

# KINNELOA IRRIGATION DISTRICT

Regular Meeting – Board of Directors  
1999 Kinclair Drive, Pasadena, CA 91107  
Tuesday, November 17, 2020  
3:00 P.M.

## AGENDA

This meeting will be conducted only by teleconference under the provisions of Executive Order N-29-20. Public comments may be submitted via email to [kinneloa@outlook.com](mailto:kinneloa@outlook.com) prior to the meeting and any information submitted will become part of the official record. The public may participate via computer or telephone using the following information:

<https://zoom.us/j/96953912891?pwd=UXJBdVpHVHZsdU5JMENGtkc1b1VDQT09>

+1 669 900 9128

Meeting ID: 969 5391 2891

Password: 206936

1. **CALL TO ORDER – 3:00 P.M.**
  - a. Declaration of a quorum
  - b. Review of agenda
  
2. **PUBLIC COMMENT –** Comments from the Public regarding items on the Agenda or other items within the jurisdiction of the District  
In compliance with the Brown Act, the Board cannot discuss or act on items not on the Agenda. However, Board Members or District Staff may acknowledge Public comments, briefly respond to statements or questions posed by the Public, ask a question for clarification, or request Staff to place item on a future Agenda (Government Code section §54954.2)
  
3. **REVIEW OF MINUTES –** October 15, 2020  
*Recommended Action: Review and approve motion to file*
  
4. **REVIEW OF FINANCIAL REPORTS –** October 31, 2020  
*Recommended Action: Review and approve motion to file*
  
5. **GENERAL MANAGER’S REPORT –** Information item presented by the General Manager  
*Recommended Action: General Manager to summarize the report and respond to questions*
  
6. **KINNELOA IRRIGATION DISTRICT MASTER PLAN –** General Manager and Board to discuss the scope of a capital improvement, asset management or other plan as the successor or revision to the current Water Master Plan  
*Recommended Action: General Manager to respond to questions and receive input from the Board regarding preparation of this document*
  
7. **ADVANCED METER INFRASTRUCTURE –** Review and discuss proposal from Subeca to supply components for replacement of current meter reading system with an advanced system that provides real-time usage and other information such as leakage alerts to the District and to customers  
*Recommended Action: Review proposal and authorize General Manager to issue a purchase order*

## **8. INFORMATION ITEMS**

- a. Legislative Report for 2020 – James Ciampa, Public Water Agencies Group memo
- b. AQMD Proposal for generator operation during Public Safety Power Shutdown (PSPS) events – ACWA Memo

## **9. DIRECTOR REPORTS AND/OR COMMENTS –** In accordance with Government Code §54954.2

Directors may make brief announcements or brief reports on their own activities. Directors may ask a question for clarification, provide a reference to staff or other resources for information, request staff to report back to the Directors at a subsequent meeting, or act to direct staff to place a matter of business on a future agenda.

## **10. CALENDAR –** December 15, 2020    January 19,2021    February 16, 2021

## **11. ADJOURNMENT**

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In compliance with the Americans with Disabilities Act, if you are a disabled person and need a disability-related modification or accommodation to participate in this meeting, please contact the District office 48 hours prior to the meeting at 626-797-6295. Each item on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Material related to an item on this agenda submitted after distribution of the agenda packet is available for public review at the District office or online at the District's website <https://kinneoloairrigationdistrict.info>.

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# KINNELOA IRRIGATION DISTRICT

Regular Meeting – Board of Directors  
1999 Kinclair Drive, Pasadena, CA 91107  
Tuesday, October 20, 2020, 3:00 P.M.

## Minutes

### **Meeting conducted by teleconference under the provisions of Executive Order N-29-20.**

The meeting was conducted by teleconference pursuant to the Brown Act Waivers provided for under the Governor’s Executive Orders in response to COVID-19 State of Emergency. As stated in the agenda, there was no public location for attending the meeting in person, however the public was provided with alternative methods for participating via telephonically or by videoconference.

**DIRECTORS PRESENT:** Zoom teleconference/videoconference (Zoom): Tim Eldridge, Frank Griffith, Gordon Johnson, Gerrie Kilburn and Dave Moritz

**DIRECTORS ABSENT:** None

**STAFF PRESENT:** Zoom: General Manager Melvin Matthews, Office Manager Martin Aragon & Senior Facilities Operator Chris Burt

- 1. CALL TO ORDER:** Director/Chair Gordon Johnson called the meeting to order at 3:01 pm and called the roll. A quorum of Board Members was present. The Agenda was reviewed. No changes were requested.
- 2. PUBLIC COMMENT:** There were no public comments.
- 3. REVIEW OF MINUTES:** The meeting minutes from 9/15/2020 were reviewed and the following revisions were requested: On page 1, item 3, item 4 & item 6, “Gerri” changed to “Gerrie” and on page 1, item 3, “minute” changed to “minutes”. It was motioned by Gerrie Kilburn and seconded by Tim Eldridge to approve the minutes with indicated revisions. A roll call vote was taken and Directors Tim Eldridge, Frank Griffith, Gordon Johnson, Gerrie Kilburn and Dave Moritz all voted *AYE*.
- 4. REVIEW OF FINANCIAL REPORTS:** Director Dave Moritz reviewed the financial reports. It was motioned by Tim Eldridge/seconded by Frank Griffith to approve the Financial Report as presented for filing. A roll call vote was taken and directors Tim Eldridge, Frank Griffith, Gordon Johnson, Gerrie Kilburn and Dave Moritz all voted *AYE*.
- 5. GENERAL MANAGER’S REPORT:** General Manager’s report was presented, and no actions were taken.
- 6. PRODUCTION AND SALES REPORT FOR 2019-2020:** General Manager presented Production and Sales Report and no actions were taken.
- 7. ADVANCED METER INFRASTRUCTURE:** General Manager provided update regarding Advanced Meter Infrastructure (AMI) pilot program. Subeca Inc. representatives presented their product and answered questions.

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## Minutes

8. **INFORMATION ITEMS:** General Manager cautioned the use of Social Media to discuss District topics.

9. **DIRECTOR REPORTS AND/OR COMMENTS:**

**Frank Griffith:**

- Consider a study of long-term options for insuring water supply and improving production and reliability.
- Provide update for current cost of Metropolitan Water District supply.

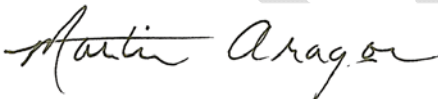
**Gordon Johnson:**

- Provide summary of Director requests under Director Reports and/or Comments for information, follow up and/or topics to be covered in future meetings.
- What would be the cost to connect to Rubio Canyon Land & Water Association?
- What is their water supply capability?
- Consider expanding Water Master Plan beyond infrastructure and include water supply concerns, recommendations, and timing.

10. **ADJOURNEMENT**

The meeting was adjourned at 5:03 pm.

Prepared and submitted by,



Martin Aragon  
Office Manager/Acting Board Clerk

**Kinneloa Irrigation District**  
**Income Statement for the Ten Months Ending October 31, 2020**

	Current Month Actual	Current Month Budget	Current Month Variance	Year to Date Actual	Year to Date Budget	Year to Date Variance
<b>Revenues</b>						
4000 Water Sales	162,620.39	115,000.00	47,620.39	1,435,608.15	1,276,000.00	159,608.15
4015 Wholesale Water Sales	0.00	0.00	0.00	35,406.96	0.00	35,406.96
4020 Service/Installation Charges	620.28	833.33	(213.05)	6,682.21	8,333.30	(1,651.09)
4035 Interest-Reserve Fund	1,240.50	2,500.00	(1,259.50)	19,744.90	25,000.00	(5,255.10)
4036 Unrealized Gain(Loss)-CalTRU	(1,263.29)	0.00	(1,263.29)	24,082.70	0.00	24,082.70
<b>Total Revenues</b>	<b>163,217.88</b>	<b>118,333.33</b>	<b>44,884.55</b>	<b>1,521,524.92</b>	<b>1,309,333.30</b>	<b>212,191.62</b>
<b>Expenses</b>						
5000 Leased Water Rights	0.00	0.00	0.00	63,135.00	63,135.00	0.00
5005 Electricity	14,349.14	12,000.00	2,349.14	110,381.79	101,000.00	9,381.79
5010 Maintenance/Repair Supplies	3,668.84	2,083.33	1,585.51	33,924.88	20,833.30	13,091.58
5011 Material and Labor for Install	0.00	833.33	(833.33)	0.00	8,333.30	(8,333.30)
5012 Safety Equipment	29.76	133.33	(103.57)	718.89	1,333.30	(614.41)
5015 Operations Labor	20,285.16	17,200.00	3,085.16	168,322.92	172,000.00	(3,677.08)
5016 Operations OT	954.18	1,125.00	(170.82)	12,382.92	11,250.00	1,132.92
5020 Stand-by Compensation	930.00	915.00	15.00	9,300.00	9,150.00	150.00
5022 Training/Certification	0.00	133.33	(133.33)	150.00	1,333.30	(1,183.30)
5025 Water Treatment/Analysis	2,347.69	1,833.33	514.36	24,823.70	18,333.30	6,490.40
5030 Maintenance/Repair Contractors	7,217.68	10,833.33	(3,615.65)	119,589.64	108,333.30	11,256.34
5034 Equipment Maintenance	150.00	1,250.00	(1,100.00)	14,542.29	12,500.00	2,042.29
5035 Vehicle Maintenance	3,257.62	1,250.00	2,007.62	8,954.45	12,500.00	(3,545.55)
5036 Fuel	1,221.39	1,250.00	(28.61)	12,801.41	12,500.00	301.41
5045 Insurance-Workers Comp.	0.00	0.00	0.00	9,456.12	15,000.00	(5,543.88)
5046 Insurance-Liability	0.00	1,333.33	(1,333.33)	11,533.52	13,333.30	(1,799.78)
5048 Insurance-Property	196.04	208.33	(12.29)	1,815.28	2,083.30	(268.02)
5049 Insurance-Medical	5,895.81	7,375.00	(1,479.19)	69,133.23	73,750.00	(4,616.77)
6000 Engineering Services	0.00	3,958.33	(3,958.33)	27,791.38	39,583.30	(11,791.92)
6005 Watermaster Services	870.08	1,000.00	(129.92)	8,762.38	10,000.00	(1,237.62)
6015 Administrative Salary	12,063.48	12,833.33	(769.85)	119,198.65	128,333.30	(9,134.65)
6017 Administrative Travel	0.00	250.00	(250.00)	454.70	2,500.00	(2,045.30)
6020 Board Compensation	450.00	700.00	(250.00)	5,400.00	7,000.00	(1,600.00)
6021 Administrative & Board Exp.	625.00	83.33	541.67	1,017.13	833.30	183.83
6022 Board of Directors Election	0.00	0.00	0.00	211.03	0.00	211.03
6024 Customer/Public Info. Prog.	200.00	166.67	33.33	2,013.58	1,666.70	346.88
6025 PERS - KID	3,721.75	3,000.00	721.75	30,744.48	30,000.00	744.48
6030 Social Security - KID	2,779.19	2,416.67	362.52	24,930.62	24,166.70	763.92
6031 Medicare - KID	650.02	566.67	83.35	5,830.78	5,666.70	164.08
6035 Office/Computer Supplies	551.71	583.33	(31.62)	5,968.33	5,833.30	135.03
6036 Postage/Delivery	498.60	416.67	81.93	3,506.70	4,166.70	(660.00)
6040 Professional Dues	1,176.57	1,000.00	176.57	11,757.88	10,000.00	1,757.88
6045 Legal Services	1,110.88	1,250.00	(139.12)	8,690.81	12,500.00	(3,809.19)
6050 Telephone	381.03	375.00	6.03	3,728.25	3,750.00	(21.75)
6051 Mobile Telephone	21.06	125.00	(103.94)	208.86	1,250.00	(1,041.14)
6052 Pagers	34.81	41.67	(6.86)	346.63	416.70	(70.07)

