
The California Public Records Act (PRA) authorizes public agencies to destroy or to dispose of duplicate records that are less than two years old when they are no longer required by the agency. AB 2093—a reintroduction of Assemblymember Gloria’s AB 1184 from last year—would require public agencies to retain and preserve for at least two years every public record that is transmitted by email. Governor Newsom vetoed AB 1184 last October, indicating that the bill did “not strike the appropriate balance between the benefits of greater transparency through the public’s access to public records, and the burdens of a dramatic increase in records-retention requirements…”
**ACWA:** Not Favor.

AB 2095 (Cooper) – Public water systems: reduction of water charges: customers impacted by COVID-19.
**Introduced:** 2/5/20
**Status:** 5/5/20
Originally introduced as a “spot” bill related to childhood nutrition, AB 2095 was gutted and amended to address water theft, as defined in California Penal Code section 498. This amendment attempted to address the increasingly prevalent issue of water theft, providing for local agency authority to increase penalties for water theft by ordinance as specified. On May 4, the bill was further gutted and amended, and no longer addresses the issue of water theft. Instead, the bill would authorize a public water system to reduce water charges imposed on a customer impacted by COVID-19 during the duration of the impact, provided that the reduction does not increase the water charges imposed on another ratepayer.
**ACWA:** None.

AB 2151 (Gallagher) – Political Reform Act: online filing and disclosure system.
**Introduced:** 2/10/20
**Status:** 3/16/20 – In committee: Hearing postponed by Asm. Comm. on Elections & Reapportionment.
The Political Reform Act of 1974 requires the filing of specified statements, reports and other documents relating to the disclosure of campaign finances. Under the act, a local agency may require these filings to be made online or electronically with the local filing officer, as specified. The act requires the local filing officer to make the data from these filings available on the internet in an easily understood format that provides the greatest public access. This bill would require a local agency to post on its website, within 72 hours of the applicable filing deadline, a copy of any specified statement, report, or other document filed with that agency in paper format. The agency also must make such filings available for four years from the date of the election associated with the filing.
**ACWA:** None.
AB 2155 (Obernolte) – Public officers: contracts: prohibited interests.
Introduced: 2/10/20
Status: 4/24/20 – Referred to Comm. on Jud.
Section 1090 of the Government Code prohibits public officials from being financially interested in any contract made by them in their official capacity, or by any board or body of which they are members, subject to certain exceptions and qualifications. A contract made in violation of these provisions may be avoided at the instance of any “party,” except the interested officer. This bill would define “party” as a California taxpayer for these purposes, applying to any contract formed on or after January 1, 2021.
ACWA: None.

AB 2178 (Levine) – Emergency services.
Introduced: 2/11/20
The California Emergency Services Act authorizes the Governor, local officials and local governments to proclaim a local emergency when specified conditions exist, and to exercise certain powers in response to that emergency. Existing law defines the terms “state of emergency” and “local emergency” to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot. This bill would add “deenergization,” defined as a public safety power shutoff (PSPS) event, to those conditions constituting a state of emergency and/or a local emergency.
ACWA: Favor.

Introduced: 2/11/20
Aimed at addressing unintended consequences of PSPS on water and wastewater agencies, this bill would exempt the operation of an alternative power source to provide power to a “critical facility” during a deenergization event from any local, regional, or state regulation regarding the operation of that source. “Critical facilities” include water and wastewater treatment facilities, treatment plants, pumping stations, and other storage and water facilities. In lieu of compliance with applicable legal requirements, the bill would authorize the providers of these essential public services to comply with the maintenance and testing procedure set forth in the National Fire Protection Association Standard for Emergency and Standby Power System, NFPA 110, for alternative power sources designated by the providers for the support of critical facilities.
ACWA: Support/Sponsor.
AB 2186 (Grayson) – Public contracting: contractor retention withholding.
Introduced: 2/11/20
Status: 2/20/20 - Referred to Asm. Comm. on Local Gov.
Current law authorizes the legislative body of a local agency to prescribe how the agency makes payment on a contract for the creation, construction, alteration, repair, or improvement of any public structure, building, road, or other improvement of any kind that will exceed a total of $5,000. Current law limits this authority by requiring an agency to withhold payment and make progress payments in a certain manner. This bill would eliminate such limitations on a local agency's authority to prescribe payments on these contracts, but would prohibit the local agency from withholding more than five percent of the contract price. ACWA adopted a “Pending Committee Input” position, noting that it is currently unaware of the extent to which projects experience administrative delays as a result of this limitation on the agency's authority to prescribe payments, and whether agencies would find such a provision valuable.
ACWA: Not Favor.

