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Agenda of:  
**Regular Public Meeting**  
Of the  
**Forestville Water District Board of Directors**

Date: **Tuesday, June 14, 2022**

Time: **5:30 PM**

Location: **Virtual video conference**

*In accordance with AB 361, Governor Newsom's March 4, 2020, State of Emergency due to the COVID-19 pandemic, Sonoma County Public Health Officer's Recommendation for Teleconferenced Meetings, and the Forestville Water District Board of Directors Resolution 413(g), the June 14, 2022, Board of Supervisors Meeting will be facilitated using virtual format with listening and participation available through Zoom.*

*Forestville Water District ("District"), in complying with the Americans with Disabilities Act ("ADA"), requests individuals who require special accommodations to access and/or participate in District Board meetings, to please contact the District office at (707) 887-1551 or [info@forestvillewd.com](mailto:info@forestvillewd.com), at least three (3) business days before the scheduled District Board meeting to ensure that the District may assist you.*

**To join Zoom Meeting:**

Link: <https://zoom.us/join>

Meeting ID: 854 2213 7673

Password: 686700

**To participate in Zoom by telephone:**

Dial: 1-669-900-9128

Meeting ID: 854 2213 7673

Password: 686700

**RECORDING OF MEETING ANNOUNCEMENT:**

***This meeting may be recorded to assist in preparation of minutes. Recordings will only be kept for 30 days following the meeting as mandated by the Ralph M. Brown Act.***

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF AGENDA**

**IV. STATEMENT OF ABSTENTION**

**V. PUBLIC COMMENT (Public testimony is limited to three minutes)**

**VI. CONSENT ITEMS**

1. Resolution 413(h)
2. Financial Reports for May 2022
3. Minutes for May 10, 2022, Regular Board Meeting

**VII. PUBLIC HEARING (No public hearing tonight)**

**VIII. ACTION ITEMS**

- A. NEW BOARD MEMBER APPOINTMENT
- B. INDEPENDENT FINANCIAL AUDIT PROPOSAL

- C. CALPERS UNFUNDED LIABILITY
- D. NOVEMBER 2022 ELECTION
- E. RESOLUTION NO. 416: APPROPRIATIONS LIMIT FOR 2022-2023 FISCAL YEAR
- F. INVESTMENT POLICY
- G. 2018 SEWER IMPROVEMENT PROJECT
- H. TIME SCHEDULE ORDER AND GRANT APPLICATION FOR SEWER TREATMENT PLANT
- I. PRV REPLACEMENT OPTIONS
- J. SEWER FORCE MAIN PROJECT
- K. DIRECTOR'S TRAINING
- L. GROUNDWATER MONITORING AT THE FORESTVILLE YOUTH PARK
- M. DISTRICT GOAL UPDATES
- N. NEW WATER RATE STRUCTURE
- O. WATER CONSERVATION
- P. ACCESSORY DWELLING UNIT POLICY
- Q. ESTABLISHING BYLAWS
- R. CORRESPONDENCE
- S. CUSTOMER'S REQUEST FOR ADDITIONAL REDUCTION ON LEAK ADJUSTMENT

**IX. DISTRICT ENGINEER MONTHLY REPORT**

**X. GENERAL MANAGER MONTHLY REPORT**

**XI. GRATON/FWD SUB-COMMITTEE REPORT**

**XII. DIRECTORS' REPORT AND CALL FOR FUTURE AGENDA ITEMS**

**XIII. ADJOURNMENT**

How to get an item on the agenda

Items for the agenda of the regular meetings of the Forestville Water District must be submitted to the District in writing. Regular meetings are held the 2<sup>nd</sup> Tuesday of each month. Submissions must be received by the District no later than ten (10) calendar days before the meeting. Submit your agenda items to: Forestville Water District, Post Office Box 261, Forestville, CA 95436, or email to: [info@forestvillewd.com](mailto:info@forestvillewd.com). Be sure to include your name, address, and phone number. Anonymous submissions will not be considered for discussion.

**DRAFT**

RESOLUTION NO. 413(h) (SUBSEQUENT)

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FORESTVILLE WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF FORESTVILLE WATER DISTRICT FOR THE PERIOD JULY 1<sup>ST</sup> THROUGH 31<sup>ST</sup> PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Forestville Water District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Forestville Water District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously conducted remote teleconference meetings in compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in the District, specifically, the COVID-19 pandemic present an imminent risk to health and safety; and

WHEREAS, the facilities available to the District to hold in-person meetings are potentially insufficient to allow for social distancing; and

WHEREAS, the Board of Directors does hereby find that the ongoing COVID-19 pandemic and need for social distancing has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the legislative bodies of Forestville Water District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the public may access meetings via Zoom or other videoconference service as published in the monthly meeting agenda, and may address the Board of Directors during the public comment portion of the meeting.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF FORESTVILLE WATER DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board of Directors hereby considers the conditions of the state of emergency in the District and proclaims that a local emergency persists throughout the District, and meeting in-person would not provide sufficient space to allow for social distancing.

Section 3. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The General Manager and legislative bodies of Forestville Water District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect on July 1, 2022 and shall be effective until the earlier of (i) July 31, 2022 or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of Forestville Water District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Forestville Water District, this 14<sup>th</sup> day of June 2022, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_ ABSENT: \_\_\_\_\_

(Directors: Aldridge, Griffith, \_\_\_\_\_, McDermott, and Monroe)

FORESTVILLE WATER DISTRICT: \_\_\_\_\_

By: Chair of the Board

ATTEST:

\_\_\_\_\_  
Board Clerk



# Forestville Water District Expense and Revenue Report

"Water" Operation Checking, Period Ending 05/31/2022

cc: Jun. 14, 2022

Board Packet

Consent Item #2

Type	Date	Num	Name	Memo	Amount	Balance
<b>Beginning Balance</b>						<b>533,421.29</b>
<b>Cleared Transactions</b>						
<b>Checks and Payments - 61 items</b>						
Membership	04/15/2022	15556	Forestville Chamber of Comm	2022 Annual Non-Profit Membership Dues	-75.00	-75.00
Merch Fees	05/02/2022	ACH	Bankcard	Blufin Merchant Services-CC & eCheck	-83.02	-158.02
Health/Dental	05/05/2022	ACH	CalPERS Health Insurance	May 2022 Health Insurance	-11,432.79	-11,590.81
Various	05/05/2022	15569	Brelje & Race	Various Water Projects	-9,832.50	-21,423.31
Legal	05/05/2022	15574	Perry Law	Legal Services for 3/22/22-4/12/22	-2,317.50	-23,740.81
Other Admin	05/05/2022	15576	Request IT	Monthly licenses and security	-1,770.00	-25,510.81
Mat/Supplies	05/05/2022	15573	Pace Supply Corp.	3/4" meters - Malone Rd new connections	-1,220.62	-26,731.43
Payroll Liability	05/05/2022	15577	CDTFA	Apr '22 Payroll Deduction	-980.80	-27,712.23
PGE	05/05/2022	15567	Airespring	Internet Service (May charges)	-599.73	-28,311.96
Fiber Optic Proj	05/05/2022	15572	Nathan Costa Electric	Designated power source - main office	-548.55	-28,860.51
Utilitites	05/05/2022	ACH	PG&E	District Office	-258.16	-29,118.67
PGE	05/05/2022	15575	Streamline	69AC5156-0003 Website hosting and complia	-200.00	-29,318.67
Vision	05/05/2022	15566	ACWA/Joint Powers Insuranc	June '22 Vision	-161.10	-29,479.77
Various	05/05/2022	15571	Ideal Hardware	April charges	-144.15	-29,623.92
Other Admin	05/05/2022	15568	Becoming Independent	Secured Document Shredding	-40.00	-29,663.92
Bank Fees	05/10/2022	ACH	Umpqua Bank	Umpqua Merchant Fees	-83.85	-29,747.77
Payroll Liability	05/11/2022	E-pay	Umpqua Bank	Fed Payroll Tax (4/24-5/7)	-5,394.56	-35,142.33
Payroll Liability	05/11/2022	ACH	Tony D Lopes	PP #10 (4/24-5/7)	-3,572.48	-38,714.81
Payroll Liability	05/11/2022	ACH	Cory M. Ipsen	PP #10 (4/24-5/7)	-3,111.32	-41,826.13
CalPERS	05/11/2022	ACH	CalPERS	PP #10 (4/24-5/7) CalPERS Retirement Contri	-2,905.97	-44,732.10
Payroll Liability	05/11/2022	ACH	John H Southard	PP #10 (4/24-5/7)	-2,441.61	-47,173.71
Payroll Liability	05/11/2022	ACH	Rodrick A Wheeler	PP #10 (4/24-5/7)	-2,375.48	-49,549.19
Payroll Liability	05/11/2022	ACH	Dawn M. Colen-Leith	PP #10 (4/24-5/7)	-1,649.54	-51,198.73
Payroll Liability	05/11/2022	ACH	Gwen M Taylor	PP #10 (4/24-5/7)	-1,471.19	-52,669.92
Payroll Liability	05/11/2022	E-pay	CA EDD	State Payroll Tax (4/24-5/7)	-1,130.88	-53,800.80
Payroll Liability	05/11/2022	ACH	CalPERS	Employees 457 Contributions (4/24-5/7)	-1,043.50	-54,844.30
Payroll Liability	05/11/2022	ACH	CalPERS	CalPERS PEPR (Employee)	-764.41	-55,608.71
Payroll Liability	05/11/2022	ACH	Destiny Harp	PP #10 (4/24-5/7)	-273.75	-55,882.46
Payroll Liability	05/11/2022	E-pay	EDD	State Payroll Tax (4/24-5/7)	-11.10	-55,893.56
Fuel	05/15/2022	ACH	Robinson Oil	Fuel	-408.47	-56,302.03
Water	05/16/2022	15582	Sonoma County Water Agenc	Apr '22-Purchased Water	-24,336.95	-80,638.98
Various	05/16/2022	15584	Umpqua Bank	CC statement 4/30/22	-3,269.29	-83,908.27
Communications	05/16/2022	15583	Verizon Wireless	Cell Service charges (4/5/22-5/4/22) - Invoice	-291.21	-84,199.48
Office Supply	05/16/2022	15580	Graybar Financial Services	Office phones monthly lease	-276.18	-84,475.66
Office Supply	05/16/2022	15579	Dais Technology Partners	outbound fax-Copier	-194.22	-84,669.88
Garbage	05/16/2022	15581	Recology Sonoma Marin	Garbage & Recycled - Apr '22	-132.48	-84,802.36
Bank Srv Chrg	05/20/2022	ACH	Umpqua Bank	analysis	-235.45	-85,037.81
A/R	05/20/2022	1182	Water A/R	Chargeback - ACH Autopay Cust Acct	-162.44	-85,200.25
A/R	05/23/2022	1177	Water A/R	Returned check - stop payment ck# 1103	-300.00	-85,500.25
Payroll Liability	05/24/2022	GJE	Dawn M. Colen-Leith	Difference in rounding between check deposit	-0.01	-85,500.26
Payroll Liability	05/25/2022	E-pay	Umpqua Bank	Fed Payroll Tax (5/7-5/21)	-5,165.98	-90,666.24
Payroll Liability	05/25/2022	ACH	Tony D Lopes	PP #11 (5/8-5/21)	-3,572.49	-94,238.73
Payroll Liability	05/25/2022	ACH	Dawn M. Colen-Leith	PP #11 (5/8-5/21)	-2,993.23	-97,231.96
CalPERS	05/25/2022	ACH	CalPERS	PP #11 (5/8-5/21) CalPERS Retirement Contri	-2,904.46	-100,136.42
Payroll Liability	05/25/2022	ACH	Rodrick A Wheeler	PP #11 (5/8-5/21)	-2,573.74	-102,710.16

# Forestville Water District Expense and Revenue Report

cc: Jun. 14, 2022

Board Packet

Consent Item #2

## "Water" Operation Checking, Period Ending 05/31/2022

Payroll Liability	05/25/2022	ACH	Cory M. Ipsen	PP #11 (5/8-5/21)	-2,346.16	-105,056.32
Payroll Liability	05/25/2022	ACH	John H Southard	PP #11 (5/8-5/21)	-2,342.48	-107,398.80
Payroll Liability	05/25/2022	ACH	Dawn M. Colen-Leith	PP #11 (5/8-5/21)	-1,749.28	-109,148.08
Payroll Liability	05/25/2022	E-pay	Umpqua Bank	Fed Payroll Tax (Retro Pay-Leith)	-1,494.76	-110,642.84
Payroll Liability	05/25/2022	ACH	Gwen M Taylor	PP #11 (5/8-5/21)	-1,471.19	-112,114.03
Payroll Liability	05/25/2022	E-pay	CA EDD	State Payroll Tax (5/7-5/21)	-1,121.39	-113,235.42
Payroll Liability	05/25/2022	ACH	CalPERS	Employees 457 Contributions (5/8-5/21)	-1,043.50	-114,278.92
Payroll Liability	05/25/2022	ACH	CalPERS	CalPERS PEPRA (Employee)	-790.28	-115,069.20
Payroll Liability	05/25/2022	E-pay	CA EDD	State Payroll Tax (Retro Pay-Leith)	-365.05	-115,434.25
CalPERS	05/25/2022	ACH	CalPERS	Retro CalPERS RetireContr (Retro-Leith)	-309.67	-115,743.92
Payroll Liability	05/25/2022	ACH	CalPERS	CalPERS 457 Employee Loan Repayment	-295.00	-116,038.92
Payroll Liability	05/25/2022	ACH	CalPERS	CalPERS PEPRA (Employee) Retro-Leith	-275.40	-116,314.32
Payroll Liability	05/25/2022	ACH	Destiny Harp	PP #11 (5/8-5/21)	-68.44	-116,382.76
Payroll Liability	05/25/2022	E-pay	EDD	State Payroll Tax (5/7-5/21)	-2.77	-116,385.53
Payroll Liability	05/25/2022	E-pay	Umpqua Bank	Fed Payroll Tax (5/7-5/21)	-2.25	-116,387.78
Fuel	05/31/2022	ACH	Robinson Oil	Fuel	-701.62	-117,089.40
Total Checks and Payments					-117,089.40	-117,089.40
<b>Deposits and Credits - 65 items</b>						
	02/24/2022		Water A/R		350.00	350.00
	03/04/2022		Water A/R		240.00	590.00
	03/10/2022		Water A/R		476.95	1,066.95
	03/18/2022		Water A/R		562.44	1,629.39
	03/22/2022		Water A/R		117.00	1,746.39
	03/23/2022		Water A/R		200.00	1,946.39
	03/28/2022		Water A/R		945.67	2,892.06
	03/31/2022		Water A/R		1,131.55	4,023.61
	04/05/2022		Water A/R		140.00	4,163.61
	04/07/2022		Water A/R		110.00	4,273.61
	04/13/2022		Water A/R		91.20	4,364.81
	04/26/2022		Water A/R		604.00	4,968.81
	04/28/2022		Water A/R		83.93	5,052.74
	04/29/2022		Water A/R		184.96	5,237.70
	04/30/2022		Water A/R		91.22	5,328.92
	04/30/2022		Water A/R		182.44	5,511.36
	05/04/2022		Water A/R		470.71	5,982.07
	05/05/2022		Water A/R		715.49	6,697.56
	05/05/2022		Water A/R		5,298.70	11,996.26
	05/06/2022		Water A/R		122.60	12,118.86
	05/06/2022		Water A/R		10,262.38	22,381.24
	05/10/2022		Water A/R		81.22	22,462.46
	05/10/2022		Water A/R		162.44	22,624.90
	05/10/2022		Water A/R		384.78	23,009.68
	05/10/2022		Water A/R		406.10	23,415.78
	05/10/2022		Water A/R		704.39	24,120.17
	05/10/2022		Water A/R		28,356.11	52,476.28
	05/11/2022		Water A/R		81.22	52,557.50
	05/12/2022		Water A/R		652.28	53,209.78
	05/12/2022		Water A/R		5,084.63	58,294.41
	05/12/2022		Water A/R		6,994.03	65,288.44

**Forestville Water District  
Expense and Revenue Report**

cc: Jun. 14, 2022

Board Packet

Consent Item #2

**"Water" Operation Checking, Period Ending 05/31/2022**

05/13/2022	Water A/R	135.45	65,423.89
05/13/2022	Water A/R	1,092.68	66,516.57
05/16/2022	Water A/R	92.85	66,609.42
05/16/2022	Water A/R	162.44	66,771.86
05/16/2022	Water A/R	259.90	67,031.76
05/16/2022	Water A/R	507.92	67,539.68
05/16/2022	Water A/R	13,634.40	81,174.08
05/17/2022	Water A/R	81.22	81,255.30
05/18/2022	Water A/R	90.73	81,346.03
05/18/2022	Water A/R	406.10	81,752.13
05/24/2022	Water A/R	24.64	81,776.77
05/24/2022	Water A/R	81.22	81,857.99
05/24/2022	Water A/R	85.12	81,943.11
05/24/2022	Water A/R	104.23	82,047.34
05/24/2022	Water A/R	307.32	82,354.66
05/24/2022	Water A/R	359.71	82,714.37
05/24/2022	Water A/R	2,870.98	85,585.35
05/24/2022	Water A/R	3,663.90	89,249.25
05/24/2022	Water A/R	10,082.51	99,331.76
05/24/2022	Water A/R	11,264.59	110,596.35
05/24/2022	Water A/R	16,866.93	127,463.28
05/25/2022	Water A/R	530.73	127,994.01
05/25/2022	Water A/R	10,430.00	138,424.01
05/25/2022	Water A/R	15,814.49	154,238.50
05/26/2022	Water A/R	1,445.93	155,684.43
05/26/2022	Water A/R	1,731.90	157,416.33
05/27/2022	Water A/R	155.59	157,571.92
05/27/2022	Water A/R	3,706.82	161,278.74
05/31/2022	Water A/R	94.80	161,373.54
05/31/2022	Water A/R	108.05	161,481.59
05/31/2022	Water A/R	246.48	161,728.07
05/31/2022	Water A/R	372.93	162,101.00
05/31/2022	Water A/R	1,486.82	163,587.82
05/31/2022	Water A/R	2,759.29	166,347.11
	Total Deposits and Credits	<u>166,347.11</u>	<u>166,347.11</u>
	Total Cleared Transactions	<u>49,257.71</u>	<u>49,257.71</u>
Cleared Balance		49,257.71	582,679.00
	<b>Uncleared Transactions</b>		
	<b>Checks and Payments - 3 items</b>		
11/27/2019	14931 Accu-Bore	-50.00	-50.00
05/05/2022	15570 Engineering News-Record Membership renewal - annual Acct# 11070076	-108.00	-158.00
05/16/2022	15578 Brelje & Race Laboratories, Ir Invoice# 141349 Lab testing services for April	-140.00	-298.00
	Total Checks and Payments	<u>-298.00</u>	<u>-298.00</u>
	<b>Deposits and Credits - 12 items</b>		
05/05/2022	Water A/R	530.43	530.43
05/06/2022	Water A/R	401.22	931.65
05/10/2022	Water A/R	276.29	1,207.94
05/12/2022	Water A/R	500.00	1,707.94
05/16/2022	Water A/R	458.29	2,166.23

**Forestville Water District  
Expense and Revenue Report**

cc: Jun. 14, 2022

Board Packet

Consent Item #2

**"Water" Operation Checking, Period Ending 05/31/2022**

05/24/2022	Water A/R	178.22	2,344.45
05/24/2022	Water A/R	751.27	3,095.72
05/25/2022	Water A/R	370.30	3,466.02
05/26/2022	Water A/R	80.42	3,546.44
05/31/2022	Water A/R	198.68	3,745.12
05/31/2022	Water A/R	489.53	4,234.65
05/31/2022	Water A/R	12,414.35	16,649.00
	Total Deposits and Credits	<u>16,649.00</u>	<u>16,649.00</u>
	Total Uncleared Transactions	<u>16,351.00</u>	<u>16,351.00</u>
Register Balance as of 05/31/2022		65,608.71	599,030.00

**New Transactions**

**Checks and Payments - 34 items**

06/01/2022	ACH	CalPERS Health Insurance	-11,432.79	-11,432.79
06/01/2022	15586	Aqua Sierra Controls, Inc.	-1,848.25	-13,281.04
06/01/2022	15587	Brelje & Race	-1,775.00	-15,056.04
06/01/2022	15590	Request IT	-1,770.00	-16,826.04
06/01/2022	15588	Humana Insurance Co.	-1,495.51	-18,321.55
06/01/2022	15594	CDTFA	-980.80	-19,302.35
06/01/2022	15585	Airespring	-599.73	-19,902.08
06/01/2022	15592	USA Bluebook	-266.13	-20,168.21
06/01/2022	ACH	PG&E	-214.14	-20,382.35
06/01/2022	15591	Streamline	-200.00	-20,582.35
06/01/2022	15595	US Postal Service	-166.00	-20,748.35
06/01/2022	15589	Ideal Hardware	-145.87	-20,894.22
06/01/2022	15593	Wizix Technology Group, Inc.	-44.79	-20,939.01
06/06/2022	15597	Brelje & Race Lab, Inc.	-190.00	-21,129.01
06/06/2022	15596	ACWA/JPIA Insurance	-161.10	-21,290.11
06/06/2022	15599	Recology Sonoma Marin	-132.48	-21,422.59
06/06/2022	15598	Canyon Rock Co., Inc.	-76.67	-21,499.26
06/08/2022	E-pay	Umpqua Bank	-5,174.92	-26,674.18
06/08/2022	ACH	Tony D Lopes	-3,572.49	-30,246.67
06/08/2022	ACH	CalPERS	-2,884.75	-33,131.42
06/08/2022	ACH	John H Southard	-2,508.04	-35,639.46
06/08/2022	ACH	Rodrick A Wheeler	-2,507.32	-38,146.78
06/08/2022	ACH	Cory M. Ipsen	-2,261.02	-40,407.80
06/08/2022	15601	Umpqua Bank	-2,086.35	-42,494.15
06/08/2022	ACH	Dawn M. Colen-Leith	-1,749.29	-44,243.44
06/08/2022	ACH	Gwen M Taylor	-1,471.19	-45,714.63
06/08/2022	15600	Perry Law	-1,250.00	-46,964.63
06/08/2022	E-pay	CA EDD	-1,123.04	-48,087.67
06/08/2022	ACH	CalPERS	-1,043.50	-49,131.17
06/08/2022	15602	ACWA/JPIA Insurance	-900.00	-50,031.17
06/08/2022	ACH	CalPERS	-799.96	-50,831.13
06/08/2022	ACH	CalPERS	-295.00	-51,126.13
06/08/2022	ACH	Destiny Harp	-205.31	-51,331.44
06/08/2022	E-pay	EDD	-8.33	-51,339.77
	Total Checks and Payments		<u>-51,339.77</u>	<u>-51,339.77</u>

**Deposits and Credits - 8 items**

06/01/2022	Water A/R	105.00	105.00
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**Forestville Water District  
Expense and Revenue Report**

cc: Jun. 14, 2022

Board Packet

Consent Item #2

**"Water" Operation Checking, Period Ending 05/31/2022**

06/01/2022	Water A/R	3,229.99	3,334.99
06/06/2022	Water A/R	52.00	3,386.99
06/06/2022	Water A/R	101.22	3,488.21
06/06/2022	Water A/R	172.44	3,660.65
06/06/2022	Water A/R	177.32	3,837.97
06/06/2022	Water A/R	560.57	4,398.54
06/06/2022	Water A/R	1,491.96	5,890.50
	Total Deposits and Credits	<u>5,890.50</u>	<u>5,890.50</u>
	Total New Transactions	<u>-45,449.27</u>	<u>-45,449.27</u>
<b>Ending Balance</b>		<b><u>20,159.44</u></b>	<b><u>553,580.73</u></b>

**FORESTVILLE WATER DISTRICT**  
**"WATER" OPERATIONS**  
**SCHEDULE OF CASH & INVESTMENTS**  
**MAY 2022**

BROKERAGE ACCOUNT	DATE	Investments Total
STEWART PARTNERS	6/7/2022	\$618,236.30

SONOMA COUNTY TREASURY INVESTMENT POOL	DATE	TOTAL
	4/1/2022	\$745,410.04

COMBINED TOTAL OF INVESTMENTS **\$1,363,646.34**

**UMPQUA BANK:**  
 OPERATIONS CHECKING 5/31/2022 **\$586,778.09**

GRAND TOTAL **\$1,950,424.43**

BOARD CLERK SIGNATURE: x \_\_\_\_\_

DIRECTOR INITIALS:

x \_\_\_\_\_
x \_\_\_\_\_
x \_\_\_\_\_

**Forestville Water District**  
**"Water" Profit & Loss Budget vs. Actual**  
 July 2021 through May 2022

	Jul '21 - May 22	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>41000 · Water Sales</b>				
<b>RECYCLED WATER ACCOUNTS</b>				
41800 · Recycled Water	30,066.31	36,983.27	-6,916.96	81.3%
<b>Total RECYCLED WATER ACCOUNTS</b>	30,066.31	36,983.27	-6,916.96	81.3%
41000R · Sales Allowance & Adjustment	-12,186.84			
41100 · Residential	774,341.45			
41200 · Business	17,124.83			
41700 · Other	6,234.34			
41700.1 · Outside Sales	58,019.77			
41000 · Water Sales - Other	0.00	1,034,960.35	-1,034,960.35	0.0%
<b>Total 41000 · Water Sales</b>	873,599.86	1,071,943.62	-198,343.76	81.5%
<b>42000 · Water Service</b>				
42100 · Fire Protection	1,696.00			
42302 · Meters	-180.00			
<b>Total 42000 · Water Service</b>	1,516.00			
<b>49000 · Non-Operating</b>				
49100 · Re-Connect Fees-Late Pay Chrgs	3,090.00			
49200 · Interest	1,056.77	18,180.00	-17,123.23	5.81%
49300 · Taxes & Assessments	182,731.40	171,700.00	11,031.40	106.43%
49521 · Home Owners Property Tax Relief	992.06			
49650 · Connection Fees	31,112.00			
49700 · Connection Fee Interest	0.00	0.00	0.00	0.0%
<b>Total 49000 · Non-Operating</b>	218,982.23	189,880.00	29,102.23	115.33%
49990 · Miscellaneous Income	0.00	0.00	0.00	0.0%
<b>Total Income</b>	1,094,098.09	1,261,823.62	-167,725.53	86.71%
<b>Cost of Goods Sold</b>				
<b>Purchased Water From SCWA</b>				
51300 · Purchased Water	201,307.17	388,674.01	-187,366.84	51.79%
51310 · Aquaduct Fund	92,283.42			
51320 · Cotati Intertie	2,960.00	4,111.88	-1,151.88	71.99%
<b>Total Purchased Water From SCWA</b>	296,550.59	392,785.89	-96,235.30	75.5%
<b>Total COGS</b>	296,550.59	392,785.89	-96,235.30	75.5%
<b>Gross Profit</b>	797,547.50	869,037.73	-71,490.23	91.77%
<b>Expense</b>				
<b>Employee Benefits</b>				
56350 · Unemployment Insurance	1,622.45	2,379.30	-756.85	68.19%
56400 · Health & Dental Insurance	126,603.99	122,625.62	3,978.37	103.24%
56450 · Vision Care Insurance	1,772.10	1,990.99	-218.89	89.01%
56500 · Social Security & Medicare	41,195.33	42,597.71	-1,402.38	96.71%
56501 · CalPERS for Classic	118,775.99	78,652.86	40,123.13	151.01%
56505 · CalPERS for PEPRA employees	18,894.63	0.00	18,894.63	100.0%
<b>Total Employee Benefits</b>	308,864.49	248,246.48	60,618.01	124.42%
<b>Operations &amp; Maintenance</b>				
54120 · Labor (RRU)	0.00	0.00	0.00	0.0%
54210 · Materials & Supplies	8,882.10	12,989.19	-4,107.09	68.38%
54220 · Machine Hire	82.99	30,600.00	-30,517.01	0.27%
54230 · Maintenance & Repair	45,303.56	20,400.00	24,903.56	222.08%
54235 · Garbage+Recycled Waste Service	1,489.50	1,326.00	163.50	112.33%