**Kinneloa Irrigation District**  
**Income Statement for the Ten Months Ending October 31, 2020**

	Current Month Actual	Current Month Budget	Current Month Variance	Year to Date Actual	Year to Date Budget	Year to Date Variance
6053 Internet Service	69.99	83.33	(13.34)	699.90	833.30	(133.40)
6059 Computer Software Maintenance	368.37	1,000.00	(631.63)	6,264.10	10,000.00	(3,735.90)
6061 Office Equipment Maintenance	0.00	83.33	(83.33)	0.00	833.30	(833.30)
6065 Accounting Services	0.00	0.00	0.00	7,100.00	7,000.00	100.00
6070 Office & Accounting Labor	10,818.75	9,125.00	1,693.75	96,033.75	91,250.00	4,783.75
6075 Professional/Contract Services	1,994.43	2,333.33	(338.90)	20,908.98	23,333.30	(2,424.32)
6080 Administrative Fees	953.73	750.00	203.73	9,379.40	7,500.00	1,879.40
6081 Permits/Fees	358.60	1,250.00	(891.40)	6,569.10	12,500.00	(5,930.90)
6086 Taxes - Sales/Use	3,388.03	0.00	3,388.03	6,887.51	500.00	6,387.51
6088 Interest Expense	0.00	0.00	0.00	31,490.37	31,490.00	0.37
6120 Bank Service Charges	850.35	541.67	308.68	7,244.19	5,416.70	1,827.49
<b>Total Expenses</b>	<b>104,439.74</b>	<b>103,689.97</b>	<b>749.77</b>	<b>1,124,105.53</b>	<b>1,135,024.70</b>	<b>(10,919.17)</b>
<b>Net Income</b>	<b>58,778.14</b>	<b>14,643.36</b>	<b>44,134.78</b>	<b>397,419.39</b>	<b>174,308.60</b>	<b>223,110.79</b>
<b>Other Expenditures</b>						
1504 Water Mains	0.00	0.00	0.00	43,463.68	43,510.00	(46.32)
1511 Water Treatment Plant	0.00	0.00	0.00	9,626.06	6,000.00	3,626.06
1512 Water Meters	0.00	4,000.00	(4,000.00)	6,142.82	5,000.00	1,142.82
1514 Computer/Office Equipment	0.00	0.00	0.00	0.00	1,000.00	(1,000.00)
1515 Vehicles & Portable Equipment	33,053.92	0.00	33,053.92	66,107.84	90,000.00	(23,892.16)
1516 Water Company Facilities	0.00	0.00	0.00	33,800.00	30,000.00	3,800.00
1527 SCADA Equipment	0.00	0.00	0.00	11,959.56	10,000.00	1,959.56
2400 Installment Purchase Agreement	0.00	0.00	0.00	68,610.61	68,611.00	(0.39)
<b>Total Other Expenditures</b>	<b>33,053.92</b>	<b>4,000.00</b>	<b>29,053.92</b>	<b>239,710.57</b>	<b>254,121.00</b>	<b>(14,410.43)</b>
<b>Total Increase or (Drawdown)</b>	<b>25,724.22</b>	<b>10,643.36</b>	<b>15,080.86</b>	<b>157,708.82</b>	<b>(79,812.40)</b>	<b>237,521.22</b>

**Kinneloa Irrigation District**  
**Balance Sheet as of October 31, 2020**

**ASSETS**

**Current Assets**

1010	Checking-Wells Fargo Bank	\$ 423,478.92
1012	Reserve Fund-LAIF	127,714.90
1014	Reserve Fund-CalTRUST	1,762,113.44
1016	Accrued Interest-LAIF	334.41
1100	Accts. Receivable-Water Sales	39,710.14
1113	Employee Loans	401.45
1190	Allowance for Bad Debts	(771.48)
1200	Inventory	20,000.00
1340	Accrued Water Sales	162,511.15
1350	Prepaid Insurance	16,671.40
1360	Prepaid Expenses	36,897.70

Total Current Assets

2,589,062.03

**Property and Equipment**

1501	Water Rights	52,060.41
1503	Land Sites	96,700.08
1504	Water Mains	3,627,981.45
1505	Water Tunnels	729,074.60
1506	K-3 Well	89,543.06
1507	Improvement District #1	602,778.12
1508	Mountain Property	6,620.00
1509	Wilcox Well/Wilcox Booster	94,030.98
1510	Interconnections	14,203.27
1511	Water Treatment Plant	201,251.88
1512	Water Meters	118,735.53
1513	Electrical/Electronic Equip.	256,918.72
1514	Computer/Office Equipment	75,922.12
1515	Vehicles & Portable Equipment	308,656.75
1516	Water Company Facilities	104,222.20
1517	KID Office	54,741.36
1518	Shaw Ranch	280,789.92
1519	Dove Creek Project	487,383.87
1520	Glen Reservoir/Booster	24,190.86
1521	Kinneloa Ridge Project	690,492.58
1522	Eucalyptus Booster Station	532,342.43
1526	Vosburg Booster	1,647,215.66
1527	SCADA Equipment	362,117.90
1528	Tanks and Reservoirs	119,491.90
1529	Holly Tanks	181,113.76
1530	Tools	6,273.13
1600	Accum. Depreciation	(5,253,645.76)

Total Property and Equipment

5,511,206.78

**Other Assets**

1901	PERS-Deferred Outflows	76,176.00
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Total Assets

\$ 8,176,444.81

**Kinneloa Irrigation District**  
**Balance Sheet as of October 31, 2020**

**LIABILITIES AND CAPITAL**

**Current Liabilities**

2000	Accounts Payable	\$ 26,362.62	
2272	Job Deposits	4,500.00	
2275	Deposits-Water Customers	255.02	
2290	Accrued Vacation	21,462.60	
		<hr/>	
	Total Current Liabilities		52,580.24

**Long-Term Liabilities**

2400	Installment Purchase Agreement	1,664,465.52	
2801	PERS- Net Liability	289,456.38	
2901	PERS- Deferred Inflows	38,397.00	
		<hr/>	
	Total Long-Term Liabilities		1,992,318.90
	Total Liabilities		2,044,899.14

**Capital**

3040	Fund Balance	5,733,750.26	
	Net Income	397,795.41	
		<hr/>	
	Total Capital		6,131,545.67
	Total Liabilities & Capital		\$ <u><u>8,176,444.81</u></u>



**Kinneloa Irrigation District**  
**Statement of Cash Flow**  
**For the Ten Months Ended October 31, 2020**

	Current Month	Year to Date
<b>Cash Flows from Operating Activities</b>		
Net Income	\$ 59,154.16	\$ 397,795.41
<i>Adjustments to reconcile net income to net cash provided by operating activities</i>		
1100 Accts. Receivable-Water Sales	(3,441.20)	4,169.54
1101 Accts. Receiv.-Service Charges	0.00	494.19
1113 Employee Loans	50.19	501.90
1340 Accrued Water Sales	51,384.69	(34,231.85)
1350 Prepaid Insurance	(16,453.56)	(5,533.76)
1360 Prepaid Expenses	(5,607.64)	(7,104.32)
2000 Accounts Payable	(13,917.81)	(5,829.62)
2272 Job Deposits	2,700.00	3,600.00
	14,714.67	(43,933.92)
<b>Net Cash Provided by Operations</b>	<b>73,868.83</b>	<b>353,861.49</b>
 <b>Cash Flows from Investing Activities</b>		
<i>Used for</i>		
1504 Water Mains	0.00	(43,463.68)
1511 Water Treatment Plant	0.00	(9,683.82)
1512 Water Meters	0.00	(6,142.82)
1515 Vehicles & Portable Equipment	(33,053.92)	(66,107.84)
1516 Water Company Facilities	0.00	(33,800.00)
1527 SCADA Equipment	0.00	(11,959.56)
	(33,053.92)	(171,157.72)
<b>Net Cash Used in Investing</b>	<b>(33,053.92)</b>	<b>(171,157.72)</b>
 <b>Cash Flows from Financing Activities</b>		
<i>Proceeds from</i>		
<i>Used for</i>		
2400 Installment Purchase Agreement	0.00	(68,610.61)
2801 PERS- Net Liability	(1,732.49)	(15,547.58)
	(1,732.49)	(84,158.19)
<b>Net Cash Used in Financing</b>	<b>(1,732.49)</b>	<b>(84,158.19)</b>
<b>Net Increase (Decrease) in Cash</b>	<b>\$ 39,082.42</b>	<b>\$ 98,545.58</b>
 <b>Summary</b>		
Cash Balance at End of Period	\$ 2,313,641.67	\$ 2,313,641.67
Cash Balance at Beg. of Period	(2,274,559.25)	(2,215,038.33)
<b>Net Increase (Decrease) in Cash</b>	<b>\$ 39,082.42</b>	<b>\$ 98,603.34</b>