AB 2364 (Rubio) – Municipal separate storm sewer systems: financial capability analysis.
Introduced: 2/18/20
Status: 3/17/20 – In committee; Hearing postponed by Asm. Comm. on Environmental Safety & Toxic Materials.
In an effort to assist local governments with meeting stormwater quality standards, AB 2364 would require the State Water Resources Control Board to, by July 1, 2021, establish financial capability assessment guidelines for municipal separate storm sewer system permittees that are adequate and consistent when considering the costs to local jurisdictions. The bill would require the State Board and the regional boards to continue using available regulatory tools and other approaches to foster collaboration with permittees to implement permit requirements in light of the costs of implementation. ACWA has favored two former introductions of similar bills, and adopted a “Favor” position on this bill, noting regional water boards do not adequately consider the costs that local jurisdictions face in compliance with municipal separate storm sewer system permit requirements.
ACWA: Favor.

AB 2572 (Dahle) – Worker status: independent contractors.
Introduced: 2/20/20
Status: 3/10/20 – Re-referred to Comm. on Lab. & Employment.
Existing law uses a 3-part test, as the "ABC" test, to determine if workers are employees or independent contractors, and establishes that, for purposes of the Labor Code, a person providing labor or services for remuneration is considered an employee rather than an independent contractor unless the hiring entity demonstrates that the person is free from the hiring entity’s control and direction in performing the work, the person performs work
outside of the usual course of the hiring entity's business, and the person is customarily engaged in an independently established trade, occupation, or business. As amended in March, this bill would exempt persons who perform work on forested landscapes as geologists and geophysicists, land surveyors, contractors, engineers, and persons in the pest control business, who otherwise meet certain statutory licensing requirements.

ACWA: None.

AB 2656 (Eggman) – Wholesale water suppliers: water loss audit reports.
Introduced: 2/20/20
Status: 2/21/20 – From printer. May be heard in comm. March 22.
Current law requires the state to achieve a 20% reduction in urban per capita water use by December 31, 2020. Current law also requires an urban retail water supplier to develop urban water use targets and an interim urban water use target, and requires each urban retail water supplier to annually submit a completed and validated water loss audit report for the previous calendar year or fiscal year. This bill would express the intent of the Legislature to enact legislation that would require wholesale water suppliers to conduct and submit annual water loss audit reports to the Department of Water Resources.

ACWA: None.

AB 2676 (Quirk) – California Public Records Act: exemptions.
Introduced: 2/20/20
Status: 3/17/20 – In committee; hearing postponed by committee.
Currently, the California Public Records Act exempts from disclosure critical infrastructure information that is voluntarily submitted to the Office of Emergency Services, including the identity of the person who or entity that voluntarily submitted the information. This bill would expand the exemption by removing the restriction that the submission be voluntary.

ACWA: None.

AB 2887 (Bonta) – Statewide emergencies: mitigation.
Introduced: 2/21/20
Under existing law, a municipal corporation, municipal utility district, or public utility district that provides light, water, power, or heat is prohibited from terminating service for certain specified reasons based on, among other things, ability to pay. As amended on March 16 to address impacts related to the COVID-19 pandemic, AB 2887 would prohibit an electrical corporation, gas corporation, water corporation, municipal corporation, municipal utility district, or public utility district from terminating residential or small commercial electrical, gas, or water service for nonpayment for the first three billing cycles following a state of emergency or major disaster for a customer that may have been affected by it, except in accordance with the requirements outlined in the bill. A utility would be subject to the following requirements:
• Include a notice in the first three billing statements made to affected residents or customers that if, as a result of conditions associated with the state of emergency or major disaster, the customer suffered financially and is unable to pay for service, the customer may apply for an amortization agreement or other extension for a reasonable period of time not to exceed 12 months.