**Forestville Water District**  
**"Water" Profit & Loss Budget vs. Actual**  
 July 2021 through May 2022

	<b>Jul '21 - May 22</b>	<b>Budget</b>	<b>\$ Over Budget</b>	<b>% of Budget</b>
55200 · Uncollectible Accounts	0.00	0.00	0.00	0.0%
56210 · Office Supplies	24,778.79	16,892.44	7,886.35	146.69%
56211 · Bank Service Charges	2,821.41	3,121.20	-299.79	90.4%
56212 · Uniforms	1,309.69	2,000.00	-690.31	65.49%
56213 · Merchant Fees	1,912.98	2,550.00	-637.02	75.02%
56220 · PG&E	5,034.67	3,585.28	1,449.39	140.43%
56221 · Sewer Direct Charges - Annual	1,564.22	1,050.43	513.79	148.91%
56230 · Phone-Transmit Wtr Tank Monitor	0.00	1,082.43	-1,082.43	0.0%
56231 · Telephone	5,305.00	3,247.30	2,057.70	163.37%
56232 · Translation Services	0.00	2,000.00	-2,000.00	0.0%
56233 · CUSI software annual fee	8,862.00	9,159.00	-297.00	96.76%
56236 · Vehicle Fuel Expense (shared)	9,465.08	0.00	9,465.08	100.0%
56239 · Training	9,962.03	5,000.00	4,962.03	199.24%
56240 · Other Administrative Expenses	4,565.67	8,446.22	-3,880.55	54.06%
56241 · Other Admin Services (shared)	6,905.36	5,000.00	1,905.36	138.11%
56242 · Membership Dues (include LAFCO)	17,544.07	16,785.00	759.07	104.52%
56243 · Election	0.00	4,000.00	-4,000.00	0.0%
56245 · Permit Fees	3,003.66	2,300.00	703.66	130.59%
56246 · Consulting-Office Tech/Support	11,243.48	0.00	11,243.48	100.0%
56300 · Comp & Liability Insurance				
56301 · Liability & Property	23,428.68	24,895.94	-1,467.26	94.11%
56302 · Workers Comp	12,161.76	12,240.00	-78.24	99.36%
<b>Total 56300 · Comp &amp; Liability Insurance</b>	<b>35,590.44</b>	<b>37,135.94</b>	<b>-1,545.50</b>	<b>95.84%</b>
56700 · Maintenance-General Plant	0.00	10,000.00	-10,000.00	0.0%
56702 · Lab Testing- Water Analysis	2,346.50	2,550.00	-203.50	92.02%
56800 · Audit	4,975.00	4,975.00	0.00	100.0%
56801 · Attorney-specific water issues	2,121.97	6,000.00	-3,878.03	35.37%
56802 · Attorney-Retainer	8,597.18	6,000.00	2,597.18	143.29%
56804 · Truck Expense	9,869.80	10,000.00	-130.20	98.7%
56806 · Engineer-specific water issues	7,063.75	15,000.00	-7,936.25	47.09%
56807 · Engineer	5,000.00	6,000.00	-1,000.00	83.33%
56810 · Recycled Water Chrgs to FWD SSZ	0.00	34,900.13	-34,900.13	0.0%
<b>Total Operations &amp; Maintenance</b>	<b>245,600.90</b>	<b>284,095.56</b>	<b>-38,494.66</b>	<b>86.45%</b>
<b>Salaries &amp; Wages</b>				
54100 · Management (Salaries)				
54100.9 · General Manager Salary	124,591.40	0.00	124,591.40	100.0%
54100 · Management (Salaries) - Other	0.00	134,532.32	-134,532.32	0.0%
<b>Total 54100 · Management (Salaries)</b>	<b>124,591.40</b>	<b>134,532.32</b>	<b>-9,940.92</b>	<b>92.61%</b>
54104 · Administration PTO				
54104.1 · Vacation	3,501.96			
54104.2 · Sick Pay	3,180.77			
54104.3 · Comp Time	884.50			
<b>Total 54104 · Administration PTO</b>	<b>7,567.23</b>			
54105 · Operations PTO				
54105.1 · Vacation - LPO	3,382.44			
54105.2 · Sick Pay - LPO	3,215.70			
54105.3 · Comp Time - LPO	5,382.64			
54105.4 · Vacation - Operator	5,530.40			
54105.5 · Sick Pay - Operator	3,420.97			
54105.6 · Comp Time - Operator	13,226.83			
<b>Total 54105 · Operations PTO</b>	<b>34,158.98</b>			



**Forestville Water District**  
**"Water" Profit & Loss Budget vs. Actual**  
 July 2021 through May 2022

	Jul '21 - May 22	Budget	\$ Over Budget	% of Budget
<b>54106 · Lead Plant Operator Salary</b>				
54106.1 · Lead Plant Op Overtime Pay	10,004.40	9,803.38	201.02	102.05%
54106.2 · Lead Plant Op Standby Pay	5,160.24	6,091.52	-931.28	84.71%
54106.3 · Holiday Pay Grade III	3,334.80			
54106.4 · LPO- Bi Wk hourly	75,258.78			
54106 · Lead Plant Operator Salary - Other	0.00	98,504.29	-98,504.29	0.0%
<b>Total 54106 · Lead Plant Operator Salary</b>	<b>93,758.22</b>	<b>114,399.19</b>	<b>-20,640.97</b>	<b>81.96%</b>
<b>54107 · Water/Sewer Grade 2 Op Salary</b>				
54107.1 · Water/Sewer Grade 2 Op Overtime	2,792.48	8,418.66	-5,626.18	33.17%
54107.2 · Water/Sewer Grade 2 Op Standby	5,112.46	6,091.52	-979.06	83.93%
54107.3 · Holiday Pay-Grade II Operator	3,546.00			
54107.4 · Grade II Operator- Bi Wk Hourly	63,603.10			
54107 · Water/Sewer Grade 2 Op Salary - Other	-593.60	80,679.14	-81,272.74	-0.74%
<b>Total 54107 · Water/Sewer Grade 2 Op Salary</b>	<b>74,460.44</b>	<b>95,189.32</b>	<b>-20,728.88</b>	<b>78.22%</b>
<b>54108 · Part-Time Field Employees</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>54109 · Water/Sewer Grade 2 Op Salary 2</b>				
54109.1 · Water/Sewer Grade 2 Op OT 2	0.00	8,418.66	-8,418.66	0.0%
54109.2 · Water/Sewer Grade 2 Standby 2	5,781.38	6,091.52	-310.14	94.91%
54109.3 · Holiday Pay - Grade II (#2)	2,374.80			
54109.4 · Comp Time Paid Out (#2)	1,860.26			
54109 · Water/Sewer Grade 2 Op Salary 2 - Other	57,662.06	80,287.71	-22,625.65	71.82%
<b>Total 54109 · Water/Sewer Grade 2 Op Salary 2</b>	<b>67,678.50</b>	<b>94,797.89</b>	<b>-27,119.39</b>	<b>71.39%</b>
<b>54110 · Office Admin/Board Clerk Salary</b>				
54110.5 · Temp. Office Assistant-Bi-Wk Ho	1,850.00			
54110.6 · Cust Serv/Admin Asst	106,669.32			
54110.7 · Holiday Pay-Cust Serv/Admin	4,408.80			
54111 · Office Admin Salary	0.00	0.00	0.00	0.0%
54110 · Office Admin/Board Clerk Salary - Other	4,508.17	119,538.89	-115,030.72	3.77%
<b>Total 54110 · Office Admin/Board Clerk Salary</b>	<b>117,436.29</b>	<b>119,538.89</b>	<b>-2,102.60</b>	<b>98.24%</b>
<b>54999 · Merit Salary Increase</b>	<b>0.00</b>	<b>4,829.03</b>	<b>-4,829.03</b>	<b>0.0%</b>
<b>Total Salaries &amp; Wages</b>	<b>519,651.06</b>	<b>563,286.64</b>	<b>-43,635.58</b>	<b>92.25%</b>
<b>54118 · Employee Reimbursement</b>	<b>439.39</b>			
<b>Total Expense</b>	<b>1,074,555.84</b>	<b>1,095,628.68</b>	<b>-21,072.84</b>	<b>98.08%</b>
<b>Net Ordinary Income</b>	<b>-277,008.34</b>	<b>-226,590.95</b>	<b>-50,417.39</b>	<b>122.25%</b>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
56805 · Reimbursement from Sewer	3,707.94	418,893.52	-415,185.58	0.89%
<b>Total Other Income</b>	<b>3,707.94</b>	<b>418,893.52</b>	<b>-415,185.58</b>	<b>0.89%</b>
<b>Net Other Income</b>	<b>3,707.94</b>	<b>418,893.52</b>	<b>-415,185.58</b>	<b>0.89%</b>
<b>Net Income</b>	<b>-273,300.40</b>	<b>192,302.57</b>	<b>-465,602.97</b>	<b>-142.12%</b>

**Forestville Water District**  
**Balance Sheet**  
As of May 31, 2022

	May 31, 22
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
13102 · Umpqua Bank Operation Checking	586,778.09
13400 · Imprest Cash	75.00
<b>Total Checking/Savings</b>	586,853.09
<b>Accounts Receivable</b>	
13710 · A/R - Utility Services	35,156.96
13800 · Allowance for Uncollectibles	-2,071.29
13900 · Property Taxes	-20,833.88
<b>Total Accounts Receivable</b>	12,251.79
<b>Other Current Assets</b>	
13200.4 · So Co Investment Interest	323,429.70
13705 · So Co Investment Pool	417,741.50
13715 · Chase Bank Investments	669,965.00
13999 · Due from Sewer - shared costs	3,707.94
14300 · Inventory of Materials-Supplies	8,243.10
14400 · Prepaid Insurance	5,103.75
<b>Total Other Current Assets</b>	1,428,190.99
<b>Total Current Assets</b>	2,027,295.87
<b>Fixed Assets</b>	
11120 · Utility Plant Land	46,880.00
11164 · 7590 Mirabel Rd Water Project	76.67
11165 · Fiber Optic Project - Office	9,525.68
11166 · Kyocera Copier - New 2022	8,674.58
11169 · Hydrant Repair - El Molino	10,662.95
11170 · Utility Plant in Service	1,945,064.58
11171 · A/D - Utility Plant in Service	-1,525,640.26
11172 · Hydrant Replacement Project	20,132.87
11173 · Anderson Water Main Building	59,391.38
11174 · GIS Mapping Platform-Water	8,425.00
11176 · CUSI Billing System	26,984.00
11177 · Hydraulic Modeling/50-90 Valve	7,359.87
11178 · PRV Repair/Replacement	294,213.77
11179 · Wohler Bridge Pipe Abandonment	63,915.00
11180.1 · Office Equipment	41,334.81
11180.2 · Tools & Equipment	43,445.62
11180.3 · Transportation Equipment	86,195.40
11180.4 · Utility Plant Building	107,219.75
11181 · A/D - Office Equipment	-41,335.22
11182 · A/D - Tools & Equipment	-41,462.53
11183 · A/D - Transportation Equipment	-67,028.94
11184 · A/D - Utility Plant Building	-40,381.00
<b>Total Fixed Assets</b>	1,063,653.98
<b>TOTAL ASSETS</b>	<b>3,090,949.85</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
22200 · Accounts Payable	1,560.95
<b>Total Accounts Payable</b>	1,560.95
<b>Other Current Liabilities</b>	
22600 · Customer Deposits	250.00

## Forestville Water District

06/07/22

## Balance Sheet

Accrual Basis

As of May 31, 2022

	<u>May 31, 22</u>
<b>22900 · Payroll Liabilities</b>	
22901 · Social Security	-22.00
22902 · Medicare	-5.18
22903 · FIT	-44.00
22904 · SIT	31.73
22905 · State Unemployment	-7.37
22906 · Employment Training Tax	-0.21
22908 · Disability Insurance - Employee	3.82
22900 · Payroll Liabilities - Other	1,875.10
	<hr/>
<b>Total 22900 · Payroll Liabilities</b>	1,831.89
22910 · Accrued Vacation	23,527.00
22912 · Employee Benefits Payable	-75.54
23500 · Due to "Sewer"-shared cost back	32,874.65
	<hr/>
<b>Total Other Current Liabilities</b>	58,408.00
	<hr/>
<b>Total Current Liabilities</b>	59,968.95
<b>Long Term Liabilities</b>	
<b>26000 · GASB 68 Pension Liability</b>	
26001 · Deferred Inflows - GASB 68	7,080.00
26002 · Deferred Outflows - GASB 68	-250,184.00
26000 · GASB 68 Pension Liability - Other	607,745.00
	<hr/>
<b>Total 26000 · GASB 68 Pension Liability</b>	364,641.00
	<hr/>
<b>Total Long Term Liabilities</b>	364,641.00
	<hr/>
<b>Total Liabilities</b>	424,609.95
<b>Equity</b>	
11100 · Retained Earnings	1,710,554.35
30000 · Opening Bal Equity	-212,551.99
30100 · Contributed Capital	180,451.53
31000.1 · R/E - Unreserved	191,750.41
31000.2 · Capital Outlay	503,194.00
31000.3 · For Repair/Replace for Exist	566,242.00
Net Income	-273,300.40
	<hr/>
<b>Total Equity</b>	2,666,339.90
	<hr/>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>3,090,949.85</b>
	<hr/> <hr/>

**Sewer Service Zone**  
**Expense and Revenue Report**  
**Sewer Checking Accounts, Period Ending 05/31/2022**  
**Sewer "Operations" Checking**

Type	Date	Num	Name	Memo	Amount	Balance
<b>Beginning Balance</b>						<b>1,347,265.59</b>
<b>Cleared Transactions</b>						
<b>Checks and Payments - 14 items</b>						
Permits	04/15/2022	5667	County of Sonoma	Fire Prevention & Hazmat (SSZ Plant)	-1,438.00	-1,438.00
Various	05/05/2022	5672	Brelje & Race	Various Sewer Projects	-3,420.00	-4,858.00
Maint/Repair	05/05/2022	5671	Air Technology West	HV Duplex repair	-1,337.21	-6,195.21
SCADA	05/05/2022	5673	Win-911 Software	Cust. Care Subscription - SCADA	-660.00	-6,855.21
Ops/Maint	05/16/2022	ACH	PG&E	SSZ plant electricity	-9,245.63	-16,100.84
Coll. Syst. PM	05/16/2022	5677	SCWA	SSZ - maintenance (1/1/22-3/31/22)	-3,818.27	-19,919.11
Chemicals	05/16/2022	5679	Univar USA Inc.	chemicals (SOD Hypo 12.5%)	-2,543.13	-22,462.24
Various	05/16/2022	5678	Umpqua Bank	CC Statement ending date 4/30/22	-1,279.53	-23,741.77
Ops/Maint	05/16/2022	ACH	PG&E	Lift station electricity	-1,018.51	-24,760.28
telephone	05/16/2022	5675	AT&T	Monthly phone	-736.79	-25,497.07
Training	05/16/2022	5680	SWRCB	Wheeler WW Tx Op Cert App	-170.00	-25,667.07
Ops/Maint	05/16/2022	ACH	PG&E	Covey Bldg electricity	-39.82	-25,706.89
Mat/supplies	05/16/2022	5674	Alhambra Drinking Water	Rental & bottled water	-9.99	-25,716.88
Utilities	06/01/2022	ACH	Forestville Water District	Mar/Apr '22 Water Statements	-503.60	-26,220.48
Total Checks and Payments					-26,220.48	-26,220.48
<b>Deposits and Credits - 4 items</b>						
	05/06/2022	329	Deposit	PSL Review	75.00	75.00
	05/10/2022	ACH	Deposit	Taxes from County	35,243.72	35,318.72
	05/25/2022	1219	Deposit	PSL Review	75.00	35,393.72
	06/01/2022	5683	Forestville Water District	VOID:	0.00	35,393.72
Total Deposits and Credits					35,393.72	35,393.72
Total Cleared Transactions					9,173.24	9,173.24
Cleared Balance					9,173.24	1,356,438.83
<b>Uncleared Transactions</b>						
<b>Checks and Payments - 1 item</b>						
	05/16/2022	5676	B & R Lab., Inc.	Lab testing services - Apr '22	-1,919.00	-1,919.00
Total Checks and Payments					-1,919.00	-1,919.00
<b>Deposits and Credits - 2 items</b>						
	05/06/2022		Deposit	Cash PSL Review	75.00	75.00
	05/06/2022		Deposit	Cash PSL payment	80.00	155.00
Total Deposits and Credits					155.00	155.00
Total Uncleared Transactions					-1,764.00	-1,764.00
Register Balance as of 05/31/2022					7,409.24	1,354,674.83
<b>New Transactions</b>						
<b>Checks and Payments - 3 items</b>						
	06/01/2022	5682	Brelje & Race		-5,771.25	-5,771.25
	06/01/2022	5681	B.W.S. Distributors, Inc.	Sewer supplies	-243.52	-6,014.77
	06/06/2022	5684	Brelje and Race Laboratories,	Lab testing services - May 2022	-2,086.00	-8,100.77
Total Checks and Payments					-8,100.77	-8,100.77
Total New Transactions					-8,100.77	-8,100.77
<b>Ending Balance</b>					<b>-691.53</b>	<b>1,346,574.06</b>

**Sewer Service Zone**  
**Expense and Revenue Report**  
 Sewer Checking Accounts, Period Ending 05/31/2022  
 Sewer "Connection" Checking

Type	Date	Num	Name	Memo	Amount	Balance
<b>Beginning Balance</b>						<b>195,356.13</b>
<b>Cleared Transactions</b>						
<b>Deposits and Credits - 1 item</b>						
	05/18/2022	Ck	Deposit	2001 SSZ MH Connection Lien Payoff	4,380.00	4,380.00
			Total Deposits and Credits		4,380.00	4,380.00
			Total Cleared Transactions		4,380.00	4,380.00
Cleared Balance					4,380.00	199,736.13
Register Balance as of 05/31/2022					4,380.00	199,736.13
<b>New Transactions</b>						
<b>Deposits and Credits - 1 item</b>						
	06/06/2022	ACH	Deposit	Taxes from County	53,290.00	53,290.00
			Total Deposits and Credits		53,290.00	53,290.00
			Total New Transactions		53,290.00	53,290.00
<b>Ending Balance</b>					<b>57,670.00</b>	<b>253,026.13</b>

**FORESTVILLE WATER DISTRICT**  
**"SEWER SERVICE ZONE"**  
**SCHEDULE OF CASH & INVESTMENTS**  
**MAY 2022**

BROKERAGE ACCOUNT	DATE	Investments Total
STEWARD PARTNERS	6/7/2022	\$138,490.75

SONOMA COUNTY TREASURY INVESTMENT POOL	DATE	TOTAL
	4/1/2022	\$198,179.13

COMBINED TOTAL OF INVESTMENTS **\$336,669.88**

**UMPQUA BANK:**

OPERATIONS CHECKING	5/31/2022	<b>\$1,355,178.43</b>
CONNECTION FEE CHECKING	5/31/2022	<b>\$199,736.13</b> (RESTRICTED)

GRAND TOTAL **\$1,891,584.44**

BOARD CLERK SIGNATURE: x \_\_\_\_\_

DIRECTOR INITIALS:

x \_\_\_\_\_
x \_\_\_\_\_
x \_\_\_\_\_

**Sewer Service Zone**  
**Profit & Loss Budget vs. Actual**  
 July 2021 through May 2022

	Jul '21 - May 22	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>41000 · SEWER INCOME</b>				
41150 · MH Dir Chrgs-new prorated CY	1,181.31			
41200 · Fstvl Dir Chrgs-frm Tax Roll CY	647,942.04	656,505.72	-8,563.68	98.7%
41250 · MH Dir Chrgs-from Tax Roll CY	366,081.48	375,571.69	-9,490.21	97.47%
41300 · El Molino HS Dir Chrgs-CY	53,290.68	40,000.00	13,290.68	133.23%
41350 · Fvl Elem School-Dir Chrgs CY	35,243.72	26,372.04	8,871.68	133.64%
41400 · SoCo Pub Wks-Dir Chrgs CY	1,776.32	1,450.88	325.44	122.43%
41450 · Steelhead Beach Direct Charges	18,544.60	20,197.33	-1,652.73	91.82%
41452 · Fstvl Fire Protect-CY Dir Chgs	7,794.50	5,147.39	2,647.11	151.43%
41453 · FWD Direct Charges/Office Bldg	1,564.22	1,433.32	130.90	109.13%
41460 · Miscellaneous Income	830.00			
41465 · Recycled Water-Irrigation	0.00	16,800.00	-16,800.00	0.0%
41470 · Recycled Water-Ag Users	374.68	10,500.00	-10,125.32	3.57%
<b>Total 41000 · SEWER INCOME</b>	<b>1,134,623.55</b>	<b>1,153,978.37</b>	<b>-19,354.82</b>	<b>98.32%</b>
41461 · Grant Income	10,409.09			
<b>41500 · SEWER CONNECTION FEE INCOME</b>				
41520 · Connection Fees	4,380.00			
<b>Total 41500 · SEWER CONNECTION FEE INCOME</b>	<b>4,380.00</b>			
<b>Total Income</b>	<b>1,149,412.64</b>	<b>1,153,978.37</b>	<b>-4,565.73</b>	<b>99.6%</b>
<b>Gross Profit</b>	<b>1,149,412.64</b>	<b>1,153,978.37</b>	<b>-4,565.73</b>	<b>99.6%</b>
<b>Expense</b>				
<b>Loans</b>				
<b>59100 · Interest paid on loans</b>				
59014 · USDA Loan 92-14-Interest Expens	71,537.50	71,537.50	0.00	100.0%
59016 · USDA Loan 92-16-Interest Expens	28,012.50	28,012.50	0.00	100.0%
59017 · USDA Loan 92-17-Interest Expens	6,908.88	6,908.88	0.00	100.0%
<b>Total 59100 · Interest paid on loans</b>	<b>106,458.88</b>	<b>106,458.88</b>	<b>0.00</b>	<b>100.0%</b>
<b>59101 · Principal for Budgeting Purpose</b>				
59114 · USDA Loan 92-14-Principal	38,300.00	38,300.00	0.00	100.0%
59116 · USDA Loan 92-16-Principal	15,300.00	15,300.00	0.00	100.0%
59117 · USDA Loan 92-17- Principal	4,100.00	4,100.00	0.00	100.0%
<b>Total 59101 · Principal for Budgeting Purpose</b>	<b>57,700.00</b>	<b>57,700.00</b>	<b>0.00</b>	<b>100.0%</b>
<b>Total Loans</b>	<b>164,158.88</b>	<b>164,158.88</b>	<b>0.00</b>	<b>100.0%</b>
<b>Operations &amp; Maintenance</b>				
54120 · Labor (RRU)	0.00	0.00	0.00	0.0%
54121 · Contract Services - WaterTalent	0.00	0.00	0.00	0.0%
54130 · CRWA Contract Services	0.00	0.00	0.00	0.0%
54150 · Plant Operations - SCWA	0.00	1,126.16	-1,126.16	0.0%
54210 · Materials & Supplies	3,118.57	14,071.62	-10,953.05	22.16%
54220 · Machine Hire	2,518.75	22,000.00	-19,481.25	11.45%
54230 · Maint/Repair System	45,209.31	70,000.00	-24,790.69	64.59%
54235 · Garbage+Recycled Waste Services	0.00	0.00	0.00	0.0%
54240 · Collection Systems Maintenance	7,683.40	11,261.62	-3,578.22	68.23%
56210 · Office supplies, postage, etc.	122.60	1,218.99	-1,096.39	10.06%
56211 · Office Supplies (shared)	0.00	4,898.81	-4,898.81	0.0%
56212 · Uniforms	0.00	0.00	0.00	0.0%
56213 · Bank Service Charges (shared)	0.00	0.00	0.00	0.0%
56220 · PG&E Plant Usage	92,691.13	110,408.08	-17,716.95	83.95%
56221 · P.G. & E. - (shared)	0.00	1,039.73	-1,039.73	0.0%
56225 · Utilities-Forestville Water	2,722.22	1,218.99	1,503.23	223.32%