**Kinneloa Irrigation District**  
**Check Register**  
**For the Period from October 1, 2020 to October 31, 2020**

<b>Date</b>	<b>Check #</b>	<b>Payee</b>	<b>Amount</b>	<b>Description</b>
10/15/20	EFT4479	Bernadette C. Allen	761.88	salary
10/15/20	EFT4480	Arthur M. Aragon	1,275.92	salary
10/15/20	EFT4481	Joel D. Bundy	1,671.48	salary
10/15/20	EFT4482	Christopher A. Burt	2,357.60	salary
10/15/20	EFT4483	Michele M. Ferrell	1,662.86	salary
10/15/20	EFT4484	Brian L. Fry	1,983.73	salary
10/15/20	EFT4485	Melvin L. Matthews	3,962.74	salary
10/15/20	EFT4486	Juan R. Tello	1,619.11	salary
10/15/20	EFT4487	Christopher A. Burt	150.00	salary
10/15/20	EFT4488	Automatic Data Processing, Inc.	6,535.54	payroll taxes and withholdings
10/16/20	EFT4489	Automatic Data Processing, Inc.	96.92	payroll processing fee
10/16/20	EFT4490	Arco Gaspro Plus	1,221.39	fuel for trucks
10/16/20	EFT4491	CA Public Employees Ret. Sys.	6,355.00	KID & employee retirement contributions
10/16/20	EFT4492	Pasadena Municipal Services	1,719.99	electricity for Wilcox Well
10/16/20	EFT4493	Southern California Edison Co.	12,454.58	electricity for 13 sites
10/16/20	EFT4494	Spectrum	375.71	phones and internet
10/16/20	EFT4495	VeriCheck, Inc.	119.35	echeck processing fees
10/16/20	9604	Assoc. of Calif. Water Agencies	7,830.00	2021 annual agency membership dues
10/16/20	9605	ACWA-JPIA	20,826.53	liability insurance for 10/1/2020 - 9/30/2021
10/16/20	9606	ACWA-JPIA	6,571.97	KID & employee health benefits contributions
10/16/20	9607	Consolidated Electrical Dist.	1,849.51	maintenance supplies
10/16/20	9608	Underground Service Alert	19.90	digalert
10/16/20	9609	Egan & Egan	6,400.00	auditing services
10/16/20	9610	Eurofins Eaton Analytical, Inc.	132.00	water sample analysis
10/16/20	9611	Foothill Municipal Water District	953.73	administrative fee
10/16/20	9612	Melvin L. Matthews	88.93	mileage reimbursement
10/16/20	9613	McMaster Carr	102.11	maintenance supplies
10/16/20	9614	National Auto Fleet Group	36,450.70	2020 Ford F-150
10/16/20	9615	Public Water Agencies Group	875.00	4th quarter 2020 legal services
10/16/20	9616	Ultimate Cleaning Solutions, Inc.	75.00	janitorial services
10/16/20	9617	Utility Service Co., Inc.	5,248.24	tank maintenance agreement
10/29/20	EFT4496	American Messaging Services	34.81	pager service
10/29/20	EFT4497	AT&T Mobility	126.36	FirstNet mobile phone service
10/29/20	EFT4498	Athens Services	215.69	trash pickup
10/29/20	EFT4499	Century Business Solutions	15.00	credit card processing fee
10/29/20	EFT4500	Umpqua Bank	2,359.22	credit card - se attached detail
10/29/20	9618	Aramark Uniform Services	82.37	shop rag service
10/29/20	9619	BrightView Landscape Services	1,490.00	landscape service
10/29/20	9620	Byrd Industrial Electronics	1,969.44	SCADA system troubleshooting
10/29/20	9621	Clinical Lab of San Bernardino	24.00	water sample analysis

**Kinneloa Irrigation District**  
**Check Register**  
**For the Period from October 1, 2020 to October 31, 2020**

<b>Date</b>	<b>Check #</b>	<b>Payee</b>	<b>Amount</b>	<b>Description</b>
10/29/20	9622	California Special Districts Assoc	5,478.00	CSDA Membership Dues 2021
10/29/20	9623	Eurofins Eaton Analytical, Inc.	105.60	water sample analysis
10/29/20	9624	Pump Man	150.00	Troubleshoot irrigation pump system
10/29/20	9625	Public Water Agencies Group	235.88	Emergency Preparedness Coordinator Salary
10/29/20	9626	Raymond Basin Mgmt Board	1,086.58	Title 22 monitoring
10/29/20	9627	Ueware, Inc.	4,600.00	billing software annual fee
10/29/20	9628	Western Water Works	1,160.16	meter boxes
10/31/20	EFT4501	Bernadette C. Allen	749.94	salary
10/31/20	EFT4502	Arthur M. Aragon	1,526.10	salary
10/31/20	EFT4503	Joel D. Bundy	1,775.48	salary
10/31/20	EFT4504	Christopher A. Burt	2,446.37	salary
10/31/20	EFT4505	Timothy J. Eldridge	138.52	salary
10/31/20	EFT4506	Michele M. Ferrell	1,699.15	salary
10/31/20	EFT4507	Brian L. Fry	2,000.89	salary
10/31/20	EFT4508	Francis J. Griffith	138.53	salary
10/31/20	EFT4509	Gerrie G. Kilburn	138.52	salary
10/31/20	EFT4510	Melvin L. Matthews	4,025.92	salary
10/31/20	EFT4511	Juan R. Tello	1,530.08	salary
10/31/20	EFT4512	Christopher A. Burt	150.00	salary
10/31/20	EFT4513	Automatic Data Processing, Inc.	6,766.00	payroll taxes and withholdings
10/31/20	EFT4514	Automatic Data Processing, Inc.	96.92	payroll processing fee
10/31/20	EFT4515	Century Business Solutions	382.46	credit card processing fee
<b>Total</b>			<b><u>174,445.41</u></b>	

**Credit Card Detail Umpqua Bank  
September 2020**

(Expenses incurred/billed in September and due/paid in October)

Acct. No.	Account Description	Additional Description	MLM	CAB	BLF	JDB	BCA	JRT	TOTAL
1511	Water Treatment Plant								\$0.00
1514	Computer/Office Equip.								\$0.00
5010	Maintenance Supplies	BLF: Zip-Tie & Marking Paint			\$36.66				\$36.66
5012	Safety Equipment	JRT: Water						\$7.74	\$7.74
5022	Training/Certification								\$0.00
5025	Water Treatment/Analysis	BLF: 40 Lbs Bags - Salt (126)			\$959.48				\$959.48
5035	Vehicle Maintenance	BLF: Sunshade			\$47.37				\$47.37
5036	Fuel								\$0.00
6017	Adm. Travel								\$0.00
6021	Adm. & Bd. Exp.	BLF: Keys; JDB: Employee Badges & Uniforms			\$28.54	\$331.59			\$360.13
6024	Customer/Public Info								\$0.00
6035	Office/Computer Supplies	MLM: Toner; BLF: Keys; JDB: Paper, Kleenex, Multifold Towels & Snacks	\$83.75		\$43.79	\$139.83			\$267.37
6036	Postage/Delivery	JDB: Stamps				\$331.80			\$331.80
6040	Professional Dues								\$0.00
6050	Telephone	MLM: Alert Communications	\$75.00						\$75.00
6051	Mobile Phone								\$0.00
6053	Internet Service								\$0.00
6059	Computer/Software Maint.	JDB: Mouse & Memory				\$73.67			\$73.67
6061	Office Equipment Maint.								\$0.00
6075	Outside Services	JDB: Streamline				\$200.00			\$200.00
6081	Permits/Fees								\$0.00
<b>TOTAL</b>			\$158.75	\$0.00	\$1,115.84	\$1,076.89	\$0.00	\$7.74	\$2,359.22

# General Manager's Report for the Board of Directors Meeting on November 17, 2020

## I. Customer Account Information and Internet Usage

### A. Delinquent Accounts –

25 accounts received past-due notice  
 25 accounts received late charges in the total amount of \$440.28  
 7 accounts received door hanger shut off notice  
 0 accounts were shut off for non-payment  
 0 accounts remain shut off for non-payment

### B. Aged Receivables –

Month	Current	30 days	60 days	90 days or greater	Total
November 2019	\$54,389.42	\$5,897.73	\$492.72	\$0.00	\$60,779.87
December 2019	\$39,429.62	\$4,242.43	\$207.63	\$0.00	\$43,879.68
January 2020	\$57,804.78	\$2,029.61	\$0.00	\$0.00	\$59,834.39
February 2020	\$43,425.93	\$2,189.30	\$0.00	\$0.00	\$45,615.23
March 2020	\$17,853.64	\$2,148.94	\$261.86	\$0.00	\$20,264.44
April 2020	\$20,241.55	\$3,075.96	\$320.44	\$24.85	\$23,662.80
May 2020	\$21,330.64	\$2,628.19	\$261.22	\$159.13	\$24,379.18
June 2020	\$26,619.22	\$1,657.73	\$0.00	\$0.00	\$28,276.95
July 2020	\$35,672.74	\$1,791.06	\$44.66	\$0.00	\$37,508.46
August 2020	\$27,970.57	\$2,624.99	\$0.00	\$0.00	\$30,595.56
September 2020	\$32,787.39	\$3,299.78	\$181.77	\$0.00	\$36,268.94
October 2020	\$35,165.98	\$3,020.50	\$1,102.31	\$97.99	\$39,386.78

### C. Website Usage and Online Payments –

Month	Users	Page Views	Online Payments	Online Amount
November 2019	*	*	82	\$23,583.46
December 2019	*	*	77	\$18,103.56
January 2020	222	633	86	\$16,487.54
February 2020	302	792	79	\$15,576.49
March 2020	261	676	71	\$13,884.21
April 2020	268	729	87	\$16,741.06
May 2020	296	798	92	\$15,222.42
June 2020	459	994	92	\$19,899.20
July 2020	354	1166	98	\$27,411.85
August 2020	276	708	100	\$30,398.55
September 2020	277	608	91	\$27,761.46
October 2020	278	654	109	\$35,098.93

\* No data due to transition to new website

## II. General Manager's Projects and Activities

- A. **Rate Hearing** – Public Hearing letter prepared and sent.
- B. **Pipeline Projects** – Reviewed and approved 100%-completion plans and specifications for the Sierra Madre Villa/Villa Heights pipeline project.
- C. **Office Manager Training**
- D. **Facilities Operator Training**
- E. **Advanced Meter Infrastructure** – Requested proposal.
- F. **Cyber Security Evaluation and Training – PWAG and Department of Homeland Security**
- G. **Activities/Meetings/Webinars/Conferences\***
  - 1. FMWD Board Meetings (Two this month)
  - 2. KID Board Meeting
  - 3. PWAG Meeting
  - 4. FMWD Managers Meeting
  - 5. KID Staff Meetings
  - 6. RBMB Meeting – Finance and Administration Committee
  - 7. Webinar – Weekly training for using the editing and other features of our website dashboard)
  - 8. Webinar – New pathways to building water infrastructure and optimizing budgets
  - 9. Special Districts Virtual Summit 2020
  - 10. CSDA Network Meeting
  - 11. Meeting with Subeca Representative – Advanced Meter Infrastructure Pilot Program
  - 12. Office Manager Training

\* Organization Acronyms:

ACWA – Association of California Water Agencies

ACWA JPIA – Association of California Water Agencies Joint Powers Insurance Authority

AWWA – American Water Works Association

CalTRUST – Investment Trust of California Joint Powers Authority

CSDA – California Special Districts Association

CUEA – California Utilities Emergency Association

FMWD – Foothill Municipal Water District

KID – Kinneloa Irrigation District

PWAG – Public Water Agencies Group

RBMB – Raymond Basin Management Board

RCAC – Rural Community Assistance Corporation

## III. Incident Reports and Facility Activities

### A. Incident Reports –

Customer Leaks	System Leaks	Water Waste	Water Quality	Customer Service*	Comments
0	1	0	0	4	System leak was on service line to customer on Hartwood Point

\* Customer service includes requests for water shutoff to facilitate customer plumbing repairs, inquiries about water bills, requests for leak checks and general questions.