• Any affected resident or customer that represents that they have suffered financially as a result of the conditions associated with the state of emergency or major disaster and, as a result, is unable to pay for service, shall be granted an extension to be permitted to amortize the unpaid amounts to be beyond the means of the customer to pay within the normal period for payment, not to exceed 12 months.

• Any utility is prohibited from terminating service for any customer complying with such amortization agreement, as long as the customer also keeps the account current as charges accrue in each subsequent filing period following the first three billing statements made following the state of emergency or disaster.

ACWA adopted a “Watch and Amend” position in April, noting that because existing law already prohibits urban and community water systems with more than 200 service connections from terminating residential service for nonpayment if the customer can demonstrate a financial inability to pay for the residential service within the normal billing cycle, AB 2887 would not substantially expand on shutoff restrictions in existing law. However, ACWA believes the bill would present logistical issues that would need to be amended. For example, because the bill addresses inability to pay by billing cycle, for agencies that bill infrequently, that could mean six months or more that the agency would not receive payment, and the bill otherwise does not present clear enough language for the agency to distinguish between which customers are “affected” by the crisis. Further, given that there are shorter-term emergency declarations that last as temporarily as a few hours, such as with high-wind events where fire is a concern, ACWA is concerned over how often the provisions of this bill could be invoked.

ACWA: Watch and Amend.

AB 2987 (Flora) – Local agency public contracts: bidding procedures.

Introduced: 2/21/20

Status: 3/5/20

The Uniform Public Construction Cost Accounting Act (Act) authorizes a public agency to elect to become subject to uniform construction cost accounting procedures for public projects, including bidding procedures. Those bidding procedures include procedures for the publication or posting and electronic transmission of notice inviting formal bids. This bill would authorize a public agency, as an alternative to the publication or posting requirement, to meet the notice inviting formal bids requirement by transmitting notice electronically, as specified, and publishing the notice electronically on the public agency’s internet website at least 14 calendar days before the date of opening the bids.

ACWA: Favor.
AB 3147 (Gabriel) – Fees for development projects.
Introduced: 2/21/20
Status: 3/9/20 – Referred to Asm. Comms. on Local Gov. and Housing & Community Development.
Under the Mitigation Fee Act, local agencies are prohibited from imposing fees, including fees for water or sewer connections, that exceed the estimated reasonable cost of providing the service for which the fee is charged without voter approval. Existing law requires any judicial action or proceeding to attack, review, set aside, void or annul the adoption of a new fee to be brought within 120 days of the effective date of the adopting ordinance, resolution, or motion. AB 3147 would instead require such a judicial action or proceeding to be conducted in accordance with other procedures that require a protest to be filed within 90 days after the imposition of the fees. Any action to attack, review, set aside, void, or annul the imposition of the fees would need to be filed within 180 days after delivery of a specified notice by the local agency. The bill would also require local agencies that impose fees in excess of actual cost to reimburse the payor of the fee or service charge.

ACWA adopted an “Oppose” position to this bill, indicating it would create financial uncertainty for water and sewer agencies, because an agency may be unable to recover the entirety of its investment into infrastructure where new development is planned, since the developer would be able to successfully challenge the capacity charge long after the infrastructure is constructed. Staff indicated that the Mitigation Fee Act already requires agencies to go through a transparent pricing process for capacity charges or connection fees. ACWA: Oppose.