**Sewer Service Zone**  
**Profit & Loss Budget vs. Actual**  
 July 2021 through May 2022

	<b>Jul '21 - May 22</b>	<b>Budget</b>	<b>\$ Over Budget</b>	<b>% of Budget</b>
56230 · Telephone- plant useage	7,927.22	3,047.49	4,879.73	260.12%
56231 · Telephone- (shared)	0.00	941.72	-941.72	0.0%
56232 · Translation Services	0.00	0.00	0.00	0.0%
56235 · Memberships & LAFCO charges	1,946.00	4,870.94	-2,924.94	39.95%
56236 · Vehicle Fuel Expense	1,614.40	0.00	1,614.40	100.0%
56239 · Training	930.00	0.00	930.00	100.0%
56240 · Other Admin costs (sewer only)	10,026.43	7,883.14	2,143.29	127.19%
56241 · Other Admin Services (shared)	367.00	2,449.40	-2,082.40	14.98%
56245 · Permit Fees	8,633.00	8,659.46	-26.46	99.69%
56246 · Consulting-Sewer Tech/Support	0.00	609.50	-609.50	0.0%
56301 · Insurance- Liabil/Prop (shared)	0.00	7,219.82	-7,219.82	0.0%
56302 · Insurance-Workers' Comp(shared)	0.00	3,549.60	-3,549.60	0.0%
56700 · Maintenance=General Sewer Plant	0.00	975.20	-975.20	0.0%
56701 · Chemicals	26,849.27	60,000.00	-33,150.73	44.75%
56702 · Lab/sample testing-Wastewater	28,340.34	50,000.00	-21,659.66	56.68%
56800 · Audit	4,975.00	4,975.00	0.00	100.0%
56801 · Attorney Services	1,450.00	3,000.00	-1,550.00	48.33%
56802 · Attorney Retainer- (shared)	0.00	1,740.00	-1,740.00	0.0%
56804 · Truck Expense - (shared)	0.00	2,900.00	-2,900.00	0.0%
56805 · Reimburse "Water"- shared costs	0.00	418,893.52	-418,893.52	0.0%
56806 · Engineering Services-Sewer only	11,851.25	20,000.00	-8,148.75	59.26%
56807 · Engineering Retainer- (shared)	0.00	1,740.00	-1,740.00	0.0%
56808 · Eng. Services-Biosolids Removal	0.00	0.00	0.00	0.0%
56870 · Miscellaneous Special Projects	0.00	0.00	0.00	0.0%
56875 · Report of Waste Discharge	0.00	0.00	0.00	0.0%
56880 · Current Yr reserved future fund	0.00	0.00	0.00	0.0%
57105 · Reserves for Depreciation	0.00	0.00	0.00	0.0%
57110 · Reserves for Contingencies	0.00	0.00	0.00	0.0%
<b>Total Operations &amp; Maintenance</b>	<b>258,975.89</b>	<b>840,698.79</b>	<b>-581,722.90</b>	<b>30.81%</b>
<b>PAYROLL and BENEFITS</b>				
<b>Employee Benefits</b>				
56350 · Unemployment - (shared)	0.00	689.99	-689.99	0.0%
56400 · Health/Dental - (shared)	0.00	35,561.43	-35,561.43	0.0%
56450 · Vision Care Insurance-(shared)	0.00	577.39	-577.39	0.0%
56500 · Social Security - (shared)	0.00	12,353.34	-12,353.34	0.0%
56501 · CalPERS for Classic	0.00	22,809.33	-22,809.33	0.0%
56504 · General Manager @ 50% Sewer	0.00	0.00	0.00	0.0%
56505 · CalPERS for PEPRAs employees	0.00	0.00	0.00	0.0%
56506 · Lead Plant Op @ 100% Sewer	0.00	0.00	0.00	0.0%
<b>Total Employee Benefits</b>	<b>0.00</b>	<b>71,991.48</b>	<b>-71,991.48</b>	<b>0.0%</b>
<b>Salaries &amp; Wages</b>				
54100 · General Manager Salary (shared)	0.00	67,266.16	-67,266.16	0.0%
<b>54106 · Lead Plant Operator Salary</b>				
54106.1 · Lead Plant Operator Overtime	0.00	9,803.38	-9,803.38	0.0%
54106.2 · Lead Plant Operator Standby	0.00	6,091.52	-6,091.52	0.0%
54106 · Lead Plant Operator Salary - Other	0.00	98,504.29	-98,504.29	0.0%
<b>Total 54106 · Lead Plant Operator Salary</b>	<b>0.00</b>	<b>114,399.19</b>	<b>-114,399.19</b>	<b>0.0%</b>
<b>54107 · Water/Sewer Grade 2 Op Salary</b>				
54107.1 · Water/Sewer Grade 2 Overtime	0.00	2,441.41	-2,441.41	0.0%
54107.2 · Water/Sewer Grade 2 Op Standby	0.00	1,766.54	-1,766.54	0.0%
54107 · Water/Sewer Grade 2 Op Salary - Other	296.80	23,396.95	-23,100.15	1.27%
<b>Total 54107 · Water/Sewer Grade 2 Op Salary</b>	<b>296.80</b>	<b>27,604.90</b>	<b>-27,308.10</b>	<b>1.08%</b>



**Sewer Service Zone**  
**Profit & Loss Budget vs. Actual**  
 July 2021 through May 2022

	<b>Jul '21 - May 22</b>	<b>Budget</b>	<b>\$ Over Budget</b>	<b>% of Budget</b>
54108 - P-T Field Employees (shared)	0.00	0.00	0.00	0.0%
54109 - Water/Sewer Grade 2 Op 2 Salary				
54109.1 - Water/Sewer Grade 2 Op 2 OT	0.00	2,441.41	-2,441.41	0.0%
54109.2 - Water/Sewer Grde 2 Op 2 Standby	0.00	1,766.54	-1,766.54	0.0%
54109 - Water/Sewer Grade 2 Op 2 Salary - Other	417.06	23,284.44	-22,867.38	1.79%
<b>Total 54109 - Water/Sewer Grade 2 Op 2 Salary</b>	<b>417.06</b>	<b>27,492.39</b>	<b>-27,075.33</b>	<b>1.52%</b>
54110 - Board Clerk Salary - (shared)	0.00	34,666.28	-34,666.28	0.0%
54111 - Office Admin Salary	0.00	0.00	0.00	0.0%
<b>Total Salaries &amp; Wages</b>	<b>713.86</b>	<b>271,428.92</b>	<b>-270,715.06</b>	<b>0.26%</b>
<b>Total PAYROLL and BENEFITS</b>	<b>713.86</b>	<b>343,420.40</b>	<b>-342,706.54</b>	<b>0.21%</b>
<b>Total Expense</b>	<b>423,848.63</b>	<b>1,348,278.07</b>	<b>-924,429.44</b>	<b>31.44%</b>
<b>Net Ordinary Income</b>	<b>725,564.01</b>	<b>-194,299.70</b>	<b>919,863.71</b>	<b>-373.43%</b>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
49200 - Interest Income	354.24	2,000.00	-1,645.76	17.71%
<b>Total Other Income</b>	<b>354.24</b>	<b>2,000.00</b>	<b>-1,645.76</b>	<b>17.71%</b>
<b>Net Other Income</b>	<b>354.24</b>	<b>2,000.00</b>	<b>-1,645.76</b>	<b>17.71%</b>
<b>Net Income</b>	<b>725,918.25</b>	<b>-192,299.70</b>	<b>918,217.95</b>	<b>-377.49%</b>

**Sewer Service Zone**  
**Balance Sheet**  
As of May 31, 2022

	May 31, 22
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
13101 · Umpqua Sewer Operation Checking	1,355,178.43
13301 · Umpqua Connection Fee Account	199,736.13
<b>Total Checking/Savings</b>	1,554,914.56
<b>Accounts Receivable</b>	
13710 · Accounts Receivable	87,822.66
<b>Total Accounts Receivable</b>	87,822.66
<b>Other Current Assets</b>	
13200 · SoCo Investment Interest	47,363.64
13705 · SoCo Investment Pool	150,000.00
13721 · Chase Bank Investments	144,510.00
16000 · Connection Fee Receivable	-7,074.00
16001 · Allowance- Conn.Fee Receivable	7,074.00
<b>Total Other Current Assets</b>	341,873.64
<b>Total Current Assets</b>	1,984,610.86
<b>Fixed Assets</b>	
11120 · Land	5,900.00
11170 · System Improvements	162,921.42
11171 · FWD Recycled Water Fill Station	15,565.93
11172 · Lift Station VFD Upgrade	5,400.20
11180 · Office Equipment-Capital Outlay	2,135.51
11181 · Plant Equipment	
11183.1 · Hypochlorite Project	23,350.12
11181 · Plant Equipment - Other	2,456.34
<b>Total 11181 · Plant Equipment</b>	25,806.46
11182 · Buildings & Improvements	8,930,068.12
11184 · A/D - Office Equipment	-289,587.00
11185 · A/D- Buildings & Improvements	-5,159,885.60
11186 · RCAC Grant	233,904.77
11187 · ProDSS Handheld Analyzer	7,689.75
11188 · SCADA System	447,789.60
11189 · Groundwater Monitoring WW Plan	24,957.68
<b>Total Fixed Assets</b>	4,412,666.84
<b>Other Assets</b>	
13720 · Multiple Unit Note Receivables	
13720.2 · Note Receivable - Coffey	9,805.48
<b>Total 13720 · Multiple Unit Note Receivables</b>	9,805.48
<b>Total Other Assets</b>	9,805.48
<b>TOTAL ASSETS</b>	<b>6,407,083.18</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
22200 · Accounts Payable	-122.15
<b>Total Accounts Payable</b>	-122.15

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	<u>May 31, 22</u>
<b>Other Current Liabilities</b>	
22000 · Due to "Water" for shared costs	3,707.94
23000 · Interest Payable	44,956.02
24000 · Due to other governments	51,900.00
	<hr/>
<b>Total Other Current Liabilities</b>	100,563.96
	<hr/>
<b>Total Current Liabilities</b>	100,441.81
<b>Long Term Liabilities</b>	
25014 · USDA Loan #92-01	1,377,200.00
25016 · USDA Loan #92-03	538,900.00
25017 · USDA Loan #92-04	139,600.00
	<hr/>
<b>Total Long Term Liabilities</b>	2,055,700.00
	<hr/>
<b>Total Liabilities</b>	2,156,141.81
<b>Equity</b>	
30000 · Opening Bal Equity	3,842,914.15
30100 · Contributed Capital	260,129.97
39000 · Retained Earnings	-635,721.00
Net Income	783,618.25
	<hr/>
<b>Total Equity</b>	4,250,941.37
	<hr/>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>6,407,083.18</b>
	<hr/> <hr/>



cc: June 14, 2022  
Board Packet  
Consent Item #3

**Minutes of:  
Regular Public Meeting  
Of the  
Forestville Water District Board of Directors**

Date: **Tuesday, May 10, 2022** Time: **5:30 PM**  
Location: **Videoconference via Zoom**

**I. CALL TO ORDER** at 5:32 p.m. by Chair McDermott

**II. ROLL CALL**

DIRECTORS PRESENT: Directors – Aldridge, Hughes, Griffith, McDermott, and Monroe.

OTHERS PRESENT: GM- Tony Lopes, FWD Legal Counsel - Martin Hirsch, and Interim Board Clerk - Dawn Leith.

**III. APPROVAL OF AGENDA**

- **MOTION** made by Director Hughes, seconded by Director Aldridge, and passed 5-0-0 to approve the agenda with following changes move IX Engineer before ASR R.

**IV. STATEMENT OF ABSTENTION**

- McDermott – ASR I

**V. PUBLIC COMMENT** (Public testimony is limited to three minutes)

**VI. CONSENT ITEMS**

- **MOTION** made by Director Hughes, seconded by Director Griffith, and passed 5-0-0 to approve the Financial Reports for April 2022.
- **MOTION** made by Director Aldridge, seconded by Director Griffith, and passed 5-0-0 to approve minutes for the April 12, 2022, Regular Board Meeting as presented.

**VII. PUBLIC HEARING** (No public hearing tonight)

**VIII. ACTION ITEMS**

**A. FORESTVILLE PLANNING ASSOCIATION**

- GM briefed the Board on the discussion between Lucy Hardcastle, Forestville Planning Association President regarding fees for services at the Downtown Park. No action taken by the Board.

**B. CONTINUANCE OF TELECONFERENCING**

- **MOTION** made by Director Aldridge, seconded by Director Monroe, and passed 5-0-0 to approve continuing to meet via Zoom.
- **MOTION** made by Director Aldridge, seconded by Director Griffith, and passed 5-0-0 to approve Resolution #413(g) for the June 2022 board meeting to be held as video conference under AB 361.

**C. 2018 SEWER IMPROVEMENT PROJECT**

- FWD Engineer provided status on progress of work and of disbursement. No action taken by the Board.

**D. TIME SCHEDULE ORDER (TSO) AND GRANT APPLICATION FOR SEWER TREATMENT PLANT**

- No new updates to report. No action taken by the Board.

**E. PRV REPLACEMENT OPTIONS**

- **MOTION** made by Director Aldridge, seconded by Director Griffith, and passed 5-0-0 to approve change order #2 as presented.

**F. LIFT STATION VFD ELECTRICAL UPGRADE**

- GM and FWD Engineer provided an update on the progress of work. No action taken by the Board.

**G. SEWER FORCE MAIN PROJECT**

- **MOTION** made by Director Monroe, seconded by Director Aldridge, and passed 5-0-0 to approve a budget of fifteen thousand dollars (\$15,000) to start exploration process.

**H. DIRECTOR'S TRAINING**

- Directors will need complete additional training on Brown Act and Public Records Act, required by ACWA/JPIA.

- I. GROUNDWATER MONITORING AT THE FORESTVILLE YOUTH PARK
  - FWD Engineer reported on the progress of the work on drilling the wells and sampling. No action taken by the Board.
- J. DISTRICT GOAL UPDATES
  - Board Clerk provided status on the variety of projects FWD staff is working on. No action taken by the Board.
- K. NEW WATER RATE STRUCTURE
  - The sub-committee met on Apr. 19, 2022 but had nothing new to report to the Board. No action taken by the Board.
- L. WATER CONSERVATION
  - GM Lopes provided current usage and statistics on conservation efforts. No action taken by the Board.
- M. ACCESSORY DWELLING UNIT POLICY
  - FWD Staff currently working on drafting new policy. No action taken by the Board.
- N. SERVICE AGREEMENT
  - The Board instructed FWD Staff to remove from the agenda and add to the District's goals until the Accessory Dwelling Unit policy has been approved.
- O. ESTABLISHING BYLAWS
  - The Board tabled to next month's meeting and instructed the Board Clerk to provide examples in the June board packet.
- P. BOARD VACANCY
  - **MOTION** made by Director Hughes, seconded by Director Griffith, and passed 5-0-0 to approve creating a sub-committee (Directors Monroe and Aldridge) to fill the vacancy by appointment.
  - The Board instructed Board Clerk to post Notice of Vacancy with submission deadline of May 24, 2022.
- Q. CORRESPONDENCE
  - The Board instructed the GM to respond to Correspondence #2-Letter from FWD customer.
  - No requests or instructions were given for the other five pieces of correspondence provided in the board packet.
- R. CLOSED SESSION (Gov't. Code #54957) GENERAL MANAGER PERFORMANCE EVALUATION
  - **Adjourned** to Closed Session at 7:04 p.m.: Directors Aldridge, Hughes, Griffith, McDermott, Monroe, and FWD Counsel-Hirsch
  - **Reconvened** to Open Session at 7:17 p.m., and the Board announced the following:
  - **Statement:** The Board proposes creating a subcommittee to evaluate the GM's performance and to approve the proposed evaluation process.
  - **MOTION** made by Director Griffith, seconded by Director Hughes, and passed 5-0-0 to approve the volunteers, Directors McDermott and Monroe, for the subcommittee for the evaluation of the General Manager.
- S. CLOSED SESSION (Gov't. Code #54957) BOARD CLERK APPOINTMENT
  - **Adjourned** to Closed Session at 7:18 p.m.: Directors Aldridge, Hughes, Griffith, McDermott, Monroe, GM Lopes, and FWD Counsel-Hirsch
  - **Reconvened** to Open Session at 7:37 p.m., and the Board announced the following:
  - **Statement:** The Board proposes a salary increase of the Board Clerk to be 10% of the Board Clerk's current pay and to be retroactively paid from 6 months of the time that the Board had last agreed upon creating the position.
  - **MOTION** made by Director Hughes, seconded by Director Aldridge, and passed 5-0-0 to approve Board Clerk/District Administrator job description as presented along with 10% of the Board Clerk's current pay and to be retroactively paid from 6 months of the time that the Board had last agreed upon creating the position.
- T. CLOSED SESSION (Gov't. Code #54957.6) EMPLOYEE SALARIES AND BENEFITS

- Adjourned to Closed Session at 7:40 p.m.: Directors Aldridge, Hughes, Griffith, McDermott, Monroe, GM Lopes, and FWD Counsel-Hirsch
- Reconvened to Open Session at 8:09 p.m., and the Board announced the following:
- Statement: The Board has agreed to give a 4% Cola and a 1% Merit to all employees effective July 1, 2022.

**IX. DISTRICT ENGINEER MONTHLY REPORT**

- FWD Engineer provided current updates for “Water” and “Wastewater” projects in order as listed on Agenda.

**X. GENERAL MANAGER MONTHLY REPORT**

- GM Lopes provided current updates for “Water” and “Wastewater” operations and projects.

**XI. GRATON/FWD SUB-COMMITTEE REPORT**

- Director McDermott will be meeting with Graton’s new Board President in the coming weeks. No action taken by the Board.

**XII. DIRECTORS’ REPORT AND CALL FOR FUTURE AGENDA ITEMS**

- No requests for future agendas.

**XIII. ADJOURNMENT**

- **MOTION** made by Director Hughes, seconded by Director Aldridge, and passed 5-0-0 to adjourn at 8:19 p.m.

APPROVED: June 14, 2022

Submitted by: \_\_\_\_\_  
Dawn Leith, Interim Board Clerk

BY FWD BOARD OF DIRECTORS:

X\_\_\_\_\_X\_\_\_\_\_X\_\_\_\_\_

Agenda Item:

**FORESTVILLE WATER DISTRICT BOARD VACANCY**

Summary:

**June 14, 2022:**

On May 11, 2022, Forestville Water District posted Public Notices of Board Vacancy with a submission deadline of May 24, 2022. Two (2) letters of interest were received by the sub-committee to interview. The Sub-Committee will make their recommendation to the Board.

**HISTORICAL:**

**May 10, 2022:**

The District Office received an official letter of resignation from Director Hughes on April 25, 2022, effective May 12, 2022. The FWD Board will review and select the path for filling the vacancy by selecting one of the following:

1. **Appointment:** (the following to be completed within 60 days of effective date):
  - Appoint two directors as the Interview Panel for candidates.
  - Choose a deadline date for receiving “applications” / “letters of interest” to fill the FWD Board vacancy.
  - Choose a date to conduct interviews of interested candidates.
  - Approve Notice of Board Vacancy and direct FWD Staff to post notice. *(Draft of Notice included)*
  - Select and approve one candidate to recommend to the Board for approval
  - Board approves appointment
  - Conduct swearing in of new Board Member by **June 14, 2022.**
2. **Election:**
  - The board may call for an election to fill the vacancy by **June 14, 2022.** The election will be held on the next established election date that is 130 or more days after the district’s call for the election.
3. **Sonoma County Board of Supervisors:**
  - By either appointing or call for an election 90 days after the effective date

Potential Board Actions:

The Board may either:

- 1) Select and approve one candidate, appointment to FWD Board of Directors, and swear in of new Board Member tonight.
- 2) Approve to repost to acquire possibly additional candidates and appoint before 60 days
- 3) Approve Sonoma County Board of Supervisors to appoint or call for an election fill the vacancy.

Staff Recommendation:

None

Report created by: Dawn Leith, Board Clerk

Agenda Item:

**PROPOSAL FOR INDEPENDENT FINANCIAL AUDIT**

Summary:

**June 14, 2022:**

Blomberg & Griffin has submitted a proposal to renew service contract to conduct annual independent financial audit for Forestville Water District. The proposal covers Fiscal Years 2022-2023 & 2023-2024.

Copy of proposal submitted by Blomberg & Griffin included in board packet.

Potential Board Actions:

FWD Board may:

- 1) Approve the Independent Audit Proposal as presented
- 2) Approve with changes
- 3) Not approve and provide FWD Staff with further instructions

Staff Recommendation:

None

Report created by: Dawn Leith, Board Clerk





Blomberg & Griffin Accountancy Corporation  
Certified Public Accountant

## INDEPENDENT AUDIT PROPOSAL

Board of Directors  
Forestville Water District and Sewer Service Zone  
Forestville, CA

May 19, 2022

Dear Members of the Board:

Thank you for the opportunity to submit the following proposal to serve as independent auditor for Forestville Water District and Sewer Service Zone.

We propose to conduct the audit of the financial statements of the Forestville Water District & Sewer Service Zone for the fiscal years ended June 30, 2022, 2023, and 2024.

We will plan and perform the audit in accordance with generally accepted auditing standards in the United States of America and the State Controller's minimum audit requirements for California Special Districts. If our audit report is other than unqualified, we will fully discuss the reason with the District's manager prior to presentation of the report. If during the audit we become aware of significant deficiencies in the design or operation of internal controls or of ways management practices can be improved, we will communicate such information to the District Board of Directors in a separate letter.

We propose to begin the audit for the fiscal year ended June 30, 2022, 2023, and 2024 as soon as the District records are available. Set-up, pre-list, and certain other procedures would begin on notification of the contract. Fieldwork would begin soon after District personnel complete the trial balance.

Our fee for the above services is based on hourly rates from \$75 to \$125 per hour with an audit fee of \$6,950.00 for each entity for each fiscal year ended June 30, 2022, 2023, and 2024. Total fee amount of \$13,900 for each year.

This audit proposal is for a financial audit and the above fees include our entire out of pocket expenses including up to 10 bound copies of the audit report. Additional copies are available at \$25 each.

**Forestville Water District and Sewer Service Zone Audit Proposal-Page 2**

We will need the cooperation and assistance of District personnel to successfully complete the audit. Such assistance will include but not limited to obtaining copies of documents, contract, invoices, etc., various audit inquiries and assistance with preparation of the audit confirmations and other standard auditing procedures.

Our audit fee includes assistance with preparation of the depreciation schedule, management discussion and analysis, GASB 68 disclosures, and preparation of the State Compensation and financial transactions report.

Should the District need additional services, our fee assisting will be billed at the rate of \$125 per hour in addition to the audit fee discussed above. Such additional fees, if any, will be discussed with the District in advance of providing such services.

Should you need any additional information regarding this proposal please call John E. Blomberg, C.P.A. direct at (209) 466-3894.

Respectfully Submitted,



John E. Blomberg, C.P.A.

Approved By:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Dated

Agenda Item:

**UNFUNDED LIABILITY ANNUAL INVOICE**

Summary:

**June 14, 2022:**

To save paying interest, FWD Staff is requesting an approval to pay the Unfunded Liability for Classic and PEPRAs in one payment for FY 2022-23.

**FY 2022-2023 Annual Unfunded Liability:**

Classic \$52,936.00 Lump Sum (savings of \$1,820.96)

PEPRA \$984.00 Lump Sum (savings of \$33.96)

Copies of both Classic and PEPRAs Valuation Report-Required Employer Contributions and CSDA's article on Unfunded Liability are included in the Board Packet.

Potential Board Actions:

FWD Board may either

1. Approve paying the invoice in one sum
2. Approve to make installment payments and pay interest.

Staff Recommendation:

FWD Staff is in favor of paying the Unfunded Liability in full to save the District paying interest.

Report created by: Dawn Leith, Board Clerk

## Required Employer Contributions

	<b>Fiscal Year</b>
<b>Required Employer Contributions</b>	<b>2022-23</b>
<b>Employer Normal Cost Rate</b>	<b>13.35%</b>
<i>Plus</i>	
<b>Required Payment on Amortization Bases<sup>1</sup></b>	<b>\$54,757</b>
<i>Paid either as</i>	
<b>1) Monthly Payment</b>	<b>\$4,563.08</b>
<i>Or</i>	
<b>2) Annual Prepayment Option*</b>	<b>\$52,936</b>
<p><i>The total minimum required employer contribution is the sum of the Plan's Employer Normal Cost Rate (expressed as a percentage of payroll and paid as payroll is reported) plus the Employer Unfunded Accrued Liability (UAL) Contribution Amount (billed monthly (1) or prepaid annually (2) in dollars).</i></p> <p><i>* Only the UAL portion of the employer contribution can be prepaid (<b>which must be received in full no later than July 31</b>).</i></p>	

	<b>Fiscal Year</b>	<b>Fiscal Year</b>
	<b>2021-22</b>	<b>2022-23</b>
<b>Development of Normal Cost as a Percentage of Payroll</b>		
Base Total Normal Cost for Formula	21.31%	21.31%
Surcharge for Class 1 Benefits <sup>2</sup>		
None	0.00%	0.00%
Phase out of Normal Cost Difference <sup>3</sup>	0.00%	0.00%
Plan's Total Normal Cost	21.31%	21.31%
Formula's Expected Employee Contribution Rate	7.96%	7.96%
Employer Normal Cost Rate	13.35%	13.35%

<sup>1</sup> The required payment on amortization bases does not take into account any additional discretionary payment made after April 30, 2021.

<sup>2</sup> Section 2 of this report contains a list of Class 1 benefits and corresponding surcharges for each benefit.

<sup>3</sup> The normal cost change is phased out over a five-year period in accordance with the CalPERS contribution allocation policy.