**B. Current and Completed Capital Improvement, Facilities Improvement, Maintenance and Repair Projects and Activities –**

1. Routine daily and monthly activities
  - a. Operator training
  - b. Meter and transmitter maintenance and replacement
  - c. Water samples
  - d. Vehicle and equipment maintenance and testing
  - e. Facility cleanup
  - f. Production meter readings and report to RBMB
  - g. Chlorine generator maintenance
  - h. Meter reading
  - i. Customer service calls
  - j. Responding to Underground Service Alerts (USA's) to mark our pipelines
2. Facility and Equipment Repair and Maintenance for October
  - a. Wilcox Reservoir production meter replacement
  - b. K-3 Cl<sub>2</sub> metering pump test and Y filter repair
  - c. Holly Tanks overflow modifications
  - d. K-3 VFD temperature scaling
  - e. Vosburg Reservoir roof side panel and screen repair
  - f. West Tank butterfly valve repair
3. Capital Improvement and Maintenance Projects for 2020 (Completed or in progress)
  - a. Water softener installation at Glen for Far Mesa Cl<sub>2</sub> system
  - b. Two replacement pickup trucks
  - c. Replace chlorination equipment at Eucalyptus Reservoir for Eucalyptus Tunnel water
  - d. Solar power supplies for West Tank and Transfer Valve
  - e. Office driveway remove and replace

**C. Future Capital Improvement Projects, Facilities Improvement, Maintenance and Repair Projects –**

1. Sierra Madre Villa and Villa Heights Pipeline Improvement Project (Design phase in progress)
2. Brown/Glen Pipeline Improvement Project (Design phase in progress)
3. House Tunnel Pipeline repair
4. High/Low Tunnel Pipeline inspection
5. Valve maintenance
6. Vosburg security light modification
7. Glen area light repair
8. Radio mast at Holly
9. Wilcox Reservoir Warrick head and probe

IV. Water Supply Summary as of September for the Watermaster Year July 2020 through June 2021

Raymond Basin Groundwater (Acre Feet)		Kinneloa Irrigation District Water Tunnels (Acre Feet)	
Water Rights	516	Eucalyptus	5
Prior Year Carryover	52	Far Mesa	2
Less Temporary 30% Reduction in Water Rights	-155	Delores	2
Leases/Exchanges	0	House	0
Prior Year Spreading	93	Holly High/Low	4
Short Term Storage	134		
Current Year Spreading	0		
<b>Total Allowable Extractions</b>	<b>640</b>		
Less Water Extracted YTD This Watermaster Year	-182	Current Tunnel Monthly Production	13
Remaining Allowable Groundwater Extractions through June 2021	478	Remaining Estimated Tunnel Production through June 2021	117
<b>Total Available Water Supply (Remaining Allowable Groundwater + Remaining Estimated Tunnel Production through June 2021)</b>		<b>595 Acre Feet</b>	
Less Remaining Forecasted Retail Water Sales through June 2021		-366 Acre Feet	
<b>Surplus Water through June 2021*</b>		<b>229 Acre Feet</b>	

\* This is the forecasted surplus water available for sale in the current year and/or carryover to the next Watermaster year which starts on July 1 subject to the carryover limits established by the Raymond Basin Management Board. Regarding the available surplus water, we will generally maximize the carryover to the next year and deliver the balance of the forecasted surplus water (if any) to the City of Pasadena. In the 2019-2020 year, 119 Acre-Feet were sold to the City, 52 Acre-Feet were carried over to 2020-2021 and 134 Acre-Feet were put into our short-term storage account. Although we may lease additional pumping rights from another agency with surplus pumping rights, this is not considered a guaranteed source of supply since it is subject to negotiation. In addition to the available water, the KID has 774 Acre Feet in a long-term storage account. Additions to long-term storage are no longer permitted but withdrawals can be made at any time to supplement allowable extractions. However, since long-term storage is considered by KID staff to be an emergency supply, we do not plan to use or sell this water now.

V. Water Samples and Test Results – See Attachment A



# Attachment A

## Water Samples and Test Results

Sample Date	Source or Distribution	Lab	Description	# of tests	Results**	Maximum Contaminant Level* (MCL)
01/07/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
01/08/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
01/08/20	Distribution	Clinical	fluoride	6	1.2 - 1.7 ppm	3 ppm
01/15/20	Source	Weck	Title 22 VOC	66	ND or A	1 positive sample
01/15/20	Source	Weck	Title 22 fluoride	6	1.1 - 2.7	3 ppm
01/15/20	Source	Weck	Title 22 nitrate	3	1.6 - 4.2	10 ppm
01/21/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
02/04/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
02/04/20	Both	Eurofins	coliform, e. coli	72	ND or A	1 positive sample
02/12/20	Both	Eurofins	coliform, e. coli	16	ND or A	1 positive sample
02/13/20	Both	Eurofins	coliform, e. coli	16	ND or A	1 positive sample
02/19/20	Both	Eurofins	coliform, e. coli	72	ND or A	1 positive sample
03/03/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
03/04/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
03/04/20	Both	Eurofins	coliform, e. coli	16	ND or A	1 positive sample
03/11/20	Both	Eurofins	coliform, e. coli	16	ND or A	1 positive sample
03/12/20	Both	Eurofins	coliform, e. coli	16	ND or A	1 positive sample
03/17/20	Both	Eurofins	coliform, e. coli	72	ND or A	1 positive sample
04/01/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
04/01/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
04/01/20	Distribution	Clinical	fluoride	6	1.2 - 1.7 ppm	3 ppm
04/02/20	Source	Weck	Title 22 VOC	330	ND or A	1 positive sample
04/02/20	Source	Weck	Title 22 fluoride	6	1.2-2.7	3 ppm
04/02/20	Source	Weck	Title 22 nitrate	5	0.76-4.5	10 ppm
04/14/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
05/05/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
05/05/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
05/19/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
06/02/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
06/02/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
06/16/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
07/07/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
07/07/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
07/14/20	Source	Weck	fluoride	6	1.0-2.5	3 ppm
07/14/20	Source	Weck	Nitrate	2	3.9-4.2	10 ppm
07/14/20	Source	Weck	Perchlorate	6	ND	6 ppb
07/21/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
07/22/20	Distribution	Clinical	fluoride	6	1.2 - 1.5 ppm	3 ppm
08/04/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
08/04/20	Both	Eurofins	coliform, e. coli	72	ND or A	1 positive sample
08/10/20	Distribution	Weck	DBPR TTHM/HAA5	22	<1-26 ppb	80 ppb, 60 ppb
08/18/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample

# Attachment A

## Water Samples and Test Results

Sample Date	Source or Distribution	Lab	Description	# of tests	Results**	Maximum Contaminant Level* (MCL)
08/20/20	Both	Eurofins	coliform, e. coli	8	ND or A	1 positive sample
09/01/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
09/01/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
09/22/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample
10/06/20	Source	Weck	fluoride	6	1.1 - 2.7	3ppm
10/06/20	Source	Weck	Nitrate	2	4.2 - 4.3	10 ppm
10/06/20	Distribution	Clinical	color, odor, turbidity*	18	<MCL	15 units, 3 units, 5 units
10/06/20	Distribution	Clinical	fluoride	6	1.1 - 1.3 ppm	3ppm
10/06/20	Both	Eurofins	coliform, e. coli	80	ND or A	1 positive sample
10/20/20	Both	Eurofins	coliform, e. coli	64	ND or A	1 positive sample

**Total samples: 2192**

\* Color, odor, and turbidity are regulated by a secondary standard to maintain aesthetic qualities.

\*\* ppm = parts-per-million, ppb = parts-per-billion, pCi/L = picocuries per liter, <MCL = less than Maximum Contaminant Level, ND = not detected, A = Absence

The State of California Water Resources Control Board, Division of Drinking Water, provides access to water quality monitoring notification documents, including monitoring schedules and test results. The link for Kinneloa Irrigation District Water System Details is

[https://sdwis.waterboards.ca.gov/PDWW/JSP/WaterSystemDetail.jsp?tinwsys\\_is\\_number=2514&tinwsys\\_st\\_code=CA](https://sdwis.waterboards.ca.gov/PDWW/JSP/WaterSystemDetail.jsp?tinwsys_is_number=2514&tinwsys_st_code=CA)



# Memo

Date: November 17, 2020

To: Board of Directors

From: Mel Matthews

Subject: Master Plan for the Kinneloa Irrigation District

Recommended Action: Discuss Scope of Master Plan and provide input to the General Manager

## **Background**

The current *Water Master Plan* was primarily developed to address fire flow issues and general emergency preparedness issues that were raised after the 1993 Kinneloa Wildfire. Revision 4 of the plan provides a description of the KID's domestic water distribution system and prioritizes necessary improvements and provides cost estimates for implementing the improvements. It is a dynamic document that has been revised periodically to reflect completed projects, new projects and updated project costs.

Although many operational improvements are gained through completion of recommended projects, this master plan does not address many worthwhile projects that would improve the operational efficiency and reliability of the production and distribution system and is not intended to be a complete list of all capital improvement projects and does not address issues such as future water supplies. However, some of the other recommended projects are outlined in the Executive Summary and all major projects on the planning horizon are presented to the Board periodically for discussion and approval along with funding options when applicable. Revision 4 was approved by the Board at its meeting on July 31, 2018.