AB 3148 (Chiu) – Planning and zoning: density bonuses: affordable housing: fee reductions.
Introduced: 2/21/20
Status: 3/9/20 – Referred to Asm. Comms. on Local Gov. and Housing & Community Dev.
AB 3148 would require a city, county, special district, water corporation, utility, or other local agency, except a school district, to reduce an impact fee or other charges imposed on the construction of a deed restricted affordable housing unit that is built pursuant to a density bonus, to amounts that are, depending on the affordability restriction on the unit, a specified percentage of the impact fee or other charge that would be imposed on a market rate unit within the development. The bill would exempt from these provisions units that are required to be affordable pursuant to a local inclusionary housing ordinance. The bill would define “impact fee” for purposes of these provisions as it is currently defined under the Mitigation Fee Act, but would exclude connection fees or capacity charges imposed by a local agency, special district, or water corporation.
ACWA: None.
Introduced: 2/21/20
As amended on May 4, 2020, this bill would enact the Wildfire Prevention, Safe Drinking Water, Climate Resilience, Drought Preparation, and Flood Protection Bond Act of 2020. If approved by voters in the November 3, 2020 statewide general election, this would authorize the issuance of $6,980,000,000 in bonds pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, climate resilience, drought preparation, and flood protection program in the November 3, 2020.
ACWA: Favor if Amended.

**AB 3279 (Friedman) – California Environmental Quality Act: administrative and judicial procedures.
Introduced: 2/21/20
Status: 4/24/20 – Referred to Comm. on Nat. Res.
The California Environmental Quality Act (CEQA) currently allows a petitioner to bring a claim alleging noncompliance of its provisions, with the litigation subject to certain statutes of limitations and other requirements. AB 3279 would make a series of changes to the CEQA litigation process and repeal a number of obsolete provisions. First, the bill would reduce the requirement that a court commence hearings on a lawsuit under CEQA within one year of filing to within 270 days of filing. The bill would also reduce the time available for a petitioner to bring a CEQA lawsuit from 90 days to 60 days and reduce the amount of time period in which briefing should be completed from 90 to 60 days from the date that the request for a hearing is filed. AB 3729 would also prevent a plaintiff or petitioner from preparing the record of proceedings unless requested by the agency.

ACWA believes this bill would benefit its member agencies, citing the prevalence of special interest groups that use CEQA litigation to halt CEQA-compliant projects for personal, as opposed to environmental, reasons, which can slow or prevent the construction of critical infrastructure, such as that for water storage and conveyance. However, it believes that it should be amended to address the low standard it sets for interlocutory remand orders and is also concerned that it removes the CEQA exemption for projects carried out by a public agency that were approved before CEQA was enacted.
ACWA: Not Favor Unless Amended.

ACA 17 (Gray) - Energy: hydroelectric generation facilities.
Introduced: 7/9/19
Status: 7/10/19 – From printer: May be heard in committee Aug. 9.
This measure would require that the state’s programs relating to renewable energy and climate change include hydroelectric generation facilities as renewable electrical generation facilities, eligible renewable energy resources, and zero-carbon resources, and would require
that those programs not differentiate between the electricity generated by hydroelectric facilities and the electricity generated by other renewable electrical generation facilities, eligible renewable energy resources, and zero-carbon resources. The measure would require that hydroelectric generation facilities be considered renewable electrical generation facilities, eligible renewable energy resources, and zero-carbon resources for licensing and certification purposes.

ACWA: None.

STATE SENATE

Introduced: 12/3/18
Status: 1/30/20 – In Asm. Read first time. Held at Desk.
This bill would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020. If approved by the voters, the act would authorize the issuance of bonds in the amount of $5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection programs.
ACWA: Favor if amended.

SB 287 (Nielsen) - Commission on State Mandates: test claims: filing date.
Introduced: 2/13/19
Status: 8/30/19 - Held in Asm. Com. on Appr. and under submission.
Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, the state generally is required to reimburse the local government. To that end, local agencies may file claims for reimbursement with the Commission on State Mandates or the Legislature. Existing law requires a local agency to file a test claim for reimbursement not later than 12 months following the effective date of a statute or executive order, or within 12 months of incurring increased costs as a result of a statute or executive order, whichever is later. This bill would specify that, for purposes of filing a test claim based on the date of incurring increased costs, “within 12 months” means by June 30 of the fiscal year following the fiscal year in which increased costs were first incurred by the test claimant. Although no action has yet been taken in 2020 on this 2-year bill, it is still listed as active and in the committee process.
ACWA: None.