## Required Employer Contributions

	Fiscal Year
<b>Required Employer Contributions</b>	<b>2022-23</b>
<b>Employer Normal Cost Rate</b>	<b>7.47%</b>
<i>Plus</i>	
<b>Required Payment on Amortization Bases<sup>1</sup></b>	<b>\$1,018</b>
<i>Paid either as</i>	
<b>1) Monthly Payment</b>	<b>\$84.83</b>
<i>Or</i>	
<b>2) Annual Prepayment Option*</b>	<b>\$984</b>
<p><i>The total minimum required employer contribution is the sum of the Plan's Employer Normal Cost Rate (expressed as a percentage of payroll and paid as payroll is reported) plus the Employer Unfunded Accrued Liability (UAL) Contribution Amount (billed monthly (1) or prepaid annually (2) in dollars).</i></p> <p><i>* Only the UAL portion of the employer contribution can be prepaid (which must be received in full no later than July 31).</i></p>	

	Fiscal Year	Fiscal Year
	2021-22	2022-23
<b>Development of Normal Cost as a Percentage of Payroll</b>		
Base Total Normal Cost for Formula	14.34%	14.22%
Surcharge for Class 1 Benefits <sup>2</sup>		
None	0.00%	0.00%
Phase out of Normal Cost Difference <sup>3</sup>	0.00%	0.00%
Plan's Total Normal Cost	14.34%	14.22%
Plan's Employee Contribution Rate <sup>4</sup>	6.75%	6.75%
Employer Normal Cost Rate	7.59%	7.47%

<sup>1</sup> The required payment on amortization bases does not take into account any additional discretionary payment made after April 30, 2021.

<sup>2</sup> Section 2 of this report contains a list of Class 1 benefits and corresponding surcharges for each benefit.

<sup>3</sup> The normal cost change is phased out over a five-year period in accordance with the CalPERS contribution allocation policy.

<sup>4</sup> For detail regarding the determination of the required PEPRA employee contribution rate see Section on PEPRA Member Contribution Rates.

# Understanding Your CalPERS Unfunded Accrued Liability

By Julio Morales, Director at Urban Futures, Inc.

The first step toward developing a pension funding strategy, which ultimately may include multiple funding solutions, is to understand your CalPERS Unfunded Accrued Liability (UAL).

We have used the UAL from a member agency, based on the most recent actuarial reports dated June 30, 2019, for the sake of this article.

**Note:** It is important to note that each agency has a different UAL and faces a unique set of financial constraints. The majority of special districts only have a plan that covers Miscellaneous employees; however, some agencies also have a Safety Plan (police/fire/lifeguard). The concepts introduced below are applicable toward either plan.

## DEFINED BENEFIT PLAN

The public sector has traditionally provided its employees a "Defined Benefit" retirement plan. Social Security, for example, is a defined benefit retirement program.

CalPERS provides its participants a defined benefit, which is derived from a formula based on the number of years of service. The formula that an employee receives is usually based whether they are a regular (Miscellaneous) or Safety/ sworn employee, and on their hire date.

Once an employee retires, the annual amount they will receive, once they retire at age 50, is based on: 1) the highest salary earned over a 1-year period during their career and 2) the number of years of service credit.

If we assume an employee is under the "Classic" formula for Miscellaneous employees 2.0% @ 55, then their annual retirement compensation is equal to: 1) highest salary earned over a 1-year period = \$50,000, and 2) 20 service credit. The employee would receive 40% of their highest year's salary or \$20,000 per year (2.0% x 20 years = 40% x \$50,000 = \$20,000).

There are a variety of benefit plans available:

**Miscellaneous** - 2.0% @ 60 / 2.0% @ 55 / 2.5% @ 55 / 2.7% @ 57 / 3.0% @ 60 / 2.0% @ 62 (PEPRA)

**Safety** - 2.0% @ 57 / 2.5% @ 57 / 2.7% @ 57 / 2.0% @ 55 / 3.0% @ 50 / 3.0% @ 50 / 2.7% @ 57 (PEPRA)



**CalPERS provides its participants a defined benefit, which is derived from a formula based on the number of years of service.**



## DEFINED CONTRIBUTION

The private sector primarily participates in some type of "defined contribution" retirement program, commonly referred to a 401K. There are many derivatives plans (Roth, 403B, SEP, IRA, etc.), which often provide some type of tax-advantage to facilitate long-term savings.

The payout from Defined Contribution Plans are directly tied to the two key factors:

1. The amount contributed (and matched)
2. The investment performance of the plan

The plan participants determine the amount of contributions and typically assume the responsibility investment decisions.

The most important distinction is that the employee assumes the attendant risks of investment shortfalls.

**Benefit Tiers** – An agency typically has two benefit tiers: 1st Tier or Classic, and PEPR. Some agencies created a 2nd tier for new employees hired before January 1, 2013, when PEPR took effect.

**California Public Employees' Pension Reform Act (PEPR)** – PEPR changed the benefit formula for new employees hired after January 1, 2013 or 6 months break from service: 2.0% @ 60 for Miscellaneous employees, and 2.7% @ 57 for Safety employees. PEPR also required employees to pay 50% of their annual contributions or Normal Costs; and placed a cap on annual retirement compensation (~\$150,000).

**Actuarial Reports** - Actuarial reports are generated at the end of each fiscal year – June 30, based on the financial results experience during the prior fiscal year. CalPERS released the June 30, 2019 actuarial report in September 2020, which provides the required payment for the next following fiscal year FY 21-22. Actuarial reports therefore reflect an effective 2-year delay.

CalPERS provides a separate actuarial report for each Tier and type of employee. The majority of an agency's UAL is concentrated in the classic plan (as opposed to PEPR).

**Risk Pools** – CalPERS groups all plans with less than 100 employees into a shared risk pool plan. Member agencies are placed into the plan to minimize the impact of individual benefit events – the retirement/death of a single employee in a 20-member agency is more financially significant than for a larger city with 500 employees. Actuarial calculations are made collectively, but the UAL for each agency is determined individually based on their percentage share of the plan.

Some agencies mistakenly assume if they pay-off their UAL or make an additional discretionary payment (ADP) this payment will be applied toward the pool and for the benefit of other agencies. All payments are tracked and credited to each agency's respective account, percentage allocations (of the risk pool UAL) are rebalanced after such payments are taken into account.

*continued on page 38*

## CSDAFC Board and Staff

### Officers

JO MACKENZIE, PRESIDENT, *Vista Irrigation District*  
VINCE FERRANTE, VICE PRESIDENT, *Moss Landing Harbor District*  
ARLENE SCHAFFER, SECRETARY, *Costa Mesa Sanitary District*  
GLENN LAZOF, TREASURER, *Regional Government Services Authority*

### Members of the Board

GEORGE EMERSON, *Goleta Sanitary District*  
PAUL HUGHES, CSDM, *South Tahoe Public Utilities District*  
JEFF LAND, *Brandis Tallman, a Division of Oppenheimer & Co. Inc.*  
MATTHEW MCCUE, *Mission Springs Water District*  
STEFAN MORTON, *Municipal Finance Corporation*

### Consultants

RICK BRANDIS, *Brandis Tallman, a Division of Oppenheimer & Co. Inc.*  
WILLIAM MORTON, *Municipal Finance Corporation*  
ALBERT REYES, *Kutak Rock LLP*  
SAUL ROSENBAUM, *Prager & Co., LLC*  
NICOLE TALLMAN, *Brandis Tallman, a Division of Oppenheimer & Co. Inc.*

### Staff

NEIL MCCORMICK, *Chief Executive Officer*  
CATHRINE LEMAIRE, *Coordinator*  
AMBER PHELEN, *Executive Assistant*  
RICK WOOD, *Finance & Administrative Director*



CSDA Finance Corporation  
1112 I Street, Suite 200, Sacramento, CA 95814  
tel: 877.924.2732 • www.csdafinance.net



## Recent Financings

In 2020, the CSDA Finance Corporation facilitated the financing of more than \$33 million in projects and purchases for special districts:

**Solano Transportation Authority**  
Admin Building - \$9,000,000

**Northern Salinas Valley Mosquito Abatement District**  
Building Construction - \$5,000,000

**Murphys Sanitary District**  
Bridge Loan - \$4,000,000

**Heritage Ranch Community Services District**  
Solar Project - \$1,500,000

**Riverdale Irrigation District**  
Land Purchase - \$700,000

**Bear Valley Community Services District**  
Generators - \$300,000

**Nevada County Consolidated Fire Protection District**  
Rescue Vehicle - \$280,000

We have solutions for your financing needs, large and small. Contact CSDA Finance Corporation at 877.924.2732 or visit [csdafinance.net](http://csdafinance.net).





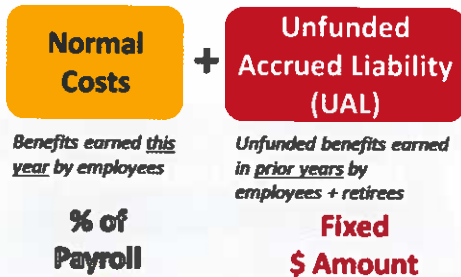
## ANNUAL PENSION COSTS

An agency's annual pension costs are comprised of two components:

1. Normal Costs, which represents the benefits earned by current employees this year. This amount is calculated

based on a percentage of payroll.

2. Unfunded Accrued Liability (UAL) payment. This amount represents the funding shortfall of benefits earned in prior years, by both current employees and retirees. The annual UAL payment is a fixed dollar amount, which should be viewed as a "payment plan for past due bill."



## NORMAL COSTS

Normal costs are calculated based on a percentage of payroll. Each Tier/Plan requires a different percentage. Given the current pension law, there is little an agency can do to change its annual normal costs, except to adjust the size of its workforce and/or negotiate for employees to pay a greater share of pension costs. We will focus on understanding the UAL, which is a fixed dollar payment toward the past service credit or past due balance.

### Unfunded Accrued Liability "UAL"

Each agency's UAL is determined based on two variables:

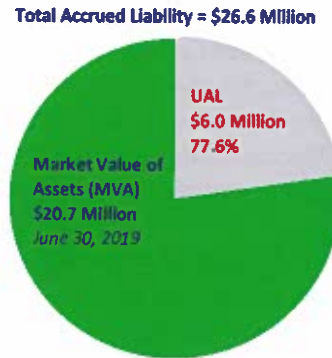
- 1) Accrued Value of Pension Benefits earned to date.
- 2) Market Value of Assets held and invested by CalPERS.

The shortfall or difference between these amounts is the UAL. The District has a pension funding shortfall or UAL of \$5,975,125 - 77.6% funding level. The PEPRA plan adds \$51,710 to the UAL, which is 92% funded.

The District's classic plan is 2.0% @ 55, as compared to many agencies that have 2.0% @ 50, as a result, the District has a higher funding ratio than average (68%-70%).

Standard & Poor's Rating Service considers pension funding status of 80% a minimum funding level, below which is considered underfunded and requires additional review.

The UAL is viewed as a "past due" amount owed to CalPERS for prior service credit earned by current employees or retirees.



The UAL is for June 30, 2019, while the UAL in the accompanying chart is for FY 21-22.

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**Standard & Poor's Rating Service considers pension funding status of 80% a minimum funding level, below which is considered underfunded and requires additional review.**



MISCELLANEOUS PLAN AMORTIZATION BASES FY 21-22

Year	Reason	Ramp Term	Balance	Payment
1 2013	Share Of Pre-2013 Pool	NO 16	\$ 970,753	\$ 83,588
2 2013	Non-Investment (Gain)/Los	100% 24	(21,707)	(1,513)
3 2013	Investment (Gain)/Loss	100% 24	2,259,333	157,508
4 2014	Non-Investment (Gain)/Los	100% 25	1,977	134
5 2014	Investment (Gain)/Loss	100% 25	(1,859,389)	(126,135)
6 2014	Assumption Change	100% 15	1,061,776	106,768
7 2015	Non-Investment (Gain)/Los	100% 26	(93,984)	(6,215)
8 2015	Investment (Gain)/Loss	100% 26	1,191,107	78,764
9 2016	Non-Investment (Gain)/Los	80% 27	(178,860)	(9,355)
10 2016	Investment (Gain)/Loss	80% 27	1,305,747	68,296
11 2016	Assumption Change	80% 17	444,373	32,698
12 2017	Non-Investment (Gain)/Los	60% 28	(38,482)	(1,512)
13 2017	Investment (Gain)/Loss	60% 28	(775,528)	(30,477)
14 2017	Assumption Change	60% 18	522,130	28,427
15 2018	Non-Investment (Gain)/Los	40% 29	115,469	3,069
16 2018	Investment (Gain)/Loss	40% 29	(242,327)	(6,441)
17 2018	Method Change	40% 19	227,150	8,283
18 2018	Assumption Change	40% 19	839,823	30,624
19 2019	Non-Investment (Gain)/Los	20% 20	117,749	10,745
20 2019	Investment (Gain)/Loss	20% 20	116,280	2,542
FY 21-22			\$ 5,963,390	\$ 429,798

**Amortization Base** – The UAL is comprised of a series of Amortization Bases, similar to a loan. Each Amortization Base carries an interest rate of 7.0%. Each Amortization Base has a different final maturity or term, while some repayment terms include an escalation or ramp-up feature while others do not. Therefore, each Amortization Base has a unique amortization or repayment schedule.

The District has a total of 20 Amortization Bases with terms ranging from 16 years to 29 years.

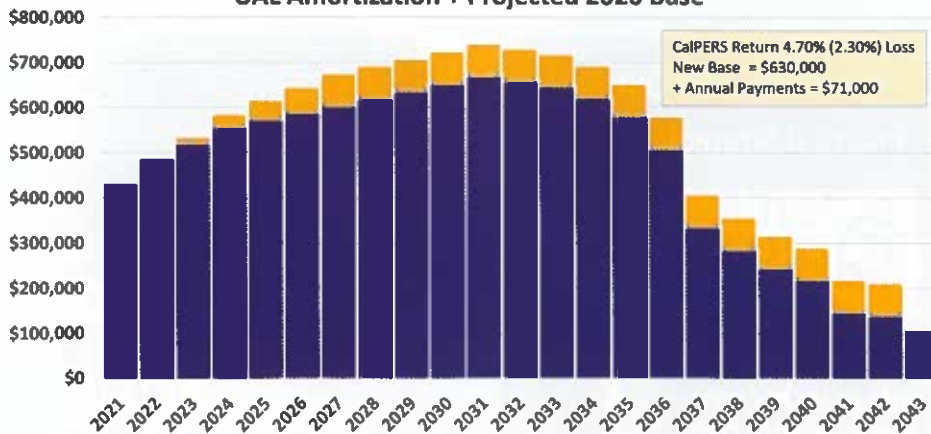
**UAL Payments** – The District will be required to pay a fixed dollar

UAL payment of \$429,000 in FY 21-22, in addition to the annual normal costs, which is equal to 10.8% of payroll.

The UAL represents an additional 12.7% of payroll (Total Pension Costs estimated 23.6% of payroll).

The District’s UAL payment is scheduled to grow until it peaks in FY 2032-33 at \$667,000 million – a 64% increase.

UAL Amortization + Projected 2020 Base



**FY20** – In 2020, CalPERS return was 4.70%. It fell short 2.30% of its benchmark rate of return of 7.0%. As a result, the District should anticipate that its UAL will grow by \$630,000. CalPERS will amortize this base over 20 years, adding \$71,000 to its annual UAL payments.

**Dynamic Liability** – The UAL is adjusted each year due to a combination of factors, including investment performance, actual retirement/mortality patterns, and changes in assumptions & methods. The UAL is dynamic and should be actively managed. In some years, an agency can earn “credits” against this liability for positive investment performance, while in other years CalPERS may fall short of its target 7.0% and a new base is added to increase the UAL.

It is not likely that CalPERS will “outearn” its unfunded liability (UAL) – we had an unprecedented 10-year economic recovery after the Great Recession and CalPERS remained at a 68% funded ratio.



**The UAL is adjusted each year due to a combination of factors, including investment performance, actual retirement/mortality patterns, and changes in assumptions & methods. The UAL is dynamic and should be actively managed.**



Julio F. Morales heads UFI’s pension advisory practice.

For more information,

he can be reached at [juliom@urbanfuturesinc.com](mailto:juliom@urbanfuturesinc.com).

Urban Futures, Inc. (UFI) is CSDA’s newest business affiliate and is a full service municipal consulting firm serving cities, counties, school districts, housing entities and special districts in the State of California since 1972.

Urban Futures, Inc. has a broad base of expertise with highly skilled and experienced professionals. Its consulting practice includes strategic planning, financial analysis, management consulting, housing consulting and special study services with offices in the cities of Orange, Daly City, and Walnut Creek.

Agenda Item:

**NOVEMBER 2022 CONSOLIDATED ELECTIONS**

Summary:

June 14, 2022:

Nominations are open from July 18 through August 12, 2022 (with a five (5) days extension for non-incumbent; through 5:00 p.m. on August 17, 2022, **if** an incumbent fails to file during formal open nomination period).

There are three (3) FWD Board positions up for re-election for the November 8, 2022, election.

- (1.) Director Aldridge: for a new 4-year term – current term ending 12/6/2022
- (2.) Director McDermott: for a new 4-year term – current term ending 12/6/2022
- (3.) Vacant – TBD: for a new 4-year term – current term ending 12/6/2022

Sonoma County Registrar of Voters is requiring for FWD to complete and submit the following documents:

- Resolution #417 – Request Consolidation Election on Nov. 8, 2022
- Memorandum – Notice of Offices to be filled and statement of Responsibility for Statements of Qualifications
- Memorandum – Notice of District Boundaries/Statements in Lieu of Map

Copies of Resolution #417, Memorandums, Election Timeline and Filing Schedule for Nov. 8, 2022, election is included in the board packet.

Potential Board Actions:

No FWD Board action needed tonight. For informational purposes only.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

**RESOLUTION NO.** 417

**DATED** JUNE 14, 2022

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
FORESTVILLE WATER DISTRICT, COUNTY OF SONOMA  
STATE OF CALIFORNIA, ORDERING AN ELECTION TO  
BE HELD AND REQUESTING CONSOLIDATION  
WITH THE NOVEMBER 8, 2022,  
GENERAL DISTRICT ELECTION

**WHEREAS**, an election will be held on NOVEMBER 8, 2022, in the FORESTVILLE WATER DISTRICT for the purpose of electing District Directors to fill positions that will expire in 2026;

**BE IT RESOLVED THAT**, the District Directors of said district hereby request consolidation with any election that may be held on the same day, in the same territory or in territory that is in part the same.

**THE FOREGOING RESOLUTION** was introduced by Director \_\_\_\_\_,  
who moved its adoption, seconded by Director \_\_\_\_\_ and then adopted on  
roll call by the following vote:

Director Aldridge Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

Director Griffith Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

Director McDermott Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

Director Monroe Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

Director \_\_\_\_\_ Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT \_\_\_\_\_

**WHEREUPON**, the Chairperson declared the foregoing resolution adopted and SO ORDERED

\_\_\_\_\_  
District Administrator



# DRAFT

## MEMORANDUM

TO: DEVA MARIE PROTO, COUNTY CLERK & REGISTRAR OF VOTERS

FROM: FORESTVILLE WATER DISTRICT

SUBJECT: NOTICE OF DISTRICT BOUNDARIES/STATEMENT IN LIEU OF MAP

DATE: JUNE 14, 2022

Pursuant to Elections Code Section 10522 (which requires notification prior to the 125<sup>th</sup> day before the election (\*July 6, 2022)) regarding district boundaries in the above named district), we are hereby notifying the Registrar of Voters Office that:

- As of this date, there has been no change in the boundaries of this district since the date of the last election. A map of the district is already on file with your office; therefore, this notice is in lieu of providing a duplicate map.
- A map of the above district, with all annexations and detachments shown thereon, is attached to this notification and incorporated for reference herein.
- There have been changes in the boundaries of this district since the date of the last election. A verified map of the above district containing all recent annexations and details shown thereon, is already on file with your office.

Submitted by \_\_\_\_\_  
District Administrator

SEAL

PLEASE COMPLETE AND RETURN IN THE PRE-ADDRESSED ENVELOPE.

\*Deadline falls on a weekend or state holiday; it does not move forward to the next business day.

## NOVEMBER 8, 2022, CONSOLIDATED GENERAL ELECTION TIMELINE

DISCLAIMER: Dates are based on information available as of mid-January 2022 and could still change if new legislation is enacted.

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Notification deadline (district director elections)	July 6, 2022
Specifications deadline (school district elections)	July 8, 2022
Candidate nominations filing period	July 18, 2022 - Aug. 12, 2022
Consolidation deadline	Aug. 12, 2022
Deadline for governing bodies to submit measures	Aug. 12, 2022
Tax rate statement deadline (bond measures only)	Aug. 12, 2022
Measure letter assignments	Aug. 15, 2022
Candidate nominations extended filing period (only applies to non-incumbent candidates <u>if</u> an incumbent candidate has not filed)	Aug. 15, 2022 - Aug. 17, 2022
Deadline to amend/withdraw measure	Aug. 17, 2022
Random alphabet drawing	Aug. 18, 2022
Argument deadline	Aug. 19, 2022
Impartial analysis due	Aug. 19, 2022
Rebuttal deadline (only if opposing arguments are filed)	Aug. 26, 2022
Deadline to send ballots to currently registered military/overseas voters	Sep. 24, 2022
First day County Voter Information Guides may be mailed	Sep. 29, 2022
Voting by mail opens; first day voters can pick up Vote-by-Mail ballots at the Registrar of Voters Office	Oct. 10, 2022
First day Registrar of Voters may begin to process Vote-by-Mail ballots	Oct. 10, 2022
Official Ballot Drop Boxes open	Oct. 11, 2022
Standard voter registration deadline	Oct. 24, 2022
Conditional (a.k.a. late) voter registration period	Oct. 25, 2022 - Nov. 8, 2022
11-Day Vote Centers are open daily from 9 a.m. to 5 p.m.	Oct. 29, 2022 - Nov. 7, 2022
Last day to request a ballot be mailed	Nov. 1, 2022
4-Day Vote Centers are open daily from 9 a.m. to 5 p.m.	Nov. 5, 2022 - Nov. 7, 2022
Election Day: 11-Day and 4-Day Vote Centers are open from 7 a.m. to 8 p.m.	Nov. 8, 2022
Official Ballot Drop Boxes close at 8 p.m.	Nov. 8, 2022
Deadline to certify election results	Dec. 8, 2022

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County holidays during this period: Independence Day (Jul. 4), Labor Day (Sep. 5), Veterans Day (Nov. 11), Thanksgiving (Nov. 24), Day After Thanksgiving (Nov. 25).

# Fair Political Practices Commission

## Filing Schedule for Candidates and Controlled Committees for Local Office Who Will be Voted Upon at the November 8, 2022 Election

Deadline	Period	Form	Notes
Aug 1, 2022 <i>Semi-Annual</i>	*- 6/30/22	<a href="#">460</a>	<ul style="list-style-type: none"> <li>Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
Within 24 Hours <i>Contribution Reports</i>	8/10/22 – 11/8/22	<a href="#">497</a>	<ul style="list-style-type: none"> <li>File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>File if a contribution of \$1,000 or more in the aggregate is made to or in connection with <i>another</i> candidate or measure being voted upon November 8, 2022.</li> <li>The recipient of a non-monetary contribution of \$1,000 or more in the aggregate must file a Form 497 within 48 hours from the time the contribution is received.</li> <li>File by personal delivery, e-mail, guaranteed overnight service, or fax. The committee may also file online, if available.</li> </ul>
Sep 29, 2022 <i>1<sup>st</sup> Pre-Election</i>	7/1/22 – 9/24/22	<a href="#">460</a> or <a href="#">470</a>	<ul style="list-style-type: none"> <li>Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
Oct 27, 2022 <i>2<sup>nd</sup> Pre-Election</i>	9/25/22 – 10/22/22	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this statement.</li> <li>File by personal delivery or guaranteed overnight service. The committee may also file online, if available.</li> </ul>
Jan 31, 2023 <i>Semi-Annual</i>	10/23/22 – 12/31/22	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file Form 460 unless the committee filed termination Forms 410 and 460 before December 31, 2022.</li> </ul>

### Additional Notes:

- **\*Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Local Ordinance:** Always check on whether additional local rules apply.
- **Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to a 24-Hour/10-Day Contribution Report (Form 497) that is due the weekend before the election, and this extension never applies to any 24-Hour/10-Day Independent Expenditure Report (Form 496). Such reports must be filed within 24 hours, regardless of the day of the week.
- **Method of Delivery:** All paper filings may be filed by first class mail unless otherwise noted. A paper copy of a statement may not be required if a local agency requires online filing pursuant to a local ordinance.
- **Form [501](#):** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.
- **Form [460](#):** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent.

## Fair Political Practices Commission

- **Form 470:** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2022 and do not have an open committee may file Form 470 on or before September 29, 2022. If, later during the calendar year, the candidate raises or spends \$2,000 or more, a Form 470 Supplement and a Form 410 must be filed.
- **Independent Expenditures:** Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file:
  - **Form 496:** This form is due within 24 hours if made in the 90-day, 24-hour reporting period of the candidate's or measure's election. Refer to the applicable filing schedule. Form 496 is filed with the filing officer in the jurisdiction of the affected candidate or measure.
  - **Form 462:** This verification form must be e-mailed to the FPPC within 10 days. Once the California Access Replacement System (CARS) system is live, this report will be eliminated, and the information captured on other reports.
- **After the Election:** Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See [Campaign Disclosure Manual 2](#) for additional information.
- **Public Documents:** All statements and reports are public documents.
- **Resources:** Campaign manuals and other instructional materials are available on the [Campaign Rules](#) page. Or, visit [www.fppc.ca.gov](http://www.fppc.ca.gov) > Learn > Campaign Rules.



Agenda Item:

**ADOPTION OF RESOLUTION #416: RESETTING AND ADOPTING  
AN APPROPRIATIONS LIMIT FOR 2022-2023 FISCAL YEAR**

Summary:

**June 14, 2022**

Every year the FWD Board is required to adopt and set an Appropriations Limit. The Sonoma County Auditor's Office has provided a calculation for FWD to use. The Appropriations Limit does NOT apply to the Sewer Budget; only the WATER Budget as per the So. Co. Auditor's Office.