## **Suggested Topics for Discussion**

1. Should the District develop a new master plan that contains the recommended capital improvement projects and continue to pursue the pipeline and other projects in the current master plan or start completely from scratch and develop an asset management plan after an analysis of the useful remaining life of all the District's assets?

2. Should the new master plan include other issues such as water supply or should a separate document address these issues?
3. The original master plan was prepared by an outside consultant, but the revisions have kept the document current and useful without additional expense. However, should a consultant be used again to provide a fresh approach to the issues that the Board would like addressed?
4. What does the Board think should be included in the new master plan?

### **Summary and Conclusion**

Although the original document was created as a reaction to the 1993 firestorm for developing an improved emergency capability, the remaining projects in the revision provide general benefit to the District in both emergency and non-emergency situations. It has been used in conjunction with the recommended project list and the 10-year financial statement which includes actual and forecasted net income including capital and preventative maintenance projects.

As stated in the Executive Summary of the current plan, some projects such as construction of new or expanded reservoirs would be difficult to be achieved due to the extraordinary costs and the need for a complete environmental review process including an Environmental Impact Report. Increased storage is a desirable goal, but the current plan is intended to present the projects that can reasonably be expected to be completed in an affordable manner using District reserves or financing. Since pipeline and booster pump improvements are usually legislatively or categorically exempt from this costly and time-consuming process, the District has prioritized these projects. Storage projects and new wells provide operational redundancy and improve emergency preparedness, but these projects do not create additional water supplies.

The desired scope of a new master plan will determine if it can be accomplished in-house by me or whether it would be a worthwhile investment to engage a consultant who has experience in developing a plan beyond a typical capital improvement plan similar to the current master plan.

### **Recommendation**

I have limited time to spend on a new master plan without sacrificing other goals and objectives as well as continuing to manage the daily operations of the District. Therefore, after discussion of the scope of the District's master plan, I request that the board indicate whether I should continue to work on a new master similar to the current plan or whether I should issue a Request for Proposal from consultants that specialize in preparing master plans with the scope desired by the Board.



1999 KINCLAIR DRIVE, PASADENA, CALIFORNIA 91107-1017  
TELEPHONE (626) 797-6295 • FAX (626) 794-5552  
WEBSITE: [kinneloairrigationdistrict.info](http://kinneloairrigationdistrict.info)

# Memo

Date: November 13, 2020

To: Board of Directors

From: Mel Matthews

Subject: Subeca Quotation

Recommended Action: Authorize General Manager to issue a purchase orders to Subeca, Inc. for advanced meter infrastructure components per quotation 20224 dated 11-12-2020 to be delivered and invoiced over a three-year period

---

## **Background**

The District needs to start replacement of the current automated meter reading system due to the end of life for the radio transmitters and obsolescence of the hardware and software for this 11-year old system. We have been exploring alternatives for replacement of the system for two years, and have field tested two of the systems and evaluated the performance and capabilities of each system to provide meter readings, usage and leak alerts to the customer and to the District.

## **Summary and Conclusion**

The system from Subeca was the only system that demonstrated consistent communication to and from meters in all areas of the District as well as providing real-time data to the customer and the District. A quotation was requested from Subeca to cover components for all meters in the District as well as installation of three communication gateways. The quotation is included in the agenda packet. The intention is to purchase components over a three-year period but to lock in current pricing and quantity discounts by issuing a master purchase order.

If the current drive by radio read system is retained, we would need to replace the current transmitters and purchase a new handheld radio receiver. Therefore, the cost differential for the Subeca system is very reasonable considering the advantages to the customer and the District of real-time data.

The recommendation is to authorize the General Manager to issue a purchase order to Subeca, Inc. for advanced meter infrastructure components per quotation 20224 dated 11-12-2020 with the items to be delivered, invoiced and installed over a three-year period or sooner if desired to achieve a complete conversion for the benefit of the District or the customer.

# subecaAMiOT™

Subeca, Inc.  
2535 Kettner Blvd Suite 1A1  
San Diego CA 92101

November 12, 2020

Kinneloa Irrigation District  
Attn.: Melvin Matthews, General Manager  
1999 Kinclair Dr.  
Pasadena, CA 91107

Dear Mel:

Thank you for this opportunity to provide a proposal for deployment of Subeca AMiOT technology in Kinneloa Irrigation District. We were quite pleased with the testing of our communications in your challenging terrain and look forward to providing a solution that meets the high standards of both your agency and your customer base.

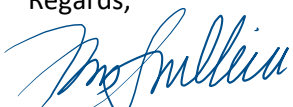
We have provided a quote based upon the database of meter inventory you provided with the following caveats:

**1. Proposal lines 1, 2, 3:**

- a. After removing the 3" and larger (we can discuss those separately), and the 2" Senses meter (all-in-one), I have 609 units quoted.
  - b. You may want to remove some of them based on "inactive" status. I count 11 inactive from the "sortable" sheet. The adjustment is simple enough.
  - c. We quoted one pin and meter adapter, and one link per connection point due to the size of parcels and distance from connection point to connection point.
2. **Line 4:** The meter box lid will be composite with the link imbedded into it – just about flush with the lid.
  3. **Line 5:** This is Subeca's annual fee for providing, hosting, and updating the Engage user platforms. It includes the Agency version for multiple users at no additional cost.
  4. **Line 6:** We are recommending three gateways to provide sufficient coverage.
  5. **Line 7:** Sennet LoRa licensing is per connection - \$2.40 per year (\$0.20 per connection per month). We will pass that through for year one. They will invoice directly in subsequent years.
  6. **Line 8:** Installation includes wiring, mounting, hardware, and project management.
  7. **Line 9:** We have included one ACT valve for reference (\$300 ea.). It is not part of the total. If you are interested in a program, or if any of your customers want to purchase through you, that is fine.
  8. We did not apply sales tax to installation or subscription/licensing.

I am available if you have questions: 760/275-2296

Regards,



John M. Soulliere  
Director of CA Utilities

# Quotation

**Subeca, Inc.**  
P.O. Box 6569  
McKinney, TX 75071



Date	Quote #
11/12/2020	20224

Name / Address
Kinneloa Irrigation District Melvin L Matthew 1999 Kinclair Drive Pasadena, CA 91107

Line	Spec No.	Description	Qty	Price	Total
1	12007	Subeca PIN with Neptune adaptor	448	120.00	53,760.00T
2	12008	Subeca Pin with Badger adaptor	157	120.00	18,840.00T
3	22002	Subeca LINK	605	195.00	117,975.00T
4	40001	Meter box lid replacement	605	30.00	18,150.00T
5	SubFee	Subeca Engage platform per connection point annual fee. Includes Agency Engage platform for multi-users.	605	8.40	5,082.00
6	70001	Gateway, 16 channel	3	1,900.00	5,700.00T
7	70004	Sennet License 16 channel Annual KID assumes payment after 12 months	605	2.40	1,452.00
8	90002	Installation of 3 gateways	3	5,000.00	15,000.00
9	60013	ACT 3/4" wireless valve	1	0.00	0.00T
		Note 1: This quotation is a Blanket Order Quotation. A single PO will be issued by KID for the entire order as quoted. KID will then issue a maximum of three releases, each release for immediate delivery, during a two year period from the PO issue date. The last release cannot exceed 24 months from the issue date of the PO. All gateways are shipped and installed with the initial release.			
		Note 2: Subeca will perform a site evaluation to determine the final mix of Pins and Links. In some areas a single Link may support multiple Pins.			
		Sales Tax		9.50%	20,370.38
TERMS-NET 30 DAYS FOB-DALLAS, TEXAS			<b>Total</b>		\$256,329.38



## MEMORANDUM

To: Public Water Agencies Group  
From: James Ciampa  
Re: Legislative Report  
Date: October 13, 2020

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Below is the final legislative report for the 2020 Legislative Year. This summary includes the action Governor Newsom took on bills by the September 30 deadline. Of the bills included in the report, three, AB 69, AB 2054 and AB 2296, were vetoed, which are shown in red. A few new bills have been added to the report, which are highlighted in blue. For those bills that did not make it out of the Legislature, we have deleted the summary in order to shorten the report, and merely refer to those bills as “dead.”

### ASSEMBLY BILLS

**AB 69 (Ting) – Accessory Dwelling Units:** This bill was further amended on July 28, July 31 and August 25 and now requires the State Treasurer to develop the Help Homeowners Add New Housing Program to assist homeowners in qualifying for loans to construct additional housing units on their property, including accessory dwelling units and junior accessory dwelling units. The bill was vetoed by Governor Newsom, who stated in his veto message that the financial structure proposed in the bill would negatively impact affordable housing production, as it could harm the Housing Finance Agency’s credit ratings.

**AB 134 (Bloom) – Drinking Water:** Dead.

**AB 196 (Gonzalez) – ~~Paid Family Leave~~ COVID-19:** This bill was gutted and amended on May 5, 2020 and now would codify Governor Newsom’s Executive Order regarding workers compensation and create a conclusive presumption [subsequently amended on August 25 to be a disputable presumption] that a worker in an essential industry who returns to work and contracts COVID-19 suffers an injury that arose in the course of employment. The bill would extend that presumption following termination of the employee’s service for a period of 90 days, commencing with the last date actually worked. The bill was placed in the Senate inactive file and did not make it out of the Legislature.



**AB 289 (Fong) – Public Records Act: Dead.**

**AB 291 (Chu) – Emergency Preparedness: Dead.**

**AB 292 (Quirk) – Recycled Water: Dead.**

**AB 402 (Quirk) – State Water Board – Local Primacy Delegation Funding: Dead.**

**AB 609 (Levine) – CEQA: Dead.**

**AB 685 (Reyes) – COVID-19 – Workplace Exposure Issues:** This bill would impose certain notification requirements on all private and public employers for any COVID-19 workplace exposures. The bill would specifically require that if an employer, manager, supervisor, or representative of the employer, is notified that an employee or employees were potentially exposed at the workplace to any person who has COVID-19, as defined in the bill, then the employer must take all of the following actions within 24 hours of notification of the exposure in the workplace:

(1) Provide a notice to all employees at the worksite, and any exclusive representative (if applicable), where the exposure occurred that they may have been exposed to COVID-19. This notification must be in writing and if the notice will not reach an employee within 24 hours, the employer must also notify the employee by e-mail or text message. Written notifications shall be in both English and the language understood by the majority of the employees. Employers may also notify workers verbally, including, but not limited to, a phone call, voicemail, or in person, if written notice will not reach them within 24 hours.