SB 378 (Wiener) - Electrical corporations: deenergization events: procedures: allocation of costs: reports.
Introduced: 2/20/19
Among other things, this bill would require the Public Utilities Commission (PUC), on or before June 1, 2021, to establish a procedure for customers, local governments, and others affected by a deenergization event to recover costs accrued during the deenergization event from an electrical corporation within specified time periods. The bill also would require electrical corporations to establish an account to track expenses paid to customers, local governments and others for claims resulting from a deenergization event. In addition, an electrical corporation would be prohibited from billing customers for any nonfixed costs during a deenergization event, and would be required to credit its ratepayers any profit accrued due to a deenergization event that the PUC determined to be undertaken in an unreasonable or imprudent manner.

ACWA: Favor if amended.

SB 414 (Caballero) - Small System Water Authority Act of 2019.

Introduced: 2/20/19
Status: 8/30/19 – Failed deadline for passage out of Asm. Comm. on Appr. (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.

SB 414 is a two-year bill and has yet to be acted on in 2020. If the bill continues to move forward, it would authorize the creation of small system water authorities with powers to absorb, improve, and competently operate noncompliant public water systems. The bill would require the State Water Board to provide written notice to all public agencies, private water companies, or mutual water companies that operate a small public water system that is not in compliance with certain state or federal primary drinking water standard maximum contaminant levels. An entity that receives this notice would need to take further actions to remedy a violation. If an entity is unable to remedy the violations, the State Water Board would be authorized to resolve the problem through a plan or formation of a new authority to serve the customers of the public water system.

ACWA: Support.

SB 668 (Rubio) - Fire hydrants: water suppliers: regulations.

Introduced: 2/22/19
Status: 9/15/19 – Failed Deadline pursuant to Rule 61(a)(15) (2-year bill).

Existing law requires a public water system with 10,000 or more service connections to undertake specified actions, including, among other things, to review and revise its disaster
preparedness plan to ensure that it is sufficient to address possible disaster scenarios and, following a declared state of emergency, to furnish an assessment of its emergency response within six months thereafter and implement related recommendations in a timely manner. Existing law also requires the Office of Emergency Services to establish emergency response and recovery plans in coordination with public water systems. This bill would instead require an urban water supplier to review and revise its emergency response plan as required by federal law. The bill would also require the Office of Emergency Services to establish emergency response and recovery plans in coordination with urban water suppliers.

ACWA: Watch.

SB 749 (Durazo) - Public Records Act: trade secrets.
Introduced: 2/22/19
Status: 9/13/19; Ordered to inactive file on request of Asm. Member Calderon.
The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. Existing law provides that nothing in the act requires the disclosure of corporate proprietary information including trade secrets, among other things. SB 749 would provide that records relating to wages, benefits, working hours, and other employment terms and conditions of employees working for a private industry employer pursuant to a contract with a state or local agency shall not be deemed to be trade secrets under the California Public Records Act. The bill would also provide that records of compliance with local, state, or federal domestic content requirements and records of a private industry employer's compliance with job creation, job quality, or job retention obligations contained in a contract or agreement with a state or local agency shall not be deemed trade secrets under the act.
ACWA: None.