**RESOLUTION #416: RESETTING & ADOPTING AN APPROPRIATIONS LIMIT FOR THE 2022-2023 FISCAL YEAR:  
\$219,873.00** as recommended by the County of Sonoma Auditor's Office.

Copies of the Draft of Resolution #416, Price Factor and Population Info and P1 Calculation of appropriation Limits are included in the Board Packet.

Potential Board Actions:

FWD Board may either:

1. Adopt Resolution #416 to amend the appropriations limit for the 2022-2023 Fiscal Year.
2. Adopt with edits.
3. Direct Staff with further instructions.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk



PO Box 261  
Forestville, CA 95436-0261  
Phone (707) 887-1551 Fax (707) 887-1552  
info@forestvillewd.com

## **DRAFT**

### **RESOLUTION NO. 416**

#### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE FORESTVILLE WATER DISTRICT OF SONOMA COUNTY RESETTING AND ADOPTING AN APPROPRIATIONS LIMIT FOR THE 2022-2023 FISCAL YEAR**

WHEREAS, Article 13B of the Constitution of the State of California establishes appropriations limits on the proceeds of taxes for entities of government, and

WHEREAS, Proposition 111 approved by the voters in June 1990 requires that the 2022-2023 Appropriations Limit for a governmental entity shall be the 1986-87 appropriations limit adjusted from that year forward by the new growth factors stated in the proposition, and

WHEREAS, Proposition 111 allows the choice of either the California per capita personal income from the preceding year or the change in local assessment roll due to non-residential construction from preceding year to be used as the factor for the change in cost of living, and

WHEREAS, the Sonoma County Assessor does not currently have the capability to report the assessment roll changes, and

WHEREAS, due to the factor availability the population and per capita factors as prepared by the State Department of Finance were the factors used to recalculate the appropriations limit, and

WHEREAS, the Board of Directors of the Forestville Water District did meet in a regularly scheduled meeting and did consider and determine each of the factors available to recalculate the 2022-2023 appropriations limit,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Forestville Water District that adopted Appropriations Limit for the 2022-2023 Fiscal Year is **\$219,873.00**.

BE IT FURTHER RESOLVED that the Board of Directors reserves the option to recalculate the 2022-2023 Appropriations Limit based on the formula in Proposition 111 when assessment roll information becomes available.

BE IT FURTHER RESOLVED that the Secretary of this Board is directed to attach the revised limit to the adopted 2022-2023 budget, to forward a copy of this resolution to the Sonoma County Auditor, and to file the required report with the State Controller.

BE IT FURTHER RESOLVED that the Secretary of this Board is directed to retain all calculation sheets and adjustment factor data for three years.

The foregoing resolution was introduced by Director \_\_\_\_\_, who moved its adoption, and seconded by Director \_\_\_\_\_, and adopted on a roll call vote by the following vote:

Director: Heather Aldridge \_\_\_\_\_

Director: Steve Griffith \_\_\_\_\_

Director: Matthew McDermott \_\_\_\_\_

Director: Ben Monroe \_\_\_\_\_

Director: \_\_\_\_\_

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_ ABSTAINED: \_\_\_\_\_

WHEREUPON, the Chair of the Board for the Forestville Water District declared the foregoing resolution adopted, and SO ORDERED this **14<sup>th</sup> day of June 2022.**

\_\_\_\_\_  
Matthew McDermott, Chair of the Board

\_\_\_\_\_  
Dawn Leith, Board Clerk



May 2022

Dear Fiscal Officer:

**Subject: Price Factor and Population Information**

**Appropriations Limit**

California Revenue and Taxation Code section 2227 requires the Department of Finance to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2022, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2022-23. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2022-23 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

**Population Percent Change for Special Districts**

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

**Population Certification**

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2022.**

**Please Note:** The prior year's city population estimates may be revised. The per capita personal income change is based on historical data.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

KEELY MARTIN BOSLER  
Director  
By:

ERIKA LI  
Chief Deputy Director

Attachment

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2022-23 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2022-23	7.55

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2022-23 appropriation limit.

**2022-23:**

Per Capita Cost of Living Change = 7.55 percent  
Population Change = -0.30 percent

Per Capita Cost of Living converted to a ratio:  $\frac{7.55 + 100}{100} = 1.0755$

Population converted to a ratio:  $\frac{-0.30 + 100}{100} = 0.997$

Calculation of factor for FY 2022-23:  $1.0755 \times 0.997 = 1.0723$

Fiscal Year 2022-23

**Attachment B**  
**Annual Percent Change in Population Minus Exclusions\***  
**January 1, 2021 to January 1, 2022 and Total Population, January 1, 2022**

<b>County City</b>	<b><u>Percent Change</u></b>	<b><u>--- Population Minus Exclusions ---</u></b>		<b><u>Total Population</u></b>
	<b>2021-2022</b>	<b>1-1-21</b>	<b>1-1-22</b>	<b>1-1-2022</b>
Sonoma				
Cloverdale	-1.37	9,029	8,905	8,905
Cotati	-1.53	7,512	7,397	7,397
Healdsburg	-1.29	11,174	11,030	11,030
Petaluma	-1.36	59,756	58,945	58,945
Rohnert Park	-0.65	44,287	43,998	43,998
Santa Rosa	-0.91	177,396	175,775	175,775
Sebastopol	-0.41	7,520	7,489	7,489
Sonoma	0.22	10,755	10,779	10,779
Windsor	-0.73	26,134	25,942	25,942
<b>Unincorporated</b>	<b>0.54</b>	<b>130,546</b>	<b>131,253</b>	<b>132,144</b>
County Total	-0.54	484,109	481,513	482,404

\*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

**Attachment C**  
**Annual Percent Change in Population Minus Exclusions\***  
**January 1, 2021 to January 1, 2022**

<b>County</b>	<b><u>Percent Change</u></b> <b>2021-22</b>	<b><u>--- Population Minus Exclusions ---</u></b> <b>1-1-21</b>	<b><u>1-1-22</u></b>
<b>Sierra</b>			
Incorporated	0.00	737	737
County Total	0.12	3,225	3,229
<b>Siskiyou</b>			
Incorporated	-0.66	19,923	19,791
County Total	-0.32	43,926	43,787
<b>Solano</b>			
Incorporated	-0.56	421,401	419,057
County Total	-0.58	439,181	436,647
<b>Sonoma</b>			
Incorporated	-0.93	353,563	350,260
County Total	-0.54	484,109	481,513
<b>Stanislaus</b>			
Incorporated	-0.29	439,690	438,432
County Total	-0.41	551,737	549,466
<b>Sutter</b>			
Incorporated	0.32	78,805	79,057
County Total	0.24	98,908	99,145
<b>Tehama</b>			
Incorporated	-0.66	23,282	23,129
County Total	-0.47	65,257	64,948
<b>Trinity</b>			
Incorporated	0.00	0	0
County Total	-0.19	16,012	15,981
<b>Tulare</b>			
Incorporated	0.33	338,444	339,546
County Total	0.21	473,786	474,770

\*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

"P1" CALCULATION OF APPROPRIATION LIMITS

	21-22	22-23
PER CAPITA INCREASE	1.0573	1.0755
POPULATION CHANGE	0.9854	1.0054
POPULATION FACTOR USED	(COUNTY TOTAL)	(UNICORP TOTAL)

FIRE DISTRICTS:

71251 BODEGA BAY	3,317,640	3,587,390
71301 RANCHO ADOBE	7,132,624	7,712,561
71451 GRATON	1,653,789	1,788,255
71551 KENWOOD	748,225	809,061
71601 MONTE RIO	1,124,095	1,215,493
71801 GOLD RIDGE	5,282,492	5,711,999
71901 SONOMA COUNTY FIRE DISTR	34,000,000 *	36,764,462
71951 NORTHERN SONOMA COUNTY	1,276,545 *	1,380,338
72001 TIMBER COVE	281,418	304,299
72051 CLOVERDALE	2,123,467	2,296,121
72751 NORTH SONOMA COAST	1,276,545	1,380,338
72901 SONOMA VALLEY FIRE DISTRICT	20,837,268	22,531,498
<b>SUBTOTAL</b>	<b>79,054,108</b>	<b>85,481,815</b>

REC & PARK DISTRICTS:

72151 CAMP MEEKER	317,975	343,829
72251 MONTE RIO	382,256	413,336
72301 RUSSIAN RIVER	654,575	707,797
<b>SUBTOTAL</b>	<b>1,354,806</b>	<b>1,464,962</b>

OTHER DISTRICTS:

72550 OCCIDENTAL CSD	443,996	480,096
72601 CAZADERO CSD	400,333	432,883
72701 COAST LIFE SUPPORT	2,714,934	2,935,679
76151 FORESTVILLE WTR	203,340	219,873
76901 BODEGA BAY P.U.D.	861,352	931,387
77051 NO SO CO HOSPITAL	20,190,548	21,832,195
78350 SMART	152,544,355	164,947,386
<b>SUBTOTAL</b>	<b>177,358,858</b>	<b>191,779,499</b>

<b>TOTAL LOCAL BOARDS</b>	<b>257,767,772</b>	<b>278,726,276</b>
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\*Figure Adopted by district replaces limit calculated by the Auditor's Office.



Agenda Item:

**ANNUAL REVIEW OF FWD INVESTMENT POLICY**

Summary:

**June 14, 2022:**

Forestville Water District's legal counsel reviewed the current Investment Policy, adopted on May 11, 2021. The board packet includes the recommended policy set forth by legal, which has no changes from the 2021 version and is being presented to the Board for review and approval.

Potential Board Actions:

The FWD Board may:

1. Adopt the Investment Policy as presented.
2. Adopt with changes
3. Direct FWD Staff with further instructions

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk



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Phone (707) 887-1551 Fax (707) 887-1552  
[www.forestvillewd.com](http://www.forestvillewd.com) [info@forestvillewd.com](mailto:info@forestvillewd.com)

cc: Jun. 14, 2022  
Board Packet  
ASR "F"

**FORESTVILLE WATER DISTRICT  
RESTATED INVESTMENT POLICY  
(Government Code Sections 53630, et. seq.)**

*This Restated Investment Policy Supersedes and Replaces in its Entirety the Investment Policy  
Adopted May 11, 2021*

- 1.) Investment Transaction. Every investment transaction must be reviewed and authorized by the Board of Directors and documented by the Treasurer of the District.
- 2.) Monthly Report. The Treasurer shall submit a monthly report to the Board of Directors in accordance with the requirements of Government Code Section 53646. All such reports shall include a comparison with the report last generated and include, in addition, the following elements:
  - a.) Type of investment;
  - b.) Institution;
  - c.) Date of Maturity;
  - d.) Amount of Deposit;
  - e.) Rate of Interest;
  - f.) Statement Relating to the Report of the Investment Policy.

In addition, at the time of the next Board meeting following the creation of any new account, and at the time of the next Board meeting following the adoption of the annual resolution authorizing signatories, the Treasurer shall provide an acknowledgement or acknowledgements of receipt by Savings Institutions of the Board Resolutions authorizing signatories.

- 3.) Investment Policy. The Forestville Water District shall, in the Board's discretion, invest its moneys (other than monthly operating fund) in savings accounts, certificates of deposit and federally insured banks and savings and loan institutions, or through the Sonoma County pooled investment fund and any other lawfully permitted investment through that fund, with the following qualifications:
  - a.) The maximum Term of any deposit account shall be two (2) years. The Maximum invested in any single bank or savings and loan shall be no more than the available insurance covering such deposits or \$250,000, whichever is greater. The amount so deposited shall not cause the total invested in any one (1) institution, including accrued interest, to exceed the available deposit insurance.
  - b.) There is no requirement that investments made through the Sonoma County pooled investment fund be insured.

- c.) The District may invest funds in brokered certificates of deposit, so long as:
  - (i) the investment is made through a Federally licensed securities brokerage firm;
  - (ii) said brokerage firm maintains at least \$500,000 protection on all District funds while in the control of the brokerage through the Securities Investor Protection Corporation (“SIPC”);
  - (iii) the amount invested in each certificate of deposit be only in the name of the District: and;
  - (iv) the amount invested in each certificate of deposit does not exceed the maximum federal insurance limit on such certificates through the FDIC.
- d.) To provide security to District funds in those situations where the District accounts with a FDIC insured bank or savings and loan exceed the FDIC insurance limit (e.g. due to interest re-deposited), the District is authorized to enter into a Waiver of Security or Collateralization or similar agreement with the lending institution, so long as:
  - (i) The financial institution has committed to provide and maintain approved collateral for all deposits in excess of \$250,000 in accordance with Government Code Section 53652; and
  - (ii) The financial institution remains fully insured under FDIC for up to \$250,000 of deposits by the District.
- 4.) Withdrawals and Transfers from Investment Accounts. Any withdrawal, or transfer of funds held in an investment account (i.e., savings accounts, time certificates and other forms of deposit accounts designated to earn interest) shall require approval of the Board of Directors and, except with respect to a roll-over or renewal, the signature of two persons authorized by the Board of Directors.
- 5.) Withdrawals and Transfers from Operating Accounts. Any withdrawal, checks drawn, or transfer of funds held in a financial institution for purposes of day-to-day operations (i.e., checking accounts) shall require the signatures of any two persons authorized by the Board.
- 6.) Temporary, Non-Insured Investments. The District shall be allowed to deposit funds in excess of the \$250,000 insurance limit set forth in this Investment Policy into the District's operating, checking account for periods up to four (4) months each, pending the utilization of the proceeds received from the County of Sonoma on the annual

Sewer Charge collected from the County Tax Rolls. Due to the amount of these annual payments, the need for prompt expenditure of all or large parts of such payments, it is impractical to place such funds in insured savings accounts for short term periods.

- 7.) Signature Card Authorization. Each year following adoption of the annual budget, the Board shall, by resolution, authorize specific persons among the Board and staff to be the signatories on all financial accounts for the District.

Within thirty (30) days following its adoption, or within thirty (30) days following the creation of any new investment, a copy of the resolution shall be delivered to each savings institution in which the District has any investment, with a request that the institution acknowledge such receipt. The Resolution shall provide that, until a further resolution is adopted, only the named signatories shall be permitted to authorize deposits, withdrawals and transfers of District monies.

To carry out the provisions of this Section 7, the District Administration shall prepare a cover letter to the financial institution, to be signed by the Chairman of the Board, enclosing a copy of the current Board Resolution authorizing only certain signatories on the account or investment. The letter shall be in substantially the same form as that attached to this Policy, and shall request that the financial institution respond in writing and provide the following information directly to the Board Chairman at his or her home mailing address:

- a.) Written verification of the financial institution's receipt of a copy of the current Board Resolution authorizing only certain signatories on the type of account held with the financial institution; and
- b.) A photocopy of the record of the financial institution which shows the actual signatures of the persons authorized to make withdrawals and transfers on the accounts or investments of the District with that institution.

Upon receipt of the financial institution's written reply, the Chairman shall present such reply at the next Board meeting to verify all signatures on the accounts or investments. Records of the communications with the financial institutions made pursuant to this policy shall be maintained in a separate file with the District.

- 8.) Other Investments. The District may, from time to time, make such other investments as are authorized by the California Government Code (as amended or superseded); provided, however, prior to making investments not previously authorized and set forth in this AMENDED AND RESTATED INVESTMENT POLICY, the Board shall review the type of investment and adopt a resolution approving the investment.

9.) Bonding. All employees of the District who have been authorized to co-sign payments, transfers, deposits or withdrawals of District funds shall be bonded to an amount determined by the Board of Directors by an insurance company rated A or better in Best's Guide.

10.) Internal Controls. The District shall adopt in writing, from time-to-time, such internal controls as are reasonably required to prevent losses of public funds arising from fraud, employee error, or misrepresentation of third parties, or imprudent actions by employees and officers of the District.

11.) **MOTION PASSED June 14, 2022, BOARD MEETING:**

**MOTION** was made by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_ and passed \_\_\_\_\_ to allow FWD Certificates of Deposits with Financial Institutions to be as high as the maximum existing FDIC Insurance coverage when needed.

DATE ADOPTED: June 14, 2022

\_\_\_\_\_  
Chair of the Board

ATTEST:

\_\_\_\_\_  
District Board Clerk

Agenda Item:

**2018 SEWER IMPROVEMENT PROJECT**

Summary:

**June 14, 2022:**

DFA has provided an e-mail address to which the disbursement requests can be sent. There are currently three requests prepared.

**HISTORICAL:**

**May 10, 2022:**

FWD Engineer provided status on progress of work and of disbursement. No action taken by the Board.

**April 12, 2022:**

FWD Engineer provided status on progress of work, delay of disbursement, and announced loan requirement changed to 100% grant funding. No action taken by the Board.

**February 15, 2022:**

FWD Engineer updates:

- a. Design is progressing including preparation of the Caltrans application for the crossing of 116 (Main Street) with a pipe bursting method.
- b. A site visit with property owners in the alleys off of 1<sup>st</sup> and 2<sup>nd</sup> Streets will be scheduled for the last week of February or the first week of March.
- c. PG&E has indicated that neither of the two gas mains in Forestville Alley (east of 1st Street) can be abandoned. Therefore, B&R has adjusted the design to move the new sewer alignment approximately 1 foot north to minimize potential conflict with the 4-inch gas main.

**January 11, 2022:**

Director Monroe to speak to customers on behalf of the District.

**December 14, 2021:**

FWD Engineer described areas of concern & actions needed before starting the project.

**November 9, 2021:**

Brelje & Race (BRCE) prepared and transmitted to the District the Quarterly Status report and Disbursement Request documents for District signature and submittal to State DFA. Also, preparing application to Caltrans for the crossing of Route 116 (Main Street) involved with the project and consulting with PG&E concerning the gas mains on Forestville Lane that are affecting alignment.

**October 12, 2021:**

BRCE completed the Quarterly Report and Disbursement Request (for the previous almost 4 years) the week of Monday, October 11<sup>th</sup> for the District to submit.

**September 14, 2021:**

FWD Staff received the Construction Installment Sale Agreement from the State Water Resources Board fully executed.

Dyanna/B&R has started the process of compiling B&R expenses from Dec. 17, 2018, to date.

A copy of the agreement is included in the board packet.

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation:

None

Report created by: Dawn Leith, Board Clerk

Agenda Item:

**TIME SCHEDULE ORDER (TSO) AND GRANT APPLICATION FOR SEWER TREATMENT PLANT**

Summary:

**June 14, 2022:**

On May 31, 2022, FWD’s State Board Representative, Matthew Herman, requested an update for the TSO RI 2018-0037 Ammonia and Nitrate Assessment Report.

DFA is estimating an executed contract may not be completed until the end of the calendar year.

**HISTORICAL:**

**May 10, 2022:**

No new updates to report. No action taken by the Board.

**April 12, 2022:**

FWD Engineer reported status of grant application approval to the Board.

**February 15, 2022:**

BRCE anticipates that DFA will produce a draft agreement within the next 30 days.

**January 11, 2022**

The process is still on schedule and for an agreement to be presented to the District by February 2022.

**December 14, 2021:**

No new updates to report.

**November 9, 2021:**

As of November 5, 2021, Project Mgr. Gabriel has no new updates on the status of the application.

**October 12, 2021:**

BRCE has been in communication with the State DFA on the funding schedule. They are anticipating an executed planning agreement completed by May 2022.

**September 14, 2021:**

With the completion of the 2018 Sewer Improvement grant application process, this application should start moving forward.

**August 10, 2021:**

Application process still pending the completion of the 2018 Sewer Improvement grant application process.

**July 13, 2021:**

Once the grant application process for the 2018 Sewer Improvement Project is completed then this grant will be processed. Estimating about end of 2021.

**June 8, 2021:**

The State DFA has indicated that the planning grant application will be processed once the Sewer Improvement Project funding agreement is executed.

**May 11, 2021:**

State DFA has recently shifted Planning Grant funding priority from CWSRF to DWSRF, so FWD Grant Application processing is delayed until June/July time frame.

**April 13, 2021:**

Application still in holding status with no new updates.

**March 9, 2021**

Due to State Financial Audit the approval of the application has been delayed. FWD application will be reviewed for approval most likely in June 2021.

**February 9, 2021 - October 13, 2020:**

FWD Engineer to update the Board.

**September 8, 2020:**

FWD Engineer to review the revised Plan of Study for the planning grant application.

A revised Plan of Study will be provided via email on 9/8/20.

**August 11, 2020 - November 5, 2019:**

FWD Engineer to update the Board.

\*\*\* SEE ASR FROM OCTOBER 8, 2019, BOARD MEETING FOR PRIOR HISTORICAL DATA RELATED TO THIS AGENDA ITEM \*\*\*

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation:

None

Report created by: Dawn Leith, Board Clerk

# Forestville Water District - Agenda Summary Report



Agenda Item:

## PRV REPLACEMENT OPTIONS

Summary:

### June 14, 2022:

BRCE is waiting for confirmation of a start date from Piazza Construction to continue this project. The contractor is preparing a change order request for the Giusti PRV improvement and is scheduling the work for the Trenton Road PRV removal and valve extension.

### HISTORICAL:

#### May 10, 2022:

Engineer, Dyanna/BRCE prepared Change Order #2 for the PRV #3 replacement and sent to Piazza. Copies of Change Orders #1 & #2 included.

#### April 12, 2022:

Piazza was onsite, Mar. 28, 2022, to eliminate the PRV on Trenton Road and North Covey Road. All the valves were closed and found that the East side valve into the PRV would not close enough to do the project. Dyanna/BRCE sent a change order to Piazza to have Tap Masters install a insertion valve and just abandon the failing valve.

#### February 15, 2022:

BRCE believes it will be most efficient and cost effective to implement the replacement of PRV 2 (Mirabel & Giusti) completed as a change order to the PRV 3 (Anderson & Covey) project. BRCE has prepared an exhibit with the details and specifications necessary for replacement of PRV 2. If the District agrees with the approach, BRCE will transmit the exhibit to Piazza so that they can prepare the change order request. Copies of exhibit with details included.

#### January 11, 2022

FWD Engineer briefed the Board on the Change Order Request received from Piazza for the leaking valves.

#### December 14, 2021:

Dyanna/BRCE has finalized plans and drawings with Piazza Construction for the Anderson/Covey line stop and the remaining project on Trenton Road. A fire hydrant repair will also be made on Trenton Road, since all the equipment will be on-site.

#### November 9, 2021:

Piping and PRV equipment have been installed in the Anderson Road Valve Building. The PRVs that were installed require replacement of pilot valve springs for the correct valve pressure operation. Submitted traffic control plan has been approved allowing the contractor to perform work in Covey Road. The contractor still needs to prepare a submittal for the "line-stop" equipment and the construction sequence plan to continue work.

\*\*\* SEE ASR FROM OCTOBER 12, 2021, BOARD MEETING FOR PRIOR HISTORICAL DATA RELATED TO THIS AGENDA ITEM \*\*\*

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation:

GM approves this proposal

Report created by: Dawn Leith, Board Clerk



Agenda Item:

**SEWER FORCE MAIN PROJECT**

Summary:

**June 14, 2022:**

FWD Engineer Coleman met with Tony and Cory in the field on May 18th and determined that the Covey Road force main blowoff will not be operated in its current condition. A blowoff replacement is being designed. A field survey was conducted on May 25th. Hydraulic analysis on the pump and force main system is also being conducted.

Pictures of the main included in the board packet.

Historical:

**May 10, 2022:**

Engineer David Coleman/BRCE will open a discussion regarding the sewer force main that runs from Intermediate Lift Station on Trenton Road to the treatment facility. Coleman will also discuss the exploration process necessary and a budget amount to commence.

Potential Board Actions: None – Information purpose only

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

















Agenda Item:

**DIRECTOR'S TRAINING**

Summary:

**June 14, 2022:**

**Upcoming Mandatory Training for Directors:**

- Ethics Training (Required every two years)
  - All Board Members are current until October 2022
- ACWA/JPIA (mandatory for Liability Coverage)
  - ✓ = Completed
  - Brown Act Refresher & Updates\*
    - ✓ Directors Aldridge
    - ✓ Director Griffith
    - Director McDermott
    - Director Monroe
    - GM Lopes
    - ✓ Board Clerk, Dawn Leith
  - Public Records Act Training\*
    - ✓ Director Aldridge
    - ✓ Griffith completed
    - Director McDermott
    - Director Monroe
    - GM Lopes
    - ✓ Board Clerk, Dawn Leith

*\*Each Director is registered to complete the above pieces of training through the CSDA's on-demand webinars. CSDA sent out emails to everyone with the links and instructions of how-to login.*

**Upcoming Director Training/Conference Opportunities:**

- CSDA
  - Webinar: Financing with Flexibility, 7/26/22 10:00 am- 11:30 am Free
  - 2022 Annual Conference & Exhibitor Showcase, 8/22/22-8/25/22 Palm Desert \$650/\$725
- ACWA/JPIA
  - 2022 Training Conference, 10/18/22-10/19/22 San Diego (flyer attached)
  - Virtual Roundtable-Federal Funding, 6/15/22 1pm-2pm \$50 (flyer attached)

If any member of the Board wishes to attend a training that involves a cost, FWD will cover the cost & register the Board member at the same time.

Potential Board Actions:

To successfully complete mandatory/required training on or before the date listed to the right of each Director's name. Attend non-mandatory training/conference as they choose.

Staff Recommendation:

Directors stay in compliance with State regulations and mandatory training.