(2) Provide all employees who may have been exposed and the exclusive representative, if any, of instructions on home quarantine and or isolation and symptom monitoring, instructions to contact their medical provider or local health department about testing, referral to their local health department, and information regarding rights of the employee under applicable federal, state, or local laws, including sick leave and workers' compensation, company leave policies, or negotiated leave provisions.

(3) Notify all employees and the exclusive representative, if any, on the cleaning, disinfecting, and safety plan that the employer plans to implement prior to resuming work.

The bill would also require an employer or a manager, supervisor, or representative of the employer who is notified that an employee has COVID-19, as defined in the bill, within 24 hours of that notification, to notify the California Department of Public Health and the appropriate local public health agency of the names and number of employees by industry and occupation who have COVID-19. The bill would give Cal-OSHA authority to issue citations and impose civil penalties in enforcing the notice requirements. **Signed into law.**

**AB 722 (Bigelow) – Dam Fees: Dead.**

**AB 955 (Gipson) – Water Replenishment District: Dead.**

**AB 975 (Calderon) – Environmental Protection: Dead.**

**AB 992 (Mullin) - Brown Act:** The Brown Act prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. This bill was further amended on July 31 to clarify its provisions regarding board members’ social media posts in relation to the Brown Act and to add a sunset date of December 31, 2025. Specifically, the bill now would state that the Brown Act’s prohibition on out-of-meeting actions would not prevent a board member from engaging in separate conversations or communications outside of a meeting with any other person using an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter within the subject matter jurisdiction of the member’s legislative body, provided that a majority of the board members do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within that board’s subject matter jurisdiction. The bill would also prohibit a board member from responding directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body. **Signed into law.**

**AB 1253 (Rivas) – LAFCO Grant Program: Dead.**

**AB 1415 (Friedman) – Water Conservation – Reporting Requirements: Dead.**

**AB 1484 (Grayson) – Mitigation Fee Act: Dead.**

**AB 1492 (Boerner Horvath) – Telecommuting: Dead.**

**AB 1694 (O’Donnell) – San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy: Dead.**

### **2020 ASSEMBLY BILLS:**

**AB 1839 (Bonta) - California Green New Deal Council: Dead.**

**AB 1936 (Rodriguez) – Emergency Price Gouging – PSPS: Dead.**

**AB 1945 (Salas) - Emergency Services – Definition of “First Responder”:** This bill would, for purposes of the California Emergency Services Act, define “first responder” as an employee of the state or a local public agency who provides emergency response services, including a peace officer, firefighter, paramedic, emergency medical technician, public safety dispatcher, public safety telecommunicator, emergency response communication employee, rescue service personnel, or emergency manager. May 4 amendments address retirement benefit issues for first

responders. The June 29 amendments revise the definition of “public safety dispatcher or public safety telecommunicator.” **Signed into law.**

**AB 2017 (Mullin) – Employment – Kin Care Leave:** Existing law requires an employer who provides sick leave for employees to permit an employee to use the employee’s available sick leave entitlement to attend to the illness of a family member and prohibits an employer from denying an employee the right to use sick leave or taking specific discriminatory action against an employee for using, or attempting to exercise the right to use, sick leave to attend to such an illness. As amended on March 12, this bill would provide the designation of the sick leave taken for those purposes is at the sole discretion of the employee. **Signed into law.**

**AB 2054 (Kamlager) – Emergency Preparedness:** This bill would enact the Community Response Initiative to Strengthen Emergency Systems Act or the C.R.I.S.E.S. Act for the purpose of creating, implementing, and evaluating the C.R.I.S.E.S. Act Grant Pilot Program. The bill would require the Office of Emergency Services to establish rules and regulations for the act with the goal of making grants to community organizations operating in a minimum of 10 cities, over 3 years, for the purpose of expanding the participation of community organizations in emergency response for specified vulnerable populations. The bill would require a community organization receiving funds pursuant to the program to use the grant to stimulate and support involvement in emergency response activities. ~~The June 4 amendments would limit the number of grants to 12.~~ The July 8 amendments delete the limitation on the number of grants added by the June 4 amendments and require a minimum grant amount of \$250,000. **The bill was vetoed by Governor Newsom, who stated the Office of Emergency Services was not the appropriate state agency for the pilot program.**

**AB 2060 (Holden) – Lead Plumbing Fixtures:** **Dead.**

**AB 2070 (Levine) – Voting:** **Dead.**

**AB 2093 (Gloria) – Public Records Act:** **Dead.**

**AB 2095 (Cooper) – COVID-19 – Water Rates:** **Dead.**

**AB 2107 (Rodriguez and Gray) – Securitized Limited Obligation Notes -** This bill would extend the sunset date of Government Code Section 53839 from December 31, 2019 to December 31, 2024 to allow a special district to issue securitized limited obligation notes for the acquisition or improvement of land, facilities, or equipment. **Signed into law.**

**AB 2138 (Chau) – – Public Records Act:** **Dead.**

**AB 2143 (Stone) – Employment:** Existing law prohibits an agreement to settle an employment dispute from containing a provision that prohibits, prevents, or otherwise restricts a settling party that is an aggrieved person, as defined in the law, from working for the employer against which the aggrieved person has filed a claim. This bill would require the aggrieved person to have filed the claim in good faith for that prohibition to apply. Existing law creates an exception from the prohibition if the employer has made a good faith determination that the aggrieved person

engaged in sexual harassment or sexual assault. This bill would require the determination of such sexual assault or sexual harassment to be documented by the employer before the aggrieved person filed the claim. **Signed into law.**

**AB 2151 (Gallagher and Gonzalez) – Political Reform Act:** This bill would require a local agency to post on its internet website, within 72 hours of the applicable filing deadline, a copy of any campaign statement, pre-election statement, report, or other document filed with the agency in paper format as required by Government Code Sections 84200 and following. The bill would require that the statement, report, or other document be made available for four years from the date of the election associated with the filing. **Signed into law.**

**AB 2155 (Oberholte) – Conflict of Interest:** **Dead.**

**AB 2178 (Levine) - PSPS – Emergency Condition:** **Dead.**

**AB 2182 (Blanca Rubio) – PSPS – Alternative Power Source Use:** **Dead.**

**AB 2186 (Grayson) – Public Contracts:** **Dead.**

**AB 2296 (Quirk) – Local Primacy Agency Delegation – Funding Stabilization:** This bill is a follow up bill to AB 402, which remains pending in the Senate Appropriations Committee. Similar to AB 402, the goal of the bill is to incentivize local primacy agencies to maintain regulatory oversight of small water systems by providing a stable funding source. The bill could result in a modest increase in drinking water fees on all public water systems. However, without the program contemplated under the bill, some local primacy agencies would return regulatory oversight of systems in their counties to the State Water Board, which would then need to increase its overall fees to cover those costs. Thus, with or without the bill, public water systems will likely be faced with increased drinking water fees. **The bill was vetoed by Governor Newsom.** In his veto message, Governor Newsom stated the bill would require the State Water Board to increase fees to cover the costs of the program, and the total funding needed to fund the program would almost certainly exceed the State Water Board’s statutory funding cap. That would then mean the State Water Board would be unable to implement the program.

**AB 2311 (Low) – Public Contracting:** This bill would require a public entity, when required to use of a skilled and trained workforce (i.e., a skilled journeyman or apprentice, as defined in Public Contract Code Section 2601) to complete a contract or project, to include in all bid documents and construction contracts a notice that the project is subject to the skilled and trained workforce requirement. **Signed into law.**

**AB 2307 (Bonta) – Public Employee Labor Relations – Release Time:** **Dead.**

**AB 2322 (Friedman) – Small Water Supplier – Drought Planning:** **Dead.**

**AB 2334 (Levine) – Dig Alert:** **Dead.**

**AB 2355 (Bonta) – Medical Cannabis – Employment:** **Dead.**

**AB 2364 (Blanca Rubio) – MS4 Systems: Dead.**

**AB 2433 (Cooper) – Public Employee Labor Relations: Dead.**

**AB 2452 (C. Garcia) – High-Risk Local Government Audit Program: Dead.**

**AB 2502 (Quirk) – Groundwater Sustainability Plans – Managed Wetlands: Dead.**

**AB 2519 (Wood) – Conservation Project Grants – Advance Payments: Dead.**

**AB 2560 (Quirk) – Water Quality – SWRCB Process in Establishing Notification and Response Levels** – As amended, this bill would add the following procedural requirements for the State Water Board to follow:

When establishing or revising notification or response levels, the State Water Board shall do all of the following: (a) Electronically post on its internet website and distribute through email a notice informing interested persons that the State Board has initiated the development of a notification or response level; (b) Electronically post on its internet website and distribute through e-mail a notice that a **proposed** notification or response level is available. The notice shall include an electronic link to an internet webpage where the **proposed** level can be viewed electronically along with the complete study or studies **and the notification level recommendations document provided to the State Board by OEHHA, if applicable**, that were used to establish the level. **The notice shall indicate whether the study or studies were peer reviewed and whether only one study was used.** Notice and document availability shall occur at least **30** days before the meeting required under Item (c); and (c) before a proposed notification or response level is finalized, include, as an informational item, the proposed notification or response level at a regularly noticed State Board meeting.

Added by June 29 amendments: If the Division of Drinking Water finds that an acute contaminant presents a public health emergency calling for immediate action to avoid imminent harm to public health and safety, the State Board meeting requirement and the 30-day deadline for the notice and document availability requirement specified in Item (b) in the above paragraph shall not apply to the acute contaminant. DDW must instead issue a declaration confirming its finding within 30 days of making the finding. The August 24 amendments modify the foregoing language to provide that if the Division of Drinking Water finds a contaminant presents the potential for imminent harm to public health and safety, the requirement to publish the proposed level and the 30-day deadline for the notice and document availability requirement shall not apply to the establishment or revision of the notification level or response level for that contaminant. At the time the notification level or response level is established or revised DDW must post the information supporting its finding that the contaminant presents the potential for imminent harm to public health and safety. Within 45 days of establishing or revising the notification level or response level, the State Water Board must include, as an informational item, the notification level or response level at a regularly noticed meeting of the State Water Board.