SB 797 (Wilk) - Water resources: permit to appropriate: application procedure.
Introduced: 1/6/20
Status: 3/18/20 – March 24 hearing postponed by committee.
Under existing law, the State Water Board administers a water rights program pursuant to which it grants permits and licenses to appropriate water. Applications for a permit to appropriate water must include (among other things) sufficient information to demonstrate a reasonable likelihood that unappropriated water is available for the proposed appropriation. Existing law requires the State Water Board to issue and deliver a notice of an application as soon as practicable after the receipt of an application for a permit to appropriate water that conforms to the law, and allows interested parties with good cause to file a written protest with regard to an application. No hearing is necessary to issue a permit in connection with an unprotested application. Additionally, no hearing is necessary if the undisputed facts support the issuance of the permit and there is no disputed issue of material fact, unless the State Water Board elects to hold a hearing.
This bill would require the publication of a new notice of application if the State Water Board has not rendered a final determination on an application within 30 years from its original filing date. The new notice would re-open the protest period and other administrative processes as if it were being undertaken for the first time. Applications by public entities would be exempt from this requirement.

ACWA: Oppose.

SB 862 (Dodd) - Planned power outage: public safety.
Introduced: 1/16/20
Status: 3/19/20 – March 31 hearing postponed by committee.
The California Emergency Services Act authorizes the Governor to proclaim a state of emergency, and local officials and local governments to proclaim a local emergency, when specified conditions exist, and authorizes the Governor or the appropriate local government to exercise certain powers in response to that emergency. Existing law defines the terms “state of emergency” and “local emergency” to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot. This bill would additionally include a planned deenergization event within those conditions constituting a state of emergency and a local emergency.

ACWA: None.

SB 1056 (Portantino) – Drinking water: testing: perfluoroalkyl and polyfluoroalkyl substances.
Introduced: 2/18/20
Status: 3/18/20 – April 1 hearing postponed by committee.
The California Safe Drinking Water Act (Act), requires the State Water Resources Control Board (State Water Board) to administer provisions relating to the regulation of drinking water to protect public health. The Act authorizes the State Water Board to order a public water system to monitor for perfluoroalkyl and polyfluoroalkyl (PFAS) substances. This bill would require the State Water Board, on or before January 1, 2022, to certify a methodology or methodologies for testing drinking water, groundwater, and surface water for PFAS substances as a class and to accredit qualified laboratories in California to analyze PFAS substances pursuant to the adopted methodology or methodologies. ACWA adopted a “Favor” position, indicating that the three U.S. EPA validated methods do not adequately evaluate the thousands of other compounds in the PFAS class, and that this bill would allow for a more comprehensive understanding of statewide PFAS contamination.

ACWA: Watch.
**SB 1312 (McGuire) – Electrical corporations: deenergization: prudence standard.**

**Introduced:** 2/21/20

**Status:** 4/22/20 – From committee with author's amendments. Read second time and amended. Re-referred to Comm. on Rules.

As introduced, this bill declared legislative intent to enact legislation related to the CPUC. As amended on March 25, this bill would require the CPUC to develop a prudence standard to measure an electrical corporation's conduct of a public safety power shutoff (PSPS) event and its subsequent hardening or distribution of transmission infrastructure. The electrical corporation would be subject to certain CPUC regulation after a PSPS event, including providing a report of information explaining why they believed the PSPS event was necessary, and providing the CPUC with the steps it will take to reduce the risk posed by those portions of distribution or transmission infrastructure that motivated the event, after a CPUC hearing determining whether the electrical corporation met the prudence standard.

ACWA adopted a “Favor” position on this bill, noting that the recent upsurge in PSPS events as electrical corporations attempt to avoid liability for catastrophic fires leave many critical water and wastewater agencies without power for several days, and forces these agencies to assume the electrical corporation’s risk of liability without any standard for regulating such conduct or penalty. This bill would hold those electrical corporations more accountable by providing the CPUC authority to issue penalties.

ACWA: Favor.

**SB 1386 (Moorlach): Local government: assessments, fees, and charges: water.**

**Introduced:** 2/21/20

**Status:** 4/1/20 – From committee with author's amendments. Read second time and amended. Re-referred to Comm. on Rules.