Report created by: Dawn Leith, Board Clerk





## UPCOMING REGION EVENTS

GET UPDATED EVENT  
INFO & REGISTRATION

### Region 1 Program and Tour: North Coast Water Forum

**Date: July 7-8, 2022**

**Location: Eureka, CA**

Join us on July 7-8 in Eureka for the North Coast Water Forum and Tour co-hosted by ACWA Region 1 and Humboldt Bay Municipal Water District. Attendees will gather the evening of July 7 and board the historic Madaket for a Humboldt Bay Harbor Cruise. Following the cruise, dinner and a statewide water updates program will take place at the Sea Grill Restaurant just a few blocks away. On July 8, the program will begin at Humboldt Bay MWD and include discussions on innovative instream flow, microgrid, and SCADA system projects. The morning program will be followed by lunch at the famous Carson Mansion and an afternoon tour of Nordic Aquafarms, where attendees will get an overview of the Samoa Peninsula Land-based Fish Farm Project. *See [Preliminary Program Agenda](#) for timing and details.*

[REGISTER NOW](#)

#### Registration Information

Pre-registration: ACWA Member \$70 | Non-member \$105

Onsite Registration Fee: ACWA Member \$88 | Non-member \$130

Registration fee includes: meeting materials, dinner, tour transportation, breakfast, lunch, snacks, and refreshments. *Tour participants are required to sign an [ACWA Voluntary Release and Waiver](#).*

**Online registration deadline is [June 29, 2022](#)**, or until space is full. Onsite registrations will be accommodated as space permits. Cancellations must be received in writing by **[June 29](#)** to cancel a registration and receive reimbursement. Substitutions must be received in writing by **[June 29](#)**. After that date, substitutions will be handled onsite at the event. Event details are subject to change and registrants will be notified by email if changes occur.

**QUESTIONS:** Contact Regional Affairs Representative [Jennifer Rotz](#) or (916) 441-4545.





**Join A Virtual Roundtable Discussion on Federal Funding  
June 15, 2022 | 1:00 PM-2:00 PM (PT)**

During ACWA's 2022 Spring Conference & Exhibition, a roundtable discussion on federal funding was held that proved to be very popular and well attended.

Catch an overview of the federal funding opportunities for water and wastewater providers at Dept of Interior, US Environmental Protection Agency, and Dept of Agriculture. Talk with experts on the Bipartisan Infrastructure Law Implementation funding available this year, as well as accessing other programs.

**Questions**

Contact the ACWA Events Team at [Events@acwa.com](mailto:Events@acwa.com)

**REGISTER NOW**

Agenda Item:

**GROUNDWATER MONITORING AT THE FORESTVILLE YOUTH PARK (FYP)**

Summary:

**June 14, 2022:**

The three monitoring wells were installed on May 3rd and 4th. Preparations are underway to commence the quarterly monitoring, sampling and analysis required by the permit.

**Historical:**

**May 10, 2022:**

FWD Engineer reported on the progress of the work on drilling the wells and sampling. No action taken by the Board.

**April 12, 2022:**

FWD Engineer reported on the progress of approval from both the State Resources Control Board and Sonoma County Permit Department and provided the work schedule plan. No action taken by the Board.

**February 15, 2022:**

A site visit was conducted at selected properties surrounding the youth park to locate any existing wells or septic fields within 100 feet of the three proposed groundwater monitoring wells. Only one feature was found – an abandoned well 75 feet from the GW Monitoring well No. 3. This should not present a problem. The FYP GW monitoring well drilling, and development is now scheduled for March 17 and 18.

**January 11, 2022**

FWD Engineer briefed the Board on the requirements set by Sonoma County Permit Department.

**December 14, 2021:**

FWD Engineer briefed the Board on the current progress on the scope of work.

**November 9, 2021:**

Piazza Construction has scheduled the potholing to start the week of November 8.

\*\*\* SEE ASR FROM OCTOBER 12, 2021 BOARD MEETING FOR PRIOR HISTORICAL DATA RELATED TO THIS AGENDA ITEM \*\*\*

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

Agenda Item:

**DISTRICT GOALS UPDATES**

Summary:

**June 14, 2022:**

**Administration**

- Employee Job Descriptions: 20%
- Employee Handbook: 51%
- Audit SOP creation: 55%

**Operations**

- Water Distribution updated spreadsheets: 83%

**Office**

- Document Retention (archive): 15%
- IT needs: 95%
- Ord. 61 – record “Notice”: 70%
- Update website to include FAQ: 75%, Backflow Testing: 25%, ADU: 0%
- Transfer Dropbox to OneDrive: 95%
- UMS update all service addresses with APN #'s: 20%
- Obtain property owner’s info from Sonoma County Assessor’s: 50%
- Create Public Record Act form & procedures: 0%
- Input Backflow inventory into UMS for annual testing: 25%
- New Customer’s Service Agreement: 85%

**Board**

- Compilation of “Orientation” manual for new Director: 25%
- Rules Code of Conduct for Board Meetings: 5%
- Draft Minutes & ASR policy: 0%
- Legal Claims Policy: 0%

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

Agenda Item:

**NEW WATER RATE STRUCTURE**

Summary:

**June 14, 2022:**

The Sub-committee will brief the Board of any new updates.

**Historical:**

**May 10, 2022:**

The sub-committee met on Apr. 19, 2022 but had nothing new to report to the Board. No action taken by the Board.

**April 12, 2022:**

The sub-committee will meet Apr. 19, 2022 @ 10 am.

**February 15, 2022:**

The Subcommittee met on January 25, 2022 to review requested adjustments and findings.

**January 11, 2022**

Sub-Committee will meet Jan. 25, 2022, at 10:00 am.

**December 14, 2021:**

FWD Engineer will make the requested adjustments and provide findings to the Sub-Committee to report at January's meeting.

**November 9, 2021:**

The sub-committee met on November 8, 2021 and will email some adjustments for BRCE to make on the module.

**October 12, 2021:**

The Water Rate Structure Subcommittee will meet on Oct. 14, 2021, at 3:30 p.m. via Zoom.

**September 14, 2021:**

The Sub-committee will discuss the next scheduled meeting date.

**August 10, 2021:**

Tabled to next month for more data to be collected with the drought and obtain more information with the recycled water and Graton.

**July 13, 2021:**

Subcommittee met on 6/22/21 to discuss the topic further. Subcommittee may meet again in late August or September to gather more data from drought response.

**June 8, 2021:**

Water Rate Structure Sub-Committee met on 5/25/21, and discussed options. Brelje and Race developed an excel spreadsheet model to simulate and evaluate alternate water rate plans for the District to considered. The model was presented to, and shared with, the Water Rate Structure Subcommittee.

**May 11, 2021:**

FWD Engineer is preparing a first draft of a new rate structure to test using 2020 metered water use. FWD Engineer will inform Board about progress.

**April 13, 2021:**

GM Lopes met with FWD Engineers, David Long & David Coleman to discuss a new water rate structure on Apr. 5, 2021.

The Board approved B&R to initiate research for a new fee structure not to exceed \$5k.

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

Agenda Item:

**WATER CONSERVATION**

Summary:

**June 14, 2022:**

GM will update the Board.

Copies (eight (8) pieces) of articles and alerts on the drought and conservation efforts included.

**Historical:**

**May 10, 2022:**

GM Lopes attended the Water Advisory Committee meeting on 5/2/22 to listen in on the water drought updates. Sonoma Water using a new slogan, "Drought is still here..."



Statistics & graphs from the Water Advisory Committee meeting included.

**April 12, 2022:**

GM Lopes provided current usage and shared ACWA Advisory on the expansion of the Governor's Conservation Executive Order. No action taken by the Board.

Potential Board Actions: None – Information purpose only

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

**Ramping up water reuse**

**NORTH BAY » Agencies seeking \$83 million to expand operations to help offset already strained supplies of drinking water due to drought**

By  
**GUY KOVNER**

THE PRESS DEMOCRAT

Petaluma, one of the driest corners of Sonoma County during the past two years of drought, is making a multimillion-dollar advance into recycled water.

Operator of a wastewater treatment plant that serves about 65,000 people and treats about 5 million gallons of effluent a day, Petaluma is seeking grants for four projects with a total cost of \$42 million.

Six other North Bay agencies — including Sonoma Water and the Sonoma Valley County Sanitation District — are proposing a dozen projects totaling \$41.2 million, bringing the total to \$83.2 million, as Gov. Gavin Newsom is backing water reuse as an antidote to drought.

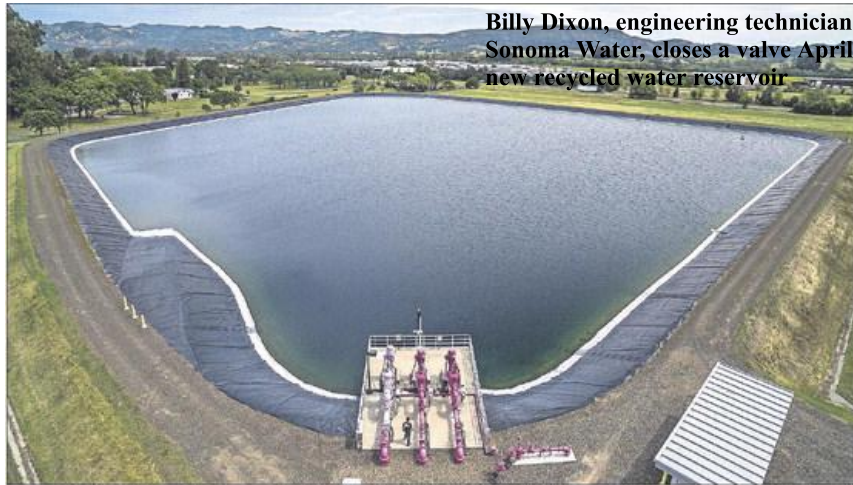
The projects are meant to help offset already strained supplies of North Bay drinking water as

California braces for longer and more severe periods of water scarcity amid the escalating climate crisis.

Through expanded treatment, new pipelines and storage facilities, the 16 projects are expected to deliver 5,364 acre feet of water per year — enough to offset potable



**Billy Dixon, engineering technician with Sonoma Water, closes a valve April 29 at the new recycled water reservoir**



**The new 35-million-gallon recycled water reservoir inside the Sonoma Valley Wastewater Treatment Plant was built with funds from the North Bay Water Reuse Authority's first round of projects worth \$104 million. PHOTOS BY CHAD SURMICK / THE PRESS DEMOCRAT**

**WATER**

**CONTINUED FROM A1**

supplies for about 32,000 people.

An acre foot is 326,000 gallons, about half the size of an Olympic swimming pool and enough for more than two households for a year.

“First and foremost is drought resistance,” said Christopher Bolt, Petaluma’s public works and utilities director.

“In the face of climate change we want to make sure we can meet the community’s needs.”

Water recycling — transforming sewage through intensive treatment into water safe for irrigation of landscapes, pastures, playgrounds and crops that are eaten raw — is a high priority throughout California in the third year of a drought that experts say could last another decade.

Bay Water Reuse Authority, a collaboration of 11 agencies in portions of Sonoma, Napa and Marin counties dedicated to ending discharge of treated wastewater into San Pablo Bay, largely by diverting it to urban and agricultural irrigation.

The authority’s 350-square-mile territory faces “long-term challenges in providing reliable water supplies” with limited surface and groundwater sources and some groundwater basins “showing harmful effects on water levels and quality,” its website says.

“A warming climate will likely further stress water supplies, and recycled water is a sustainable resource that can help augment regional water supplies,” it says.

The authority’s first round of projects, started in 2012 and completed in 2020 at a cost of \$104 million, is providing 3,800 acre feet per year for urban and agricultural irrigation along with 46 miles of new pipeline.

California is developing regulations for direct potable use of recycled water, a system that puts it into public water supplies rather than limiting it to irrigation and injection into groundwater.

Orange County’s pioneering \$481 million groundwater injection system, in operation since 2008, produces 100 million gallons of recycled, potable water per day through an advanced purification process that includes microfiltration, reverse osmosis and ultraviolet light with hydrogen peroxide.

Two-thirds of the treated water is piped to recharge basins in Anaheim, replenishing groundwater that provides 75% of the water for more than 2.5 million Orange County residents.

Davis and Rabbitt are not ready to advocate for direct potable use, also known as “toilet to tap,” a description some water experts find disagreeable.

Drinking recycled water “understandably triggers a gag reflex in some consumers — but



“Recycled water is a sustainable, nearly drought-proof supply when used efficiently, and the total volume of water California recycles today could triple in the next decade,” said the 2020 California Water Resilience Portfolio, a response to Newsom’s order calling for recommendations “to enable water security for all Californians.”

California produced 728,000 acre feet of recycled water in 2020, up about 40% from 20 years ago.

The State Water Resources Control Board is currently funding \$970 million in loans and grants for 12 projects that would provide about 62,000 acre feet of recycled water per year for urban and agricultural irrigation and indirect potable use through groundwater recharge.

Wastewater experts like to say all water on, in and above Earth is recycled and humans are using the same water as the dinosaurs.

Petaluma’s Ellis Creek Water Reclamation Facility commits all treated water to irrigation of parks, schools, commercial properties, golf courses and farms during dry summer months, averting it from discharge into the nearby Petaluma River. In wet months, however, a substantial amount goes into the river, which is a tidal slough from San Pablo Bay.

“We’re looking to expand and grow the water recycling system,” Bolt said. “We have a vision of zero discharge into the river year-round.”

Expansion of the distribution system and developing more storage capacity would reduce the wintertime discharge, he said.

Petaluma’s rainfall to date for this year and 2021 is well below or only an inch above the level for the other 18 communities in The Press Democrat’s weather log.

Sonoma County Supervisor David Rabbitt, a Petaluma resident, is an avid booster of recycled water.

“My mantra is you gotta use water twice,” he said. “In an ideal world we would avoid using potable water for irrigation.”

Purple pipes that carry recycled water should go under every street in newly developed areas, along with power, sewer and regular water lines, Rabbitt said.

Rabbitt has served since 2013 as chair of the North

Sonoma Valley County Sanitation District’s projects included a fifth reservoir holding about 35 million gallons of recycled water and starting work on a 3.5-mile pipeline to carry up to 1,700 acre feet per year for habitat restoration at the Napa-Sonoma Marshes Wildlife Area on San Pablo Bay and along the Napa River.

Petaluma did not participate in the water reuse authority’s first round of projects, but has a fistful of major projects awaiting funding under the second round.

The projects, costing a total of \$42 million, would yield a projected 2,575 acre feet of recycled water a year — enough to offset potable supplies for about 15,000 people.

Boosting the Ellis Creek facility’s treatment capacity would cost \$9 million, while extension of the urban and agricultural recycled water pipelines would cost \$33 million.

For Bolt, who came to Petaluma in September from Jackson County, west of Ann Arbor in southern Michigan, drought is a new experience.

Due to climate change and frequent precipitation, surface and groundwater levels have been rising in that area, with wet basements and routine flooding of streams and roadways, he said.

Bolt said he is impressed by water conservation efforts in Sonoma County, and in the regional authority as a “great example of how agencies can work together to solve pressing problems for the good of all concerned.”

The drought makes recycled water “even more appealing,” Rabbitt said. “It’s an easy sell because it makes more sense.”

Rabbitt said he was proud to have convinced Petaluma to join the North Bay regional authority “after they said no initially.”

Grant Davis, general manager of Sonoma Water, said the three-county authority is “a model for maximizing the benefits of limited water resources in the west.”

Projects can be designed to “meet the needs of entire watersheds,” he said, noting that federal and state funding agencies have policies that promote regional partnerships over independent jurisdictions.

it shouldn’t,” Amanda Little, a Vanderbilt University professor of journalism and science writing, wrote as a Bloomberg columnist.

“Recycled wastewater is quickly becoming the single most important element of a droughtproof water supply in the climate-change era, and it happens to be as pure and delicious as anything you might buy bottled from the Swiss Alps,” she said.

Rabbitt once tasted recycled water at a conference on water. “It was fine,” he said.

“Never say never,” Davis said.



**Billy Dixon of Sonoma Water reads the recycled water meter on April 29 for Sangiacomo Vineyards in Sonoma. CHAD SURMICK / THE PRESS DEMOCRAT**



**Canada geese and their goslings swim on Monday in one of the treatment ponds at the Ellis Creek Water Recycling Facility in Petaluma. JOHN BURGESS THE PRESS DEMOCRAT**

## Farmers feel pinch of rising cost of wastewater

cc: Jun. 14, 2022  
Board Packet  
ASR "O" - #2

By

**GUY KOVNER**

THE PRESS DEMOCRAT

Back in the 1980s, when Santa Rosa was paying ranchers to use recycled wastewater for irrigation, dairyman Doug Beretta considered it a sweet deal.

“At first, the city said take all the water you

can use — plus more,” said Beretta, whose Llano Road pasture is across the road from two recycled water storage ponds holding treated wastewater from homes and businesses

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## FARMERS

### CONTINUED FROM A1

in Santa Rosa, Rohnert Park, Sebastopol and Cotati.

“It was a great relationship (between the city and the farmers),” he said. “There was nowhere else for the water to go.”

Beretta is one of the 61 ranchers who last year received 788 million gallons of recycled water from the Laguna Wastewater Treatment Plant to irrigate 6,400 acres that produce milk, hay, grapes and vegetables.

The agricultural water system, with 26 miles of pipe, stretches from Rohnert Park nearly to the county airport south of Windsor. The distribution to farmers is one of three ways the Santa Rosa plant found four decades ago to dispose annually of its now roughly 5 billion gallons of treated wastewater. The bulk of the outflow goes to The Geysers geothermal fields for use in energy production, with smaller amounts to agricultural

Organic dairies are required to maintain cows on pasture at least 120 days a year with 30% of their grass intake from pasture.

Over time, the city stopped paying ranchers to use recycled water, and a fee schedule adopted in 2019 after a series of public hearings and engagement with ranchers set rates from \$12.50 to \$50 per acrefoot in four steps from 2021 to 2024.

At the top rate, assuming he uses 80 million gallons, Beretta will pay \$12,275 for water that he was once paid up to \$22,000 — a \$34,000 swing on his bottom line, he said.

Moreover, his water allocation this year will likely be used up by the end of July, forcing him to tap one of the two deep irrigation wells he hasn’t used since 1958.

“Without the reclaimed water it’s going to force us back into the ground,” he said, referring to the use of potable groundwater.

Beretta said he’s already spent \$15,000 to make sure the wells are operational. He may also have to

have “interruptible contracts,” allowing their water supplies to be curbed when there is an insufficient supply and including lower rates than other customers.

The recent cutbacks were “based on recycled water availability impacted by the drought and each ranch’s past water use,” she said.

The Geysers, which receives 80% of the city’s recycled water, and urban water users are guaranteed their water supply and pay substantially more for the reliability, Burke said.

Ranchers pushed for the lowest recycled water cost they could get, Beretta said. What griped them was taking cuts in their water allocation, while deliveries to The Geysers and urban irrigators were not curtailed.

“Just really hard to pay for something and not get the amount you need,” he said.

***“Without the reclaimed water it’s going to force us back into the ground.”***



and urban irrigation, the latter in Santa Rosa and Rohnert Park.

The arrangement in the 1980s allowed bypassing discharge into the Laguna de Santa Rosa, a beleaguered Russian River tributary that previously was the main disposal route for treated wastewater.

In the early days, it was a boon for farmers.

In time, Beretta more than doubled his irrigated pasture to 200 acres, irrigating it with 80 million gallons a year of recycled water and enabling him to convert to organic milk production with a higher and more stable price.

“It was kind of a no-brainer,” he said.

spend up to \$92,000 on truckloads of alfalfa and hay for his animals because the well water won’t irrigate all 200 acres. Over the past decade, the city has sent ranchers an average of 1.6 billion gallons of recycled water a year, including that amount in 2019, according to Jennifer Burke, Santa Rosa Water director.

In 2020, the ranchers were limited to 1.4 billion gallons, a 13% reduction, and in 2021 their allocation was limited to 788 million gallons, a 44% cut from the previous year.

Burke said the ranchers

**DOUG BERETTA**, dairy rancher on the increasing cost of recycled wastewater

SONOMA COUNTY » WATER WORRIES

By

GUY KOVNER

THE PRESS DEMOCRAT

Homes and businesses across central Sonoma County generated more than 5 billion gallons of wastewater last year, enough to fill more than 7,500 Olympic-sized swimming pools. That sewage flowed into Santa Rosa’s regional treatment plant south of Sebastopol, where it was cleaned up and nearly all of it put to a second use.

About 4 billion gallons of recycled water was pumped north from the Llano Road treatment plant in a 41-mile pipeline and up a steep slope into The Geysers geothermal fields southeast of Cloverdale. There it was injected into the ground to generate enough clean, renewable energy for about 100,000 North Bay households.

The system also sent 788 million gallons of recycled water to 61 farms covering 6,400 acres

that produce milk, hay, grapes and vegetables, along with 386 million gallons for urban irrigation in Rohnert Park and Santa Rosa, the two largest cities in the wastewater system.

**Treated wastewater from a regional plant in Santa Rosa powers one of Calpine’s 15 geothermal power plants in The Geysers region.** CHRISTOPHER CHUNG / THE PRESS DEMOCRAT



**Dairy ranch owner Doug Beretta pulls elevated irrigation cylinders, which are used to help water a pasture on his 200-acre ranch, on April 28 in Santa Rosa. Beretta uses recycled water from Santa Rosa’s waste treatment plant.** KENT PORTER / THE PRESS DEMOCRAT



**WATER**

**CONTINUED FROM A1**

Every drop of the recycled irrigation water — safe for everything short of human consumption and sanitized to a

treatment process that includes removal of solids, clarification and filtration through a 4-foot bed of granular coal. Finally, the water is disinfected with ultraviolet light, deactivating potentially disease-causing bacteria and viruses, used instead of chlorination.

watershed, along with groundwater, constitute the main supplies.

“We’re always looking at our options,” Burke said, noting that conservation, surface water, groundwater and recycled water are in play. “We’re planning for the

degree that eliminates the COVID virus — replaces a drop of potable water from sources sure to be strained as California moves into its third year of worrisome drought.

But the state's water future is daunting, and could pose a fundamental challenge to Santa Rosa's recycling system, which was born out of controversy in the 1980s and is now hailed by state regulators as a win-win that safeguards local waterways — the Laguna de Santa Rosa and Russian River — previously used for discharge.

### Key water source

For water-stressed parts of California, where winter snowpack and rains are proving increasingly scarce or unreliable, recycled water is likely to prove a key source not just for irrigation but household and commercial use.

The warning signs are already apparent: State water regulators on Tuesday signaled plans to reduce or pause diversions along the Russian River and its tributaries in Sonoma and Mendocino counties as early as June. The moves would likely affect fewer than the 1,800 water rights frozen last year in the face of dangerously low reservoir levels.

Long-range climate forecasts call for even more severe and persistent droughts, making existing surface and groundwater supplies more tenuous, while California's latest long-term water strategy calls making greater use of recycled water.

"Recycled water is a sustainable, nearly droughtproof supply when used efficiently, and the total volume of water California recycles today could triple in the next decade," the 2020 California Water Resilience Portfolio said.

The 141-page document was issued in response to Gov. Gavin Newsom's executive order in 2019 calling for recommendations "to enable water security for all Californians."

It also called for streamlining regulations to expand use of nonpotable recycled water while "protecting food safety and the environment."

Recycled water that receives tertiary treatment is deemed safe for irrigation of landscapes, pastures, playground and crops that are eaten raw.

The city says it recycles 98% of the wastewater flowing into the plant, and there's obviously no desirable way to boost the flow. Successful conservation measures in recent decades have, in fact, reduced the total amount of water used by Californians — and the nation as a whole.

Those savings reduce the amount of water available for recycling, local officials noted.

Californians could further reduce urban water use by 30% to 48% by steps such as replacing inefficient appliances and installing low-water use landscaping, according to a Pacific Institute report last month.

The major constraint for more local water recycling is Santa Rosa's deal with Houston-based Calpine Corp., the nation's largest geothermal power producer, which operates 13 plants at The Geysers, straddling the Sonoma-Lake county line in the Mayacamas Mountains.

Steam wells, some deeper than 2 miles, tap superheated steam from water in contact with hot, porous and permeable rock. At the surface, steam runs through pipes to the power plants, spinning turbines that generate 725 megawatts of green energy around the clock.

Under a contract with Calpine that runs until 2037, Santa Rosa is required to provide 90% of the targeted 4.6 billion gallons of recycled water a year or pay penalties.

Reduced deliveries are allowed for natural catastrophes, such as wildfire and earthquake damage, but current drought conditions would not trigger that provision because there is enough water to fulfill the contract, said Jennifer Burke, director of Santa Rosa Water.

"The Geysers provides a critically important piece of our wastewater treatment system," she said. "We need it to dispose of our wastewater."

future with additional dry years," she said.

There are opportunities for expanded water recycling in the county's northern reaches, including Healdsburg, Cloverdale, Dry Creek Valley and Alexander Valley, said Grant Davis, general manager of Sonoma Water, the dominant water wholesaler and a key player in recycling efforts over the past two decades.

"As (potable) water becomes more constrained, you have to look further, you have to be more innovative," he said. "You need to work hard to make these projects pencil out," including the prospect of tapping ratepayers for support.

Adding a fourth step to the wastewater treatment process to transform sewage into potable water is an option, Davis and Burke said, noting that it is already happening in the state.

"Everything is on the table." Burke said.

### Leading the way

Orange County's \$481 million Groundwater Replenishment System, in operation since 2008, produces 100 million gallons of recycled water per day through an advanced purification process that includes microfiltration, reverse osmosis and ultraviolet light with hydrogen

peroxide. Two-thirds of the treated water is piped to recharge basins in Anaheim, replenishing groundwater that provides 75% of the water for more than 2.5 million Orange County residents — a system known as indirect potable water reuse.

Billed as the world's largest potable water purification facility, Orange County's system uses one-third of the energy required to desalinate seawater and half the energy needed to import water from Northern California.

No agency is currently allowed to produce recycled water for direct potable use, but the Water Resources Control Board is required by law to develop regulations for direct potable use — putting it into public water supplies — by the end of 2023.

The State Water Resources Control Board is currently funding \$970 million in loans and grants for 12 projects that would provide about 62,000 acre-feet of recycled water per year for urban and agricultural irrigation and indirect potable use through groundwater recharge. An acre-foot is 326,000 gallons, enough for more than two households for a year.

California produced 728,000 acre feet of recycled water in 2020, up about 40% from 20 years ago. Santa Rosa's 5 billion gallon production equals 15,344 acre-feet — enough to sustain 35,750 local households annually, or an average of more than 92,000 people.

### Obstacles to consider

Wastewater experts like to say all water on, in and above Earth is recycled and humans are using the same water as the dinosaurs.