This bill would develop a process by which the State Water Board would have to provide notice that it has initiated the development of a notification level or response level. Additionally, the State Water Board would be required to provide the public with the complete studies that were used to establish the level and submit the draft notification level or response level for external peer review. ACWA has taken a **Support** position on this bill. **Signed into law.**

**AB 2621 (Mullin) – Strategic Growth Council – Regional Climate Networks: Dead.**

**AB 2656 (Eggman) – Water Loss Audit Reports – Wholesale Suppliers: Dead.**

**AB 2676 (Quirk) – Public Records Act: Dead.**

**AB 2705 (Low) – Deenergization Events: Dead.**

**AB 2720 (Salas) – CEQA – Groundwater Recharge Projects – SGMA: Dead.**

**AB 2792 (Quirk) – Mobile Fueling On-Demand Tank Vehicles: Dead.**

**AB 2887 (Bonta, Chiu, Gipson and others) – COVID-19 Relief – As gutted and amended on March 16,** this bill, in the event of a state-declared public health state of emergency, including the COVID-19 pandemic, would provide each employee with paid sick days for immediate use, regardless of how long the employee has been employed. The bill would provide a full-time salaried employee paid sick days in an amount sufficient to provide the employee with 14 continuous days away from work, and would provide a part-time or hourly employee with paid sick days in an amount equal to the number of hours that the employee was scheduled to work, or, if not scheduled to work, regularly works in a 14-day period. The bill would authorize an employee to use those paid sick days to care for a family member affected by the public health crisis, to care for a child because of a school closing related to the public health crisis, or because the employee has been affected by the public health crisis. This bill would also, upon appropriation by the Legislature, require the Department of Industrial Relations to establish a program to provide paid sick days for family care and medical leave due to a public health crisis to independent contractors and day laborers.

The bill would also prohibit an irrigation district, municipal water district, county water district, or California water district, or water corporation, which includes a mutual water company, from terminating residential or small commercial water service for nonpayment for the first 3 billing cycles following a state of emergency or major disaster for a customer that may have been affected by the emergency or major disaster, except in compliance with the bill's requirements, which provide:

- (a) A district shall include a notice in the first three billing statements made to those residential and small commercial water service customers that may have been affected by the state of emergency or major disaster, informing those 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 in full



within the normal period for payment, the customer may apply for an amortization agreement or other extension, to pay the unpaid balance within a reasonable period of time, not to exceed 12 months. The notice shall include the means by which the customer may, in writing, seek an amortization agreement or other extension to pay and shall include means by which the customer can apply for an amortization agreement or other extension electronically over the internet.

- (b) Any residential or small commercial customer that represents to the district that the customer suffered financially as a result of the conditions associated with the state of emergency or major disaster, and that as a result the customer is unable to pay for water service in full within the normal period for payment, shall be granted an extension or be permitted to amortize the unpaid amounts asserted to be beyond the means of the customer to pay within the normal period for payment, over a period not to exceed 12 months.
- (c) No termination of service shall be effected for any customer complying with an amortization agreement, if the customer also keeps the account current as charges accrue in each subsequent billing period following the first three billing statements made following the state of emergency or major disaster.

**Dead.**

**AB 2943 (Ting) – Surplus Land: Dead.**

**AB 2947 (Bonta) – Discrimination: Dead.**

**AB 2987 (Flora) – Public Contracts – Bidding: Dead.**

**AB 2992 (Weber) – Family Leave -** Among other proposed changes, this bill would require an employer to allow family and medical leave of up to 12 workweeks in any 12-month period, if the employer employs 50 or more employees within 75 miles of the worksite where the employee is employed, 6 workweeks in any 12-month period for family care or medical leave, if the employer employs between 20 and 49 employees within 75 miles of the worksite where the employee is employed, and 2 workweeks in any 12-month period for family care or medical leave, if the employer employs between one and 19 employees within 75 miles of the worksite where the employee is employed. The May 11 amendments deleted the family and medical leave provisions and narrowed the bill so that it now applies to crime victims and victims of domestic violence and stalking. **Signed into law.**

**AB 2999 (Low) – Bereavement Leave: Dead.**

**AB 3048 (Flora) – Safe Drinking Water Act: Dead.**

**AB 3054 (Salas) – CEQA – Disclosure of Financial Contributions: Dead.**

**AB 3123 (Gonzalez) – COVID-19 – Employment: Dead.**

**AB 3147 (Gabriel) - Mitigation Fee Act: Dead.**

**AB 3149 (Gloria) - Mitigation Fee Act: Dead.**

**AB 3191 (Gray) – Utility Vehicles: Dead.**

**AB 3197 (Diep) – Public Works Contractor Registration: Dead.**

**AB 3232 (Friedman) – Commercial Washing Machines – Microfiber Filters: Dead.**

**AB 3256 (E. Garcia, Bloom, etc.) – Bond Measure: Dead.**

**AB 3279 (Friedman) – CEQA – Judicial Proceedings: Dead.**

**AB 3290 (E. Garcia) – Subletting and Subcontracting Fair Practices Act: Dead.**

## **SENATE BILLS**

**SB 45 (Allen) – Wildfire, Drought and Flood Protection Bond Act of 2020 (not sure which election in 2020): Dead.**

**SB 55 (Jackson) – CEQA: Dead.**

**SB 204 (Dodd) – State Water Project: Dead.**

**SB 414 (Caballero) – Small System Water Authority Act: Dead.**

**SB 431 (McGuire and Glazer) – Emergency Telephone Services: Dead.**

**SB 668 (Rubio) – Emergency Preparedness: Dead.**

**SB 749 (Durazo) – Public Records Act: Dead.**

**SB 775 (Susan Rubio) – Mutual Water Companies – Tax-Exempt Status: Dead.**

## **2020 SENATE BILLS:**

**SB 625 (Bradford) – Central Basin Municipal Water District Governance: Dead.**

**SB 862 (Dodd) – PSPS: Dead.**

**SB 865 (Hill) – Dig Alert** – This bill would make certain organizational changes to the Dig Safe Board, which oversees the Dig Alert system. The bill would add a new requirement that commencing January 1, 2023, all new subsurface installations shall be mapped using GIS and



maintained as permanent records of the installation's operator. The bill would also require the excavator to notify the regional notification center within 48 hours of discovering or causing damage. **Signed into law.**

**SB 931 (Wieckowski) – Brown Act: Dead.**

**SB 950 (Jackson) – CEQA: Dead.**

**SB 952 (Nielsen) – Sales and Use Taxes – Exemption for Backup Energy Sources during a PSPS: Dead.**

**SB 971 (Hertzberg) – Small Water Supplier Drought Planning: Dead.**

**SB 974 (Hurtado) – CEQA** - This bill would exempt from CEQA certain projects (including treatment, storage and distribution projects) that benefit a small community water system (less than 3,300 service connections) that primarily serves one or more disadvantaged communities, by improving the small community water system's water quality, water supply, or water supply reliability, or by encouraging water conservation. As amended on March 24 and June 2, the bill was limited to only projects where the water exceeds maximum contaminant levels for primary or secondary drinking water standards or where the drinking water well is no longer able to produce an adequate supply of safe drinking water. To qualify for this CEQA exemption, the bill would require these projects to meet certain conditions, including fully mitigating all construction impacts and not affecting wetlands or sensitive habitat. The bill was further amended on June 18 to change the statute where it would be housed (new Public Resources Code Section 21080.47) and to add a condition to the exemption to require public agency projects to employ apprentices and for private projects to pay prevailing wages. As further amended on August 20, the bill would require the lead agency, before determining a project is exempt under these provisions, to contact the State Water Board to determine whether claiming the exemption would affect the ability of the small disadvantaged community water system or the state small water system from receiving federal financial assistance or federally capitalized financial assistance. **Signed into law.**

**SB 996 (Portantino) – Constituents of Emerging Concern: Dead.**

**SB 998 (Moorlach) – Public Agency Investments** – As applicable to the Group, this bill would limit a local agency, other than a county or a city and a county, to invest no more than 10 percent of its total investment assets in the commercial paper and the medium-term notes of any single issuer. **Signed into law.**

**SB 1044 (Allen) – PFAS – Firefighting Equipment and Foam** – This bill would place restrictions on the sale of firefighting personal protective equipment and foam than contains PFAS. **Signed into law.**

**SB 1056 (Portantino and L. Gonzalez) – PFAS Testing: Dead.**

**SB 1069 (Jackson) – Emergencies – Telecommunications: Dead.**

**SB 1096 (Caballero) – Consolidation of Water Systems: Dead.**

**SB 1099 (Dodd) – Emergency Backup Generators: Dead.**

**SB 1159 (Hill) – COVID-19 – Workers Compensation:** For workers compensation purposes, this bill would, until January 1, 2023, define “injury” for an employee to include illness or death resulting from COVID-19. The bill would create a disputable presumption that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. That presumption may be contested with other evidence. The bill would require an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits.

The bill includes three separate statutes that set forth the parameters of the bill. One statute, Labor Code Section 3212.86, applies where an employee tested positive for or was diagnosed with COVID-19 within 14 days after a day the employee performed labor or services at the employee’s place of employment and the day on which the employee performed labor or services at the employee’s place of employment at the employer’s direction was on or after March 19, 2020, and on or before July 5, 2020. The second statute (Labor Code Section 3212.87) applies primarily to various types of firefighters.

The third statute (Labor Code Section 3212.88) applies where the day on which the labor or services were performed was on or after July 6, 2020. That statute only applies if there is an “outbreak” and the employer has five or more employees. For an employer with less than 100 employees, “outbreak” is defined as where, within 14 calendar days, four or employees test positive for COVID-19 or the place of employment is ordered closed by the state or county. Section 3212.88 includes a provision that specifies the type of evidence that can be used to rebut the presumption, including, but not limited to, evidence of measures in place to reduce potential transmission of COVID-19 at the place of employment and evidence of an employee’s nonoccupational risks of COVID-19 infection.

Section 3212.88 also includes a reporting requirement. When the employer knows or reasonably should know that an employee has tested positive for COVID-19, the employer must report to its workers compensation claims administrator in writing via electronic mail or facsimile within three business days all of the following: (1) that an employee has tested positive; (2) the date the employee tested positive, which is the date the specimen was collected for testing; (3) the specific address or addresses of the employee’s specific place of employment during the 14-day period preceding the date of the employee’s positive test; and (4) the highest number of employees who reported to work at the employee’s specific place of employment in the 45-day period preceding the last day the employee worked at each specific place of employment.

The bill would also make a claim relating to a COVID-19 illness presumptively compensable, after 30 days or 45 days, rather than 90 days. Until January 1, 2023, the bill would allow for a presumption of injury for all employees whose fellow employees at their place of employment experience specified levels of positive testing, and whose employer has 5 or more employees.