Existing law, known as the Proposition 218 Omnibus Implementation Act (Act), prescribes specific procedures and parameters for local jurisdictions to comply with these requirements and, among other things, authorizes an agency providing water, wastewater, sewer, or refuse collection services to adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation under certain circumstances. For purposes of assessments, the Act defines “water” to mean any system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source. As amended, SB 1386 would amend the definition of “water” in Section 5370 of the Government Code to mean “any system of public improvements and the public fixtures, appliances, and appurtenances connected to that system, intended to provide for the production, storage, supply, treatment, or distribution of water from any source.”
This bill would also clarify that a property-related water service fee or charge by a local agency may include the costs to construct, maintain, repair, or replace public hydrants attached to a water system, and the cost of water dispensed through public hydrants. The author of this bill intends it to address the issues associated with the lawsuit filed in March against 81 water suppliers throughout California, claiming that fixed costs for capacity necessary for fire protection and fire hydrants owned by the water suppliers are being subsidized by ratepayers in violation of Proposition 218, and should instead be charged to the particular governmental entity responsible for fire protection. The bill specifies that it is declarative of existing law.

ACWA: Support.

**FEDERAL LEGISLATION**

**H.R. 6643 (Schneider) – Supporting State and Local Leaders Act**
Introduced: 4/28/20
Status: Referred to House Comm. on Ways and Means.
Cited as the Supporting State and Local Leaders Act, this bill repeals the prohibition in the Families First Coronavirus Response Act against granting state and local governments a tax credit for paid sick and paid family and medical leave. The payroll tax credit is currently offered to businesses, corporations, and non-profits for providing paid emergency sick and family leave for COVID-19-impacted employees in addition to established leave policies. The California Special Districts Association is also advocating for similar language to be included in the upcoming federal relief package.

ACWA: None.

**S. 3590 & S. 3591 (Barrasso) The Drinking Water Infrastructure Act & America’s Water Infrastructure Act of 2020**
Introduced: 5/4/20
On May 6, 2020, the Senate’s environmental panel approved two water infrastructure bills relating to drinking water limits for perfluoroalkyl and polyfluoroalkyl substances (PFAS). The bipartisan bills will now go to the full Senate, and would direct the EPA to develop a national drinking water standard for PFAS and provide funding for critical water infrastructure.

On May 6, the committee approved by voice vote a substitute amendment to the drinking water infrastructure bill, S. 3590, clarifying that the program authorized by the bill is intended to “enhance treatment, monitoring, affordability, efficiency, or safety of the drinking water.” The committee also agreed to a substitute amendment to S. 3591, America’s Water Infrastructure Act of 2020, making technical changes. S. 3591 focuses mostly on Army Corps of Engineers projects and policy, authorizing funding for infrastructure projects that support and improve drinking water, while increasing water...
storage and reducing flood risks. According to caucus members, together, the two bills reported out of the environment committee would authorize a total of $18 billion in water resource development projects across the country, including to small and disadvantaged communities.

ACWA: None.

S 1932 (Gardner) -- Drought Resiliency and Water Supply Infrastructure Act.
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.

S TBD (Huffman) – Furthering Underutilized Technologies and Unleashing Responsible Expenditures (FUTURE) for Drought Resiliency Act.
Introduced: Not yet introduced
Status: 3/5/2020 - Discussion draft.
Introduced in discussion draft form, with final introduction pending as of March 5, the FUTURE Act would fund investments in water infrastructure development, improved water technology and data, and ecosystem protection and restoration. Infrastructure development provisions include funding for recycled water programs and water storage projects, such as aquifer recharge, floodplain storage, and watershed restoration projects. The bill also would establish an annual $300 million water infrastructure fund, allocating $100 million each for recycling, efficiency, and dam safety projects. Water technology and data provisions include tax rebates for residential conservation measures and funding for forecast informed water control manual updates to improve dam operations. Ecosystem protection and restoration provisions include funding for remediation of illegal marijuana grow sites that impact water supplies, a grant program with $150 million annually for habitat restoration projects, and $20 million for drought planning relating to critically important fisheries. Finally, the bill would establish a water career training grant...
program, that would award grants to eligible entities for the purpose of developing, offering, or improving educational or career training programs that provide skills necessary for employment with a public water district.

ACWA: None.