But there are major constraints on how the modern system of sewage plants can respond, starting at Santa Rosa's Laguna Treatment Plant, located about 2 miles southwest of the city limits.

It receives an average of 16.4 million gallons of wastewater a day from more than 225,000 residents and 6,500 businesses in Santa Rosa, Rohnert Park, Cotati, Sebastopol and parts of Sonoma County outside cities.

The water goes through a three-step, 15-hour

Even if the city could curtail water delivery to The Geysers, it is prohibited from spraying more recycled water on farmland than the crops require, Burke said.

Calpine has so far shown no interest in renegotiating the contract, she said.

### Costs of recycling

Santa Rosa's last look at the prospects for expanding water recycling said it did not pencil out — “not cost effective for the foreseeable future,” according to the city's 2020 Urban Water Management Plan.

Burke said it would cost tens to hundreds of millions of dollars to install the necessary pipes, painted purple to distinguish them from ordinary potable water pipes.

Even at its current historically low level for this time of year, 2,700-acre Lake Sonoma west of Cloverdale, the North Bay's largest reservoir, holds a two- to three-year supply of water, she said. It has helped the region support growth while withstanding several droughts over the past four decades.

But city and county officials and water authorities are not downplaying the prospect of running low on drinking water around the North Bay, which has no connections to the state and federal water systems. Rainwater runoff into the Russian River

The regulations will provide options to California communities “working to diversify their water supply portfolios in the face of recurring drought and climate change,” Rebecca Greenwood, a water board engineering geologist, said in an email.



**Dairy ranch owner Doug Beretta of Santa Rosa moves irrigation pipe, which uses recycled wastewater, to water a pasture on April 28 on his 200-acre dairy ranch. KENT PORTER / THE PRESS DEMOCRAT**

 San Francisco Chronicle Article link: [Chronicle](#)

## Major Bay Area water district will have ‘water cops’ enforce conservation for the first time ever

By Kurtis Alexander

For the first time ever, a major water supplier in Santa Clara County will be sending water inspectors into the streets to make sure homes and businesses aren't wasting water as California's drought deepens. The new, stepped-up enforcement action was approved Tuesday by the Santa Clara Valley Water District, the South Bay's largest water wholesaler, after months of dismal water savings by county residents.

"This is unprecedented," said district Chair Pro Tem John Varela, shortly before the governing board's unanimous vote. "We are in a water crisis. All 2 million people in this county need to adjust their water use to conform to conservation so that we will have water."

Violators could face fines of \$500 or more.

The district's crackdown is among a broader push by water agencies across the state to ratchet up savings and shore up supplies as California enters the hot summer months and a third extraordinarily dry year. The depths of the current drought are considered some of the most severe in state history.

Under the policy scheduled to start in Santa Clara County on June 1, contractors hired by Valley Water will be sent to investigate complaints of people violating local water restrictions. Per district policy, outdoor watering is limited to two days per week, watering cannot be done within 48 hours of rain or "mid-day," and irrigation water can't overflow onto streets or sidewalks.

If and when a violation is confirmed, the newly hired water inspectors will provide two warnings to the offender. After that, violators will be subject to a fine of \$100, a second fine of \$250 if the offense is not corrected and a third fine of \$500 if need be. Rare instances in which "substantial and intentional water waste" is documented could result in penalties up to \$10,000, district officials say.

"We want people to know that we're serious about this," Kirsten Struve, assistant officer at Valley Water's water supply division, told The Chronicle. "We have to get our water use down in the county so we have sufficient water."

The new rules and fines pertain to the more than 1 million residential and commercial customers in Santa Clara County served by water retailers that get supplies from Valley Water. Among these are the San Jose Water Co. and the cities of Santa Clara and Sunnyvale. Communities that don't get the bulk of their water from the district, including Palo Alto, are not affected.

Water wholesalers like Valley Water don't typically police the water use of households and businesses. That responsibility usually belongs to the retailers, which regularly interact with their customers through billing and other service matters.



However, officials at Valley Water, who will be working with retailers on enforcement, say the situation has gotten so dire that everyone needs to be involved in making sure water is used wisely.

“It’s the first time we’re stepping in to handle enforcement, but it’s necessary because of the unprecedented drought conditions,” said Neeta Bijoor, the district’s senior water resource specialist.

Despite district calls for 15% voluntary conservation, compared with 2019, water use was up 30% in the county in March, the latest month that records are available. When compared with 2020 water use, which is the state’s benchmark for consumption, use was up 5% in March.

This lack of conservation comes on top of several shortcomings with Valley Water’s supplies. First, the district’s groundwater is running low. Second, the surface water usually purchased from the state and federal water projects isn’t readily available. And lastly, the district’s largest reservoir was drained for earthquake retrofitting.

While Valley Water’s new enforcement tactics will be entirely complaint driven, the district says it’s already receiving about 30 reports of water violations each week. It expects that number to increase once the new policy takes hold and gets more publicity.

The Metropolitan Water District of Southern California, the state’s largest wholesaler, which sells to water agencies in Los Angeles and surrounding communities, has also begun taking a more hands-on approach to monitoring the water it sells.

Starting June 1, the water titan plans to make sure its retailers are enforcing a one-day-a-week outdoor watering policy. Local agencies that violate the rule could face fines up to \$2,000.

Many water agencies in the Bay Area have already limited when customers can water their lawns and gardens. Additionally, the state has adopted a handful of prohibitions on outdoor watering, including filling ornamental fountains and irrigating after rain, but these rules are seldom enforced.

Some water agencies have gone as far as putting caps on customer consumption, whether the use is outdoor or indoor. Such policies have been common in the North Bay, where supplies have been most scarce.

The East Bay Municipal Water District, which serves Alameda and Contra Costa counties, [recently adopted an “excessive use” penalty](#) for water users that exceed certain thresholds. While the limits are fairly generous, on top of a fine, violators will be subject to having their identities revealed per a transparency policy that during last decade’s drought led to widespread public shaming.

*Kurtis Alexander is a San Francisco Chronicle staff writer.*

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# ACWA ADVISORY

REGULATORY | DROUGHT  
May 24, 2022

## State Water Board Adopts Drought-Related Emergency Water Conservation Regulation

The State Water Resources Control Board today adopted a drought-related [emergency water conservation regulation](#) that places new requirements on urban water suppliers and new restrictions related to irrigation of non-functional turf. The regulation is expected to go into effect the week of June 6.

Three specific elements of the regulation include:

- Requires urban water suppliers to implement, at a minimum, all demand reduction actions identified in Level 2 of their locally adopted Water Shortage Contingency Plans.
- Requires urban water suppliers to submit a preliminary water supply and demand assessment to the Department of Water Resources by June 1, 2022.
- Prohibits the irrigation of non-functional turf with potable water in the commercial, industrial, and institutional sector. The ban on irrigation would include non-residential grass areas that are considered ornamental and not otherwise used for recreation or other community purposes.

The prohibition on irrigation of non-functional turf does not apply to residential customers, turf irrigated with recycled water or irrigation of trees and other perennial plantings. The prohibition does apply to homeowner associations' common areas. Water suppliers are authorized to fine customers not in compliance.

State Water Board staff will be developing a detailed "frequently asked questions" document to help clarify the regulation specifics. Development of such a document was one of the recommendations made by ACWA in a written [comment](#)

[letter](#) submitted jointly with the California Municipal Utilities Association in response to the draft regulation.

ACWA staff and a number of member agencies testified during the State Water Board meeting to urge a locally driven approach that recognizes local water supply conditions as opposed to a one-size-fits-all regulation.

Agencies also shared information about their conservation efforts and investments in climate resiliency, including the diversification of water supplies through potable reuse, increased storage, recycled water and other projects.

Based on water agency and stakeholder comments, the State Water Board added some new changes to the proposed regulation during its meeting. First, the State Water Board clarified that if a water supplier has not submitted a Water Shortage Contingency Plan, and will be following the default Level 2 response actions outlined in the regulations, the limitation on outdoor watering two days a week is limited to potable water. Further, a limited exemption from the requirement to adopt Level 2 of locally adopted Water Shortage Contingency Plans was added. Finally, a small exception was provided for non-functional turf that meets certain drought-tolerance standards, among other more technical updates and changes.

An updated version of the regulation will likely be posted on the State Water Board's [website](#).

## Background

The proposed regulation was drafted in response to Gov. Newsom's calling for Californians to voluntarily reduce water use by 15% compared to 2020 levels. The conservation request – extended by the [March 28 Executive Order](#) — applies to residential, industrial, commercial, agricultural and institutional water users. The State Water Board continues to track and report monthly on the state's progress toward achieving the 15% reduction.

In addition, the State Water Board adopted emergency regulations to prevent wasteful water uses and promote urban water conservation that went into effect Jan. 18.

## Questions

For questions about the emergency regulation or ACWA's comments, please contact ACWA Senior Legislative Advocate Julia Hall at [JulieH@acwa.com](mailto:JulieH@acwa.com) or 530-902-9746.



# PROPOSED EMERGENCY REGULATION TEXT

Version: May 13, 2022

## Title 23. Waters

### Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

#### Chapter 3.5. Urban Water Use Efficiency and Conservation

#### Article 2. Prevention of Drought Wasteful Water Uses

##### § 996. Urban Drought Response Actions

(a) As used in this section:

(1) “Commercial, industrial and institutional” refers to commercial water users, industrial water users, and institutional water users as respectively defined in Water Code, section 10608.12, subdivisions (e), (i), and (j), and includes homeowners’ associations, common interest developments, community service organizations, and other similar entities but does not include the residences of these entities’ members or separate interests.

(2) “Common interest development” has the same meaning as in section 4100 of the Civil Code.

(3) “Community service organization or similar entity” has the same meaning as in section 4110 of the Civil Code.

(4) “Homeowners’ association” means an “association” as defined in section 4080 of the Civil Code.

(5) “Non-functional turf” means turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events. Non-functional turf does not include sports fields and turf that is regularly used for human recreational purposes or for civic or community events.

(6) “Separate interest” has the same meaning as in section 4185 of the Civil Code.

(7) “Turf” has the same meaning as in section 491.

(8) “Urban water supplier” has the same meaning as Water Code section 10617.

(9) “Water shortage contingency plan” means the plan required by Water Code section 10632.

- (b) Each urban water supplier shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code.
- (c) (1) Each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources shall implement by June 10, 2022, at a minimum, the demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten to twenty percent (Level 2).
- (2) Notwithstanding subdivision (1), urban water suppliers shall not be required to implement new residential connection moratoria pursuant to this section.
- (d) Each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources shall, by June 10, 2022, and continuing until the supplier has implemented the demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten to twenty percent (Level 2), implement at a minimum the following actions:
- (1) Initiate a public information and outreach campaign for water conservation and promptly and effectively reach the supplier's customers, using efforts such as email, paper mail, bill inserts, customer app notifications, news articles, websites, community events, radio and television, billboards, and social media.
- (2) Implement and enforce a rule or ordinance limiting landscape irrigation to no more than two days per week and prohibiting landscape irrigation between the hours of 10:00 a.m. and 6:00 p.m.
- (3) Implement and enforce a rule or ordinance banning, at a minimum, the water uses prohibited by section 995. Adoption of a rule or ordinance is not required if the supplier has authority to enforce, as infractions, the prohibitions in section 995 and takes enforcement against violations.
- (e) (1) To prevent the unreasonable use of water and to promote water conservation, the use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites.
- (2) Notwithstanding subdivision (e)(1), the use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need.

- (f) The taking of any action prohibited in subdivision (e) is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.
- (g) A decision or order issued under this section by the Board, or an officer or employee of the Board, is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the Water Code.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, and 4185, Civil Code; Section 8627.7, Government Code; Sections 102, 104, 105, 275, 350, 491, 1122, 10608.12, 10617, 10632, and 10632.1, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463; *Stanford Vina Ranch Irrigation Co. v. State of California* (2020) 50 Cal.App.5th 976.



Sent via ELECTRONIC MAIL to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov).

May 19, 2022

Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100,  
Sacramento, CA 95812-2000

**RE: Joint ACWA/CMUA Comment Letter – Proposed Drought-Related Emergency Regulation for Water Conservation**

Dear Ms. Townsend:

The Association of California Water Agencies (ACWA) and California Municipal Utilities Association (CMUA) appreciate the opportunity to submit comments to the State Water Resources Control Board (State Water Board) on the Proposed Drought-Related Emergency Regulation for Water Conservation (Proposed Emergency Regulation). ACWA represents over 460 local public water agencies that supply water for domestic, agricultural, and industrial uses to over 90 percent of California's population. CMUA represents over 50 public water agencies that deliver water to over 75 percent of California's population. Our member agencies take California's drought emergency and the associated challenges in water management very seriously, as demonstrated by ongoing water savings following the previous drought.

ACWA and CMUA appreciate the Governor's and State Water Board's recognition of locally adopted water shortage contingency plans. Based on the lessons learned from the 2012-2016 drought, the State recognized that a locally tailored approach, that considers unique hydrology, water supplies and water uses, is the best path forward for responding to drought challenges. Following the previous drought, the State took significant steps to bolster local drought planning, including new requirements to improve consistency of the development and implementation of water shortage contingency plans. Recent public polling demonstrates that communities have a high level of trust in their local water suppliers. Utilizing local agency-level planning documents recognizes that relationship.

Last year, water suppliers submitted updated urban water management plans and water shortage contingency plans to the Department of Water Resources. On July 1, 2022, water suppliers will also be required to conduct and submit annual water shortage contingency plans. These plans will provide transparency to the State and diverse stakeholders on water shortage levels and the response actions local water suppliers are undertaking to respond to those conditions. We continue to urge the State to rely on these plans, both in responding to the current emergency drought, and in preparing for prolonged and more frequent droughts anticipated with climate change. ACWA and CMUA will continue to be partners as the State works to address drought and long-term water challenges.

ACWA and CMUA offer the following more specific input for the State Water Board on the Proposed Emergency Regulation.

### **Irrigation of Non-functional Turf at Commercial, Industrial, and Institutional Sites**

ACWA and CMUA appreciate and support that the “non-functional turf” provisions of the Proposed Emergency Regulation recognize and provide the necessary flexibility to protect the health of shade trees and urban forests. We also appreciate that these regulations limit the prohibition of irrigation to potable water, which recognizes local efforts to implement locally sustainable recycling programs that will help mitigate some of the impacts of drought on our landscapes. In supporting the Governor’s call for conservation in response to the State’s ongoing drought emergency, it is critical that the State Water Board consider and minimize other potentially adverse impacts as a result of these regulations. Further, some additional clarity on implementation may be helpful as local agencies work with their customers to better understand these issues. See below for discussion of specific issues.

#### Disadvantaged Communities

ACWA and CMUA request consideration of the impacts of a prohibition on watering non-functional turf landscapes in disadvantaged and low-income communities. These communities likely have fewer resources immediately available to transform non-functional turf into water-wise landscapes, and we urge the State Water Board to consider ways to mitigate these impacts on communities that already disproportionately lack green space. Further, it will be important to be thoughtful in defining what turf is “non-functional” in these communities as many may use non-traditional green spaces as access to nature. To address these concerns, we propose the following change to section 962(e)(2):

“(2) Notwithstanding subdivision (e)(1), the use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other perennial non-turf plantings, or to the extent necessary to address an immediate health and safety need, or to the extent necessary to minimize adverse impacts to disadvantaged communities.”

#### Homeowners Associations and Common Interest Developments

ACWA and CMUA request the State Water Board thoughtfully consider the different types of homeowners associations (HOAs) and common interest developments (CIDs) in its implementation of the Proposed Emergency Regulation. We note there are nuances in how HOAs and CIDs are used and defined across the state, with many serving low-income and senior populations. We want to ensure residents of communities managed by HOAs have public gathering areas available; those areas should be considered functional. Further, for residential HOAs and CIDs specifically, there may be areas defined as “common interest” that are actually managed as separate interests.

#### Defensible Space

ACWA and CMUA recommend the Proposed Emergency Regulation be amended to include an allowance for defensible spaces that serve to minimize the risk of wildfire. As proposed, defensible space could be considered under the State Water Board’s proposed “non-functional turf” definition. We propose language in section 996(e)(2) to clarify that the use of water for non-functional turf is not prohibited to ensure the watering of defensible space for wildfire prevention.

#### Additional Guidance for Local Agencies and the Public

The Proposed Emergency Regulation includes infraction authority, punishable by a fine of up to \$500 for each day of violation. The definition for non-functional turf is appropriately non-specific given the variety of uses of turf in different communities, but this could make the regulation potentially open to interpretation or misunderstanding. ACWA and CMUA would encourage and appreciate the development of “Frequently Asked Questions” with general guidance on these issues that may help inform both local agencies and the public as these regulations are implemented. It is also unclear under the Proposed Emergency Regulation who is responsible for citing and fining these violators; this ambiguity could create confusion. Given the scope of the Proposed Emergency Regulation, and to ensure consistent interpretation and implementation, we believe that the State Water Board is best suited to retain this authority. We would also encourage the State to define its enforcement plans and invest in broad communication of those plans.

#### **Funding for Drought Conservation Response and Related issues**

The State Water Board should partner with the water community to secure additional funding for local incentives to empower water users to use water wisely both in response to the drought emergency and to achieve the long-term goal of making water conservation a California way of life. Our associations have recommended that additional funding be made available in this year’s budget for urban water conservation for investments in both long and short term water efficiency, including addressing leaks, reducing demand, providing water efficiency related mapping and training, and maintaining a drought vulnerability tool. Likewise, funding is a critical tool to support and enable turf replacements across the state. Further, we encourage consideration of State Revolving Funds for infrastructure to support water use efficiency and prevent leak loss, which is critically important.

#### **Implementation of Level 2 Water Shortage Contingency Plans**


The requirement to implement demand reduction actions identified in Level 2 of locally adopted water shortage contingency plans recognizes the local planning efforts that have been taken to prepare for and respond in times of shortage. Water shortage contingency plans may include both supply augmentation and demand reduction actions that a water supplier determines are appropriate for its unique local supplies and conditions. Proposed Emergency Regulation section 996(c) would limit implementation for a Level 2 shortage to demand reduction actions, recognizing that supply augmentation is not appropriate where a supplier is not experiencing a shortage. While we note that the flexibility to implement actions appropriately is appreciated, we would encourage the State Water Board to recognize the importance of supply augmentation where needed. Further, ACWA and CMUA appreciate that compliance with this requirement is not based on a percent reduction but on the implementation of these demand reduction actions.

With this flexibility in mind, ACWA and CMUA urge the State Water Board to thoughtfully consider how it will evaluate and publicly report on water suppliers’ implementation of the Proposed Emergency Regulation. Because many water shortage contingency plans may include supply augmentation measures, some water suppliers will only implement the demand reduction actions of their plan. State Water Board reporting on implementation of Level 2 of the water shortage contingency plans may misconstrue the actions water suppliers are taking in compliance with the Proposed Emergency Regulations. ACWA and CMUA encourage the Board to focus on the demand reduction actions being implemented.

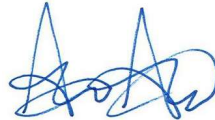
These comments are offered on behalf of ACWA and CMUA. We anticipate that the State Water Board will also receive comments from some of our member agencies with feedback based on unique characteristics and local conditions. We encourage the State Water Board to consider those comments.

ACWA and CMUA appreciate consideration of these comments. If you have any questions regarding these comments, please contact Julia Hall at [JuliaH@acwa.com](mailto:JuliaH@acwa.com) or Andrea Abergel at [AAbergel@cmua.org](mailto:AAbergel@cmua.org).

Sincerely,



Julia Bishop Hall  
Senior Legislative Advocate, ACWA



Andrea Abergel  
Senior Regulatory Advocate, CMUA

cc: The Honorable Joaquin Esquivel, Chair, State Water Resources Control Board  
The Honorable Dorene D'Adamo, Vice Chair, State Water Resources Control Board  
The Honorable Sean Maguire, Board Member, State Water Resources Control Board  
The Honorable Nichole Morgan, Board Member, State Water Resources Control Board  
The Honorable Laurel Firestone, Board Member, State Water Resources Control Board  
Ms. Eileen Sobeck, Executive Director, State Water Resources Control Board  
Mr. Eric Oppenheimer, Chief Deputy Director, State Water Resources Control Board  
Mr. Dave Eggerton, Executive Director, Association of California Water Agencies  
Ms. Cindy Tuck, Deputy Executive Director for Government Relations, Association of California Water Agencies  
Ms. Danielle Blacet-Hyden, Deputy Executive Director, California Municipal Utilities Association  
Ms. Chelsea Haines, Regulatory Relations Manager, Association of California Water Agencies





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## California Special Districts Association

*Districts Stronger Together*

### CSDA Joins Coalition Calling for Significant State Investment in Water Sustainability Projects as New Drought Regulations Take Effect

By [Kristin Withrow](#) posted 20 hours ago

In light of the critical water reliability issues facing the state, CSDA co-signed a letter with the [California Municipal Utilities Association](#) and the [Community Water Center](#) urging the Newsom Administration and legislative leaders to provide significant investments in the 2022-2023 State budget for water projects that can help ensure a sustainable water system. With a discretionary budget surplus of nearly \$50 billion, the opportunity to take bold action is now. Among the suggested priorities are water affordability, dam safety, access to safe drinking water, groundwater management, recycled water and more. [View the letter in its entirety here.](#)

To address the continuing drought with more immediate actions, at its May 24 meeting, the State Water Resources Control Board (SWRCB) approved an Emergency Drought Regulation based on Governor Gavin Newsom's [Executive Order #N-7-22](#) of March 28. The order mandates the following actions:

- All watering of non-functional turf with potable water in commercial, institutional and industrial (CII) settings will be banned. CII users include "...homeowners' associations, common interest developments, community service organizations, and other similar entities but does not include the residences of these entities' members or separate interests." Non-functional turf is defined as "...turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events. Non-functional turf does not include sports fields and turf that is regularly used for human recreational purposes or for civic or community events."
- All urban water suppliers are required to submit a preliminary annual water supply and demand assessment to the Department of Water Resources by 6/1/22, followed by a final assessment by 7/1/22.
- By June 10, 2022, all urban water suppliers must implement all demand reduction actions outlined in Level 2 of their Water Shortage Contingency Plans (WSCP). For agencies without a WSCP, the SWRCB prescribes a number of mandatory actions to be taken. The baseline year for measuring demand reduction will be 2020.

Many water suppliers and stakeholders commented at the meeting, with a number noting that their agencies have made significant investments in drought-resilient water supplies and that customer usage has steadily decreased.

SWRCB staff indicated the expectation that water suppliers communicate to their commercial, industrial and institutional (CII) customers about the ban, and also affirmed local agencies' authority to enforce the regulation at their discretion.

Based on stakeholder feedback, the SWRCB Board altered the draft regulation of May 13 in a few areas. The text of the adopted regulation can be found [here](#). It is anticipated to go into effect the week of June 6 and last for one year, unless extended by the state.

Permalink

<https://www.csda.net/blogs/kristin-withrow1/2022/05/31/csda-joins-coalition-for-state-investment-in-water>



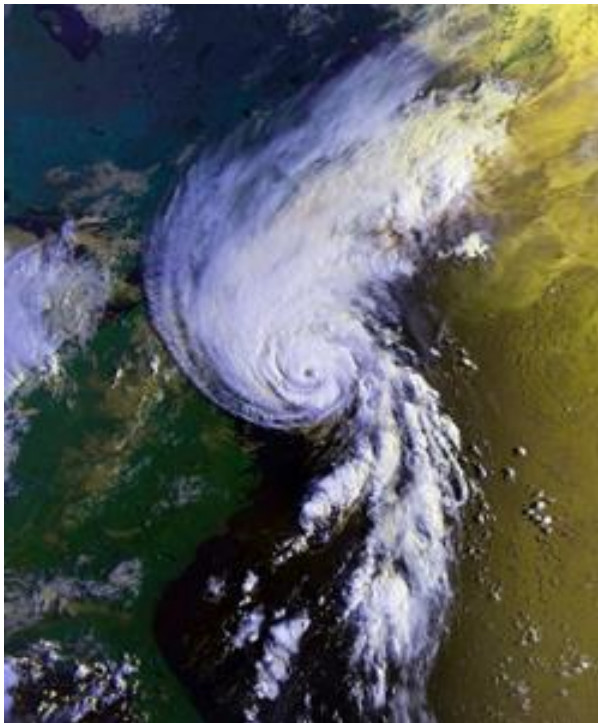
## California Special Districts Association

*Districts Stronger Together*

### Wish You Could Better Understand When, Where, and How Much it will Rain?

By [Kristin Withrow](#) posted 21 hours ago

Did you know that roughly half of California's annual precipitation and over 90-percent of its flood damages are caused by a phenomenon known as atmospheric rivers?



ARs, as they are commonly known, are focused channels of moisture in the atmosphere that can carry the equivalent of 25 Mississippi Rivers' worth of water within individual storm systems. Accurately forecasting ARs to strengthen our resilience to climate change is the central goal of California scientists, federal and state agencies, and regional water districts.

[Sonoma Water](#), scientists at UC San Diego's Scripps Institution of Oceanography, California Department of Water Resources, and the U.S. Army Corps of Engineers have pioneered a program called [forecast-informed reservoir operations](#), or FIRO for short. FIRO enables water resource

managers to optimize how much water is stored in California reservoirs by incorporating AR forecasts into operational decision making. This approach allows water agencies to enhance their water supply while also mitigating flood risks during the rainy season. In 2021, [FIRO enabled Sonoma County](#) to store an additional 11,000 acre feet, a nearly 20-percent increase, in Lake Mendocino that otherwise would have been required to be released under existing regulations.

Improved AR forecasts also provide the data needed for the National Weather Service to create hazard weather forecasts alerting residents and emergency managers of dangerous mudslides and post-wildfire debris flows within burn zones. Forecast-based

decisions also support groundwater recharge efforts, renewable energy generation, and biodiversity conservation goals.