This bill would require the Commission on Health and Safety and Workers' Compensation to conduct a study of the impacts of COVID-19 and the specific presumptions created by this bill and report its findings to the Legislature and the Governor (preliminary report is due by December 31, 2021). **Signed into law.**

**SB 1184 (Stern) – Fire Hydrant Agreements:** **Dead.**

**SB 1185 (Moorlach) – Natural Gas Powered Generators – PSPS:** **Dead.**

**SB 1188 (Stern) – California Water Plan:** **Dead.**

**SB 1194 (Archuleta) – WRD – Bidding Requirements:** **Dead.**

**SB 1217 (Dahle) – Indoor Residential Water Use Targets:** **Dead.**

**SB 1280 (Monning) – Consolidation of Water Systems:** **Dead.**

**SB 1297 (Moorlach) – Public Employee Retirement:** **Dead.**

**SB 1312 (McGuire and Stern) – Deenergization – Prudency Standard:** **Dead.**

**SB 1313 (McGuire) – Deenergization Events - Notification:** **Dead.**

**SB 1378 (Borgeas) – CEQA – Disclosure of Financial Contributions:** **Dead.**

**SB 1383 (Jackson, with co-authors) – California Family Rights Act:** **The California Family Rights Act, as it currently exists in Government Code Section 12945.6, requires family leave to be provided under specified circumstances by all public employers and by any private employer with 20 or more employees. This bill would reduce the threshold for private employers to employers with 5 or more employees, and thus would impact those mutual water companies with between 5 and 19 employees who are not otherwise voluntarily complying with the California Family Rights Act.** **Signed into law.**

**SB 1386 (Moorlach) – Local Government Fees and Charges – Proposition 218** – This bill was introduced in response to the statewide Proposition 218 class action lawsuit that seeks to have the fire protection components of water rates be declared as illegal under Proposition 218 because, as alleged, fire protection is a “general governmental service” and Prop. 218 prohibits the costs for such general governmental services from being recovered in water rates. The proposed July 27 amendments would state that hydrants are part of the system of public improvements included in the definition of “water” for purposes of the Proposition 218 Omnibus Implementation Act. The bill would specify that a property-related water service fee or charge by a local agency may include the costs to construct, maintain, repair, or replace hydrants to comply with fire codes and industry standards, and may include the cost of water distributed through hydrants. The July 28 amendments added a provision to authorize fees or charges for the aspects of water service related to hydrants and the water distributed through them to be fixed and

collected as a separate fee or charge, or included in the other water rates and charges fixed and collected by a public agency. **Signed into law.**

**SB 1473 (Committee on Governance and Finance) – Local Government Omnibus Act of 2020:** This bill includes a variety of provisions relating to local government. Of particular interest to the Group are the following additions to various statutes:

- Changes to the Government Claims Act that permit a local agency to allow the submission of claims electronically pursuant to an ordinance or resolution that authorizes that to occur and specifies the manner in which any such claim is to be submitted. The bill also authorizes an agency to require a proof of electronic service to be provided, as set forth in the Code of Civil Procedure. The bill also allows various responses to claims to be made electronically if the claim was submitted electronically.
- With respect to the adoption of ordinances (for which special districts do not have a specific statutory procedure), the bill allows a county to waive the reading of an ordinance if the title of the ordinance is included on the published agenda and a copy of the full ordinance is included on the county's website and is available in print at the meeting.
- The bill clarifies the information which must be posted on a special district's website under AB 1483 (see our prior July 28, 2020 memorandum on those requirements). The bill now specifically requires that the information presented on the agency's website must clearly identify the fees that apply to each new water and sewer utility connection. **Signed into law.**

**Budget Trailer Bill – Safe Drinking Water, Wildfire Prevention and Natural Resources Protection Bond of 2020:** **Dead.**

**RE: South Coast Air Quality Management District Rule Change Proposal – PSPS Generator Flexibility**

To the ACWA State Legislative Committee:

Please find attached to this cover letter a draft write-up of a proposal provided to ACWA by the South Coast Air Quality Management District (South Coast) for an administrative alternative to SB 1099 (Dodd & Glazer).

Background

In the fall of 2019, the newly implemented Public Safety Power Shutoff (PSPS) events in SCE and PG&E territories caused a number of challenges for ACWA members. Among one of those challenges was a lack of flexibility for the use of backup generators during these PSPS Events. While this is a statewide challenge, South Coast has the strictest emergency generator rules in the state, limiting emergency generator runtime to 200 hours and testing and maintenance to 20 hours.

ACWA and CMUA both sponsored bills to address these challenges; ACWA sponsored AB 2182 (Rubio), and CMUA sponsored SB 1099 (Dodd & Glazer). Other bills related to these challenges were also introduced during the current legislative session, including SB 802 (Glazer), which was sponsored by the California Hospital Association. As a result of these collective legislative efforts, South Coast has offered to provide some administrative certainty by amending two of its existing rules related to both runtime and testing and maintenance limits.

Summary of South Coast Proposal

This proposal would amend two existing South Coast rules: Rule 1110.2 related to runtime limits and Rule 1470 related to testing and maintenance.

Changes to Rule 1110.2 would create a mechanism for an automatic variance in specified emergency conditions. All standard excess pollution fees would still be applicable. If an agency chronically needed these automatic variances (over a few consecutive years) South Coast would work with that agency on a technically and economically feasible replacement schedule for those generators.

The changes to Rule 1470 would be optional for ACWA members to use. Any agency interested in additional testing and maintenance hours would be able to opt-in to a generator upgrade schedule in exchange for additional hours.

ACWA Staff will provide an update on this item during the August 14, 2020 SLC. The proposal provided to ACWA is attached to this cover letter.

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## South Coast Proposal

### SB 1099 – Proposal by South Coast Air Quality Management District for a Non-Legislative Solution

South Coast Air Quality Management District (South Coast AQMD) and the stakeholders sponsoring SB 1099 are interested in negotiating a global, non-legislative solution to address concerns related to the operation of backup generators (BUGs) by critical facilities during a Public Safety Power Shutoff (PSPS) and for the testing and maintenance of those BUGs, so they are ready to be used during a PSPS or other loss of power. As an alternative to SB 1099 or other BUG-related legislation by the California Municipal Utilities Association, the Las Virgenes Municipal Water District, the Association of California Water Agencies, and the California Hospital Association, as authored by Senators Dodd and Glazer, South Coast AQMD staff can commit to pursue rulemaking based on the rule amendment concepts provided below.

#### Notes:

- All proposed rules must undergo a CEQA analysis, go through a public process, including possible working group meetings, South Coast AQMD committee meetings, and be approved by the South Coast AQMD Governing Board, and in the case of Rule 1110.2, ultimately be approved by U.S. EPA.
- Initial thinking is that these provisions would only be available for essential public services, including hospitals, as defined by rule.

### **Proposed Amendments to Rule 1110.2 to Allow Operation of an Emergency Backup Engine More than 200 Hours per Year Due to a PSPS**

*Overview: Rule 1110.2 currently exempts back up engines from meeting, NOx, VOC, and CO emission limits, provided they do not operate more than 200 hours per year (including testing, maintenance, and emergencies)*

- Proposed Amended Rule 1110.2 would allow an essential public service to exceed the 200 hours of operation per year limit provided:
  - Operator simply notifies the South Coast AQMD that they are going to or have exceeded the 200 hours/year limit on operating a BUG (this altogether avoids the variance process)
  - Operator provides proof of the PSPS event– location, date, time, and duration
    - Staff is willing to explore if there are other emergencies that could be considered as part of this provision, but would like to keep the provision narrow
  - Operator pays an excess emission fee that would be used to help fund replacement of older dirtier engines (excess emission fees are part of the existing variance process as well, so this is not a new concept)
    - Staff will explore a sliding fee scale based on the age and emissions of the existing engines – cleaner engines pay lower or possibly no fee
    - Any fee would be incorporated into the rule to ensure transparency
    - A voluntary commitment to a schedule to replace older engine could allow the fee to be waived
- Staff will explore through rulemaking a provision to replace older higher emitting engines that are exceeding the 200 hours/year on a frequent basis (chronic exceedances)
  - Areas to explore are age and emissions of the engine, number of hours beyond the 200 hours limit, and frequency of exceeding the 200 hours/year (i.e. exceeded 200 hrs. multiple years in a row)
  - Any replacement schedule would be technically and economically feasible and make allowances for economic hardship.

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- This rule change would provide certainty for critical facilities before any exceedance, and the variance process would remain a viable option.

## Proposed Amendments to Rule 1470 to Address Testing and Maintenance Hours

*Overview: Rule 1470 establishes annual limits on testing and maintenance hours. Engines with a PM emission rate > 0.4 g/bhp-hr are limited to 20 hours per year. The cleaner the engine, the more testing and maintenance hours are allowed. Rule 1470 implements and mirrors CARB's statewide Air Toxics Control Measure (ATCM) for diesel engines and must be as stringent or more stringent than the ATCM per statute.*

- Concept for Proposed Amended Rule 1470:
  - Add an **optional** provision that would allow an additional 10 testing and maintenance hours per year, in exchange for establishing a schedule for replacing the dirtier engine. If the current rule testing limits are met, no replacement would be required.
  - Staff is considering a replacement schedule of approximately 5 years
    - Through the rulemaking process staff will discuss additional time for engine replacements that may be allowed depending on the age of the engine, tier, and number of engines that need to be replaced at a particular agency or facility
- South Coast AQMD staff will work with CARB to demonstrate that Rule 1470 will achieve the same or greater reductions as the state ATCM because the older higher emitting engine will be replaced with a much cleaner engine
  - This approach, if approved by CARB, will not require CARB to modify the state ATCM for diesel engines
- For replacement schedules, South Coast AQMD will use its best efforts to develop offramps for economic and technical feasibility along with economic hardship considerations.
- South Coast AQMD is committed to exploring how existing incentive programs could be used to offset costs.

## Takeaway Points

- South Coast AQMD Rule concepts are designed to address stakeholder concerns, provide certainty and flexibility, be health protective, and satisfy state and federal requirements
- Once adopted by Governing Board, provides certainty because provisions are established upfront. No risk that there are additional conditions added by the Hearing Board
- Lower cost, faster and simpler approach:
  - Simple Notice needed for Rule 1110.2
  - No Hearing Board fees
  - No attorney fees
  - No time needed to prepare or to appear in front of the Hearing Board
  - Staff is considering the same excess emission fees that could be assessed by the Hearing Board through the variance process, but will be further discussed through the rulemaking
- For Rule 1470, provides a creative alternative to the mandated statewide ATCM limits
- Hearing Board is the back-up
  - If there are any issues with adopted/amended rules, operators can still go to the Hearing Board for variances or emergency variances.