A [statewide coalition](#) water agencies and stakeholders, including CSDA, are pursuing a \$10 million budget request to the State of California to ensure continued AR forecast improvement and FIRO implementation at additional reservoirs. The Governor's May Revise includes \$10m in ongoing funding to expand FIRO and support AR forecast development. For more information about the coalition and its efforts, please contact Ian Clampett with UC San Diego's Scripps Institution of Oceanography at [iclampett@ucsd.edu](mailto:iclampett@ucsd.edu).

The \$10 million proposal for AR forecasting and FIRO implementation is included in the [2022 Key Budget Requests](#) CSDA is supporting in the State Budget process. Legislators must pass a balanced budget by the Constitutional deadline of June 15.

To learn more about AR and advanced precipitation quantification information radar systems, watch this [CSDA video featuring Sonoma Water and Santa Clara Valley Water District](#). For more information about Scripps atmospheric rivers research, please visit the [Center for Western Weather and Water Extremes \(CW3E\)](#) website. CW3E at Scripps is the world's leading center for research on atmospheric rivers. Its aims are to improve scientists' abilities to characterize ARs, predict if, when and where they will originate and make landfall, and how intense they will be. A scale created by CW3E scientists works similarly to scales measuring wind or hurricane strength and helps emergency officials distinguish between largely beneficial ARs and those with the potential to cause severe flooding and property damage.

Permalink

<https://www.csda.net/blogs/kristin-withrow1/2022/05/31/wish-you-could-better-understand-when-where-and-ho>

Agenda Item:

**Accessory Dwelling Unit**

Summary:

**June 14, 2022:**

The first draft of amending Resolution #151 of proposed amendments and exhibits to be included along with a sample of a flow chart for employee's has been submitted to FWD Legal Counsel for further edits.

Included is the draft, exhibits and flow chart.

**HISTORICAL:**

**May 10, 2022:**

Staff is in the process of researching other Districts' policies to assist with the drafting of Forestville Water District's Accessory Dwelling Unit policy.

**April 12, 2022:**

Legal advised the Board on the laws for connection fees and bi-monthly charges.

Board instructed FWD Staff draft the policy including a flowchart.

**March 8, 2022:**

A minimum of 5 accounts are in the process of adding Accessory Dwelling Unit (ADUs) onto their properties so the Board will need to open the discussion for any new policies & what the District can & cannot legally charge for.

Included Sonoma County ADU Code, Government Code 65850, and Senate Bill 1069.

Potential Board Actions:

The Board may review, discuss and/or give further instructions to the FWD Staff.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

RESOLUTION OF THE FORESTVILLE WATER DISTRICT **AMENDING RESOLUTION 151 AND ESTABLISHING SEWER** POLICY FOR CONNECTIONS ON PROPERTY UNDER ONE OWNERSHIP WHERE SERVICE TO MORE THAN ONE RESIDENTIAL STRUCTURE IS REQUESTED

WHEREAS, Sections 34 and 151 of Ordinance No. 2 and Section 3.09 of Ordinance No. 32 provide that not more than one parcel of real property under one ownership shall be serviced from each service connection, except for apartments, office buildings, or structures of a like nature, and

WHEREAS, the Board of Directors believe it is necessary to set forth a policy which will assist its staff in interpreting and administering said provisions of the ordinance.

**WHEREAS** the Forestville Water/Sanitation District (“FWD”) imposes capacity charges on all new residential developments that use sewer capacity (Exhibit A); and,

**WHEREAS**, the Governor of California signed Assembly Bill No. 2299 (AB 2299) into law on September 27, 2016, amending Section 65852.2 of the California Government Code limiting the authority of cities and counties to regulate accessory dwelling units (“ADUs”); and,

**WHEREAS**, AB 2299 prohibits cities and counties from imposing capacity charges on ADUs that are contained within the existing space of a single family residence or an accessory structure and have an independent exterior access from the existing residence (Attached ADU); and

**WHEREAS**, AB 2299 authorizes cities and counties to impose capacity charges on ADUs that are constructed either to expand the footprint of the existing single-family residence or accessory structure, or to be a new accessory structure on the parcel (Detached ADU) provided that the capacity charge is proportionate to the burden on the sewer system created by the proposed ADU, based on either its size or the number of its plumbing fixtures; and

**WHEREAS**, on August 4, 1981, FWD adopted Resolution 151 amending provisions of its resolution regarding Multiple Units to conform with AB 2299; and,

**WHEREAS**, the FWD Board of Directors anticipates that the rules governing the imposition of capacity charges by cities and counties for ADUs under AB 2299 and other legislation will be made applicable to special districts by the state legislature; and,

**WHEREAS**, the FWD Board finds that the impact of Attached ADUs on the sewer system capacity is, on average, no greater than the impact from the existing single family residence or accessory unit and therefore no capacity charges should be required for such ADUs; and,

**WHEREAS**, the FWD Board finds that, for Detached ADUs, capacity charges should be

calculated based on their estimated proportional burden on the system, and that calculating the charge based on the square footage of the Detached ADU is the best available data for sewer capacity usage.

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

- A. Where an application is received by the District to serve more than one residential structure located on a single parcel of real property under one ownership, and the application does not fall within one of the expressed exceptions provided in Sections 34 and 151 of Ordinance No. 2, as determined by the District, the application shall be denied unless the applicant satisfies the following conditions:
  1. The applicant provides the District with a written permit or statement from the County of Sonoma Planning Department or other appropriate County Department that the added residential unit(s) are permitted without a duly approved lot split.
  2. That the applicant and owner of the property execute a written statement, on a form provided by the District and subject to recording in the **Official Records** of Sonoma County, acknowledging that if the property is divided at a later date the District may require an additional service lateral and service meter and required payment of the added charges for the new connection(s). In such event, credit for the connection charges previously paid shall be given.
  3. The meter size shall be adjusted as may be required to handle the additional residential unit and the applicant shall pay the additional connection fees and increase in the costs of the meter used arising out of the increase in the size of the meter.
  4. For each residential structure served, a monthly charge will be paid to the District, and the customer shall receive the appropriate amounts of water allowed in accordance with the monthly charges.
  5. The property owner shall be responsible for the payment of the water bill.
  6. That the applicant acknowledges that the policy established by the resolution and the charges of the District are at all times subject to review and changes by the Board of Directors of the District.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE FORESTVILLE WATER DISTRICT:**

**ARTICLE 2** of ORDINANCE No. 2 and ORDINANCE 32, titled "Definitions," is amended to include the follow definitions:

**Accessory Dwelling Unit (ADU)** – AKA "granny units, in-law units, second units, and backyard cottages". An ADU is a small dwelling unit (maximum of 1,200 square feet) that may be established in addition to single-family or multi-family dwellings in residential, mixed-use, or agricultural zones. An ADU may be detached, attached to

primary dwelling or other accessory structure, or located within a main dwelling and may involve new construction or conversion of an existing structure (such as a detached garage or other accessory structure, or a portion of a dwelling).

**Attached Accessory Dwelling Unit** – shall mean an Accessory Dwelling Unit that is constructed and contained within the existing space of the single-family residence or accessory structure and has an independent exterior access from the existing residence.

**Detached Accessory Dwelling Unit** – shall mean an Accessory Dwelling Unit that is constructed either to expand the footprint of the existing single-family residence or accessory structure, or to be a new accessory structure on the parcel.

**Junior Accessory Dwelling Unit (JADU)** – is a specific type of ADU (maximum of 500 square feet) that is built within an existing residence, utilizes an existing bedroom, and has a small efficiency kitchen.

SECTION 2.03 of Ordinance 32, titled “Abbreviations” is hereby amended to include the following Acronyms:

**ADU** Accessory Dwelling Unit

**JADU** Junior Accessory Dwelling Unit

EXHIBIT A and B, attached hereto and incorporated by this reference.

PASSED AND ENACTED at a regular meeting of the Board of Directors of Forestville Water District duly held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Matt McDermott, Chair  
Forestville Water District

ATTEST:

\_\_\_\_\_  
Dawn Leith, Board Clerk  
Forestville Water District



George's copy

# EXHIBIT A

Forestville Water District  
 P.O. Box 261  
 Forestville, CA 95436

## EQUIVALENT SINGLE-FAMILY DWELLING BILLING UNIT FOR FORESTVILLE CSD

Use Category	Billing Basis			Use of Measurement	ESD Calculation
	Flow gallons / day	BOD mg/l	TSS mg/l		
<b>Residential</b>					
Single family	140	324	324	connections	1.00
Condominium	140	324	324	dwelling units	1.00
Multiple family	112	324	324	dwelling units	0.80
Mobile home park	112	324	324	spaces	0.80
Mobile home (Individual)	112	324	324	units	0.80
Granny unit	112	324	324	unit	0.80
<b>Commercial</b>					
Appliance repair	190	200	200	1,000 sq. ft.	1.01
Art gallery	190	200	200	1,000 sq. ft.	1.01
Auto dealers					
With service facilities	190	180	280	connection	1.10
Without service facilities	38	180	280	add per service bay	0.22
Bakery	190	200	200	connection	1.01
Butcher	190	1000	600	1,000 sq. ft.	2.67
Banks & financial institutions	190	130	80	see note 1 below	
Barber shop	19	130	80	1,000 sq. ft.	0.75
Beauty shop	38	130	80	chair	0.08
Bars & taverns	20	200	200	chair	0.15
Car washes, self service	190	20	150	seat	0.11
Camp ground or RV park				stall	0.70
with hookups	125	200	200		
without hookups	75	200	200	site	0.67
Churches, hall & lodges	2	200	200	site	0.40
Coffee shops	6	1000	600	seat	0.01
Dry cleaners	285	150	110	seats	0.08
Fire stations	190	200	200	1,000 sq. ft.	1.23
Garages	95	180	280	1,000 sq. ft.	1.01
Hospitals				service bays	0.55
Convalescent	125	250	100		
General	175	250	100	beds	0.62
Veterinarian	6	250	100	beds	0.87
Hotels/motels	100	310	120	cages	0.03
Laundromats	500	150	110	sleeping rooms	0.56
Library	190	200	200	washing machines	2.16
Machine shops	162	180	280	1,000 sq. ft.	1.01
Markets	38	800	800	1,000 sq. ft.	0.88
Offices				1,000 sq. ft.	0.53
Business	76	130	80		
Dental	190	130	80	1,000 sq. ft.	0.30
Medical	190	130	80	Exam. room	0.75
Post office	190	130	80	Exam. robm	0.75
Resort				1,000 sq. ft.	0.75
Restaurants				calc per ESD	
Dine-in					
With DW & garbage disp.	6	1000	600	seat	0.08
With DW or garbage disp.	6	619	371	seat	0.06
Without DW & garbage disp	6	238	143	seat	0.03
Take-out	475	238	143	1,000 sq. ft.	2.47
Rest homes	125	250	100	beds	0.62
Retail stores	38	150	150	1,000 sq. ft.	0.18
Schools					
Elementary	9	130	100	per student day	0.04
High	14	130	100	per student day	0.06
Service stations	380	180	280	set of gas pumps	2.19
Shoe repair	38	180	280	add per service bay	0.22
Theaters	190	200	200	1,000 sq. ft.	1.01
Warehouse	2	200	200	seat	0.01
Others Uses Not Listed				see note 1 below	
<b>Industrial</b>				see note 1 below	

Duplex = 1.8

ALL COMMERCIAL ESDs TO BE DETERMINED BY THE FOLLOWING FORMULA:

$$ESD = (TSS \times FLOW \times 0.33) / (SFD TSS \times SFD FLOW) + (BOD \times FLOW \times 0.33) / (SFD BOD \times SFD FLOW) + (FLOW \times 0.34) / SFD FLOW$$

Note 1: Use to be calculated on a case by case basis using the above formula

Definitions:	Flow = Gallons Per Day
	BOD = Biological Oxygen Demand
	TSS = Total Suspended Solids
	ESD = Equivalent Single Family Dwelling

## EXAMPLE OF EXHIBIT B

Project Classification and Fees for Accessory Dwelling Units (ADUs) and Accessory Structures									
Category	Junior Accessory Dwelling Unit (Jr ADU)	Accessory Dwelling Unit (ADU) DETACHED	Accessory Dwelling Unit (ADU) ATTACHED	Additional Residential Unit <span style="color: red; font-size: small;">Note 2</span> <i>(optional for brochure)</i>	Accessory Structure Connected to Sewer <span style="color: red; font-size: small;">Note 2</span> <i>(optional for brochure)</i>				
Sq. Ft. Limits	less than 500 square feet	not more than 50% of existing footage*	not more than 1,200 square feet* primary dwelling square footage*	No size limits	No size limits				
Qualifying Features	Full/partial kitchen (bathroom not required) Must be within the walls of an existing Single Family Residence	Both full bath and full/partial kitchen (i.e. "additional sink outside bathroom")	Both full bath and full/partial kitchen (i.e. "additional sink outside bathroom") <span style="color: red; font-size: small;">Note 2</span>	Both full bath and full/partial kitchen (i.e. "additional sink outside bathroom") <b>AND</b> <i>does not meet ADU criteria</i>	Connected to sewer with either (1) sink in bath or (2) sink outside bath, but not both				
Category	Conversion of Existing Space	New Construction	Conversion of Existing Space	New Construction	Conversion of Existing Space	New Construction	Conversion of Existing Space	New Construction	
Capacity Fee	No fee	<del>Not Allowed</del>	No fee	Per-Square Foot Fee under Govt Code 65852.2 (f)(5) <span style="color: red; font-size: small;">Note 1</span>	Per-Square Foot Fee under Govt Code 65852.2 (f)(5) <span style="color: red; font-size: small;">Note 1</span>	Capacity Fee	Capacity Fee	No fee	No fee
Annual Sewer Service Charge	No fee	<del>Not Allowed</del>	Additional Annual Charge	Additional Annual Charge	Additional Annual Charge	Additional Annual Charge	Additional Annual Charge	No fee	No fee
Other Fees	Application Fee (all projects), Inspection Fees (may or may not be required)								

\*Conversion = 100% within footprint of existing dwelling (ADU can expand existing footprint by up to 150 sq ft for ingress/egress only) Attached = shared structural element (floor, wall, ceiling) with main dwelling  
Detached = stands alone/unsupported by main dwelling

Partial kitchen - contains a sink and refrigerator but no stove Note 2

Note 1 - State law also allows proportionality by fixture count  
Note 2 - This is specific to

We typically receive a couple projects a year that the applicant characterizes as a "pool house", "artists studio", or something like that and doesn't want to pay the associated ADU fees. Government Code section 65852.2(j)(1) defines an ADU as

*an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:*

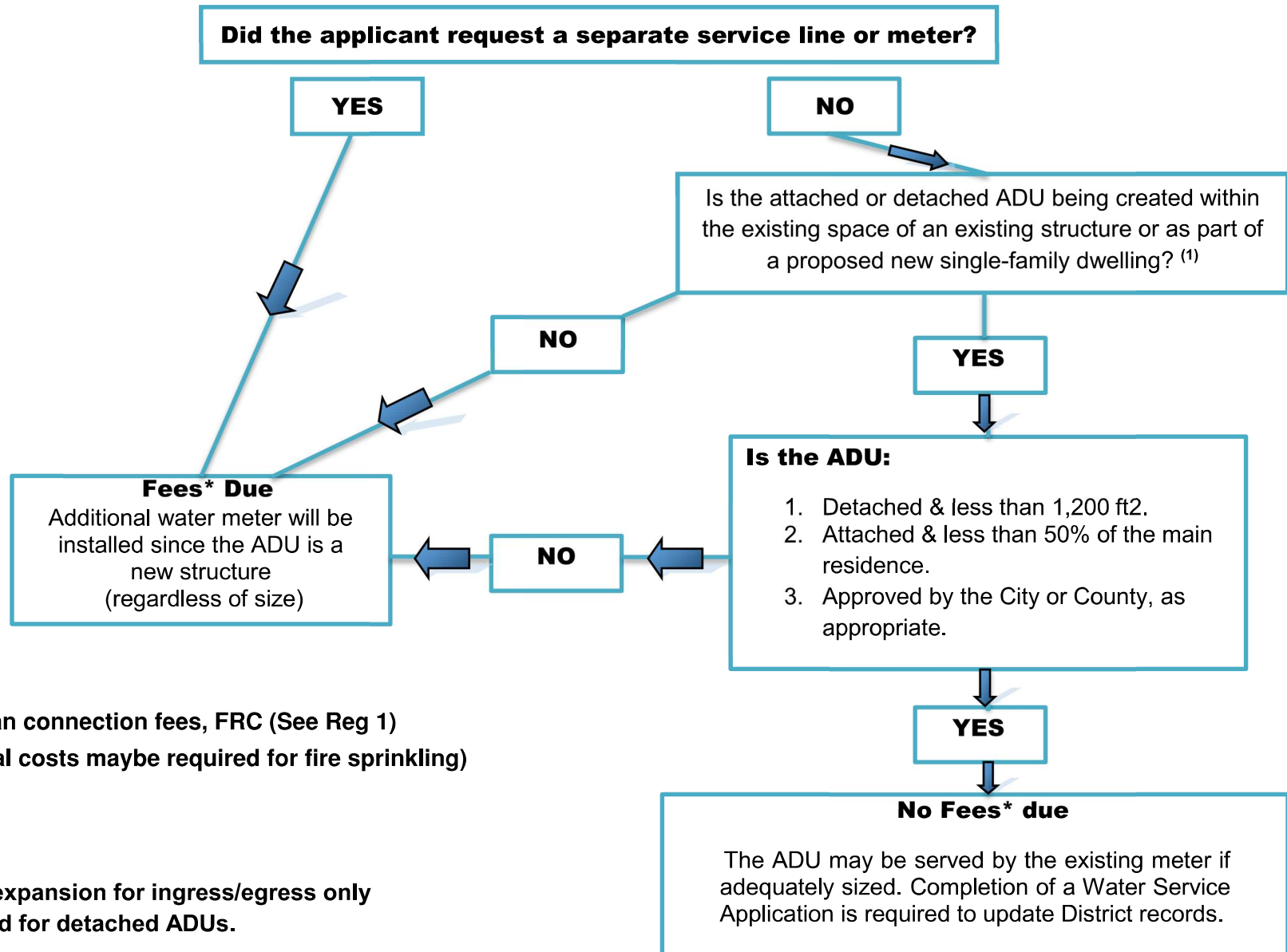
- (A) An efficiency unit.
- (B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

Central San generally characterizes anything with a full bath and a partial kitchen as an ADU - the partial kitchen being defined under further down under Health & Safety. Internally, we refer to this as "sink outside the bathroom." My highlights on the PDF point out that this is our language (and interpretation), not state law.

# EXAMPLE

## Accessory Dwelling Unit (ADU) Requirements

### Attached or Detached from Main Residence



\*Fees mean connection fees, FRC (See Reg 1)  
(Additional costs maybe required for fire sprinkling)

(1) 150 ft2 expansion for ingress/egress only allowed for detached ADUs.

Agenda Item:

**ESTABLISHING BYLAWS**

Summary:

**June 14, 2022:**

The Board Clerk has provided a few bylaw examples in the board packet for review. These and additional bylaw examples are available for review in Dropbox in the "Subcommittee Projects" file.

**Historical:**

**May 10, 2022:**

The Board tabled to next month's meeting and instructed the Board Clerk to provide examples in the June board packet.

Potential Board Actions:

The Board may either:

1. Select two Directors for the Subcommittee members and date(s) for meeting(s).
2. The Board may review, discuss and/or give further instructions to the FWD Staff.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk



**BYLAWS OF THE BOARD OF COMMISSIONERS  
MOSS LANDING HARBOR DISTRICT**

**I. GENERAL**

The Board is irrevocably dedicated to efficient management of the Harbor and to the preservation of natural resources within the Harbor. The Board is fully empowered to receive and administer funds for the attainment of these objectives, all in accordance with Federal, State and local laws.

**II. SCOPE OF BYLAWS**

**A. Definition**

These Bylaws, shall be known as the District Bylaws, and shall govern the Moss Landing Harbor District, its Board of Commissioners, and all of its affiliated and subordinate organizations and groups.

**B. Delegation**

The Board of Commissioners may delegate certain powers to the General Manager. No assignment, referral or delegation of authority by the Board of Commissions shall preclude the Board of Commissioners from exercising the authority required to meet its responsibilities for operation of the District and the quality of Harbor Management. The Board of Commissioners shall retain the right to rescind any such delegation.

**III. POWERS OF DISTRICT**

The District shall have and exercise the powers set forth in Sections 6070-6086 of the California Harbors and Navigation Code.

**IV. PURPOSE AND ORGANIZATION**

**A. PURPOSE**

Moss Landing Harbor District hereinafter called "District" is organized and operated pursuant to California Harbors and Navigation Code, Section 6000 *et seq.* The District exists to insure high quality management of harbor and dock facilities, granted tidelands, shorelines and land owned or leased by the District. The general functions of the District Board of Commissioners are to:

1. Promote good Harbor management including the development, maintenance and improvement of the Harbor and related facilities and well as the protection of the Harbor's natural environment.
2. Oversee organized methods and efficient financial management.
3. Attract a staff of highly qualified and competent employees and provide these employees with a clean, safe working environment and opportunities for professional growth.

4. Plan and develop cost-effective facilities to support commerce and navigation within the Harbor.
5. Provide convenient and safe public access to the ocean and Harbor.

B. ORGANIZATION

1. COMMISSIONERS

The Board of Commissioners shall consist of five (5) members, each of whom shall be a registered voter residing in the District. Members shall be elected by the registered voters residing in the District, pursuant to California Elections Codes Section 32100, et seq. The terms shall be set in accordance with California Harbors and Navigation Code. An employee of the Harbor District may not be a Commissioner.

No member of the family of a Commissioner shall be appointed as an employee of the District during the Commissioner's term of office. In the event a Commissioner is elected to office and a member of his/her family is already employed by the District, the employee may retain his/her position, but may not be promoted, reassigned or rehired (if position with District is vacated) during the term of office of the Commissioner. For purposes of this provision, "family" shall mean the wife, husband, son, daughter, mother, father, brother or sister of an employee, or other person enjoying a close, familial relationship with said employee through co-habitation.

2. GENERAL MANAGER

The Board of Commissioners is authorized to employ a General Manager of the Harbor District who shall be responsible for the day-to-day management of the Harbor District and the employment of the District personnel subject to Board policy. The qualifications of the General Manager shall meet the requirements established by the Board. The duties of the General Manager shall be determined by the Board, and the General Manager shall be evaluated annually by the Board.

3. HARBOR DISTRICT STAFF

The General Manager shall be responsible for maintaining a suitable staff to conduct the business of the Harbor District. The Board of Commissioners has approval powers over the size and organization of the staff.

V. COMMISSIONER'S DUTIES AND RESPONSIBILITIES

A. Duties of the individual Board members include, but are not necessarily limited to:

1. Attendance at Board meetings
2. Attendance at meetings of committees to which the member is assigned

3. To relate community input to the Board
4. Representation of the District in a positive and effective manner in public forums
5. As appropriate, to be politically active on behalf of the District and its interests and needs
6. Becoming knowledgeable about harbor management and harbor services so that the Board members can effectively question reports of the General Manager, staff and consultants and evaluate the answers
7. The acceptance and completion of reasonable assignments from the President of the Board
8. Participation in the annual evaluation of the General Manager conducted according to established procedures
9. Participation in orientation and training programs for new Board members
10. Becoming reasonably knowledgeable of all Federal, State and local laws pertaining to the operation of the Harbor District.

#### B. Vacancies and Removal of Commissioners

If a Board member is absent from three (3) consecutive regular meetings, or from three (3) of any five (5) consecutive meetings of the Board, without first having obtained permission in advance for such absence or absences from the Board's President, the Board may, by resolution, declare that a vacancy of the Board exists. Where the office of a Board member becomes vacant during his/her term, the vacancy shall be filled for the unexpired portion of the term by appointment by the majority of remaining Board members within 30 days of the vacancy. If no action is taken within 30 days, or no appointed candidate receives a majority vote, the position will be filled by the County Board of Supervisors.

1. Appointment to Fill a Vacancy
  - (1) A Notice of Vacancy shall be posted at least fifteen (15) days prior to the Board meeting at which the appointment shall be made.
  - (2) An affidavit of Posting shall be executed.
  - (3) Publication of the Notice of Vacancy shall be made in a newspaper of local circulation once in each of two (2) consecutive weeks prior to the meeting at which the appointment shall be made.

#### C. Commissioner Compensation



1. Compensation: Compensation shall be paid to Commissioners attending authorized business-related meetings. Commissioner's compensation for services rendered shall be \$100 for each meeting attended, up to a maximum of six meetings per month, for a total maximum compensation of \$600 per month as provided by Harbors and Navigations Code Section 6060.
2. "Services Rendered:" Services rendered shall be defined as those instances in which a Commissioner has attended a meeting to engage in some activity falling within the commission duties established in Section V of these Bylaws, and such attendance was "pre-approved" by the Board of Harbor Commissioners.
3. Meetings Considered Pre-Approved: Although not required by law, the District shall look to Government Code Section 53232.1 for guidance when dealing with issues of Commissioner compensation. (The District does adhere to Government Code Sections 53232.2 and 53232.3 when dealing with issues of Commissioner reimbursement. See Section XIV of these Bylaws for details.) As such, attendance at the following entitles a Commissioner to be eligible to receive compensation:
  - a. A meeting of the legislative body (Meeting of the Board of Harbor Commissioners); or
  - b. A meeting of an advisory body, including meetings of the standing Board Committees; or
  - c. A conference or organized educational activity conducted in compliance with Government Code Section 54952.2(c), including but not limited to ethics training required by Government Code Section 53234; conferences of the California Special Districts Association ("CSDA"), and meetings of the committees of CSDA, provided the commissioner is a member in good standing of the involved committee.
4. Meetings Requiring "Pre-Approval:" Attendance by Commissioners at meetings or activities not specified in Paragraph 3 above (e.g., ad hoc, ceremonial community events or organized tours to review the processes or technologies related to the District's business, etc.), require specific pre-approval by the Board in order to qualify as rendered. However, the Board has the authority to retroactively approve, in a public meeting, a Commissioner's compensation for attending meetings in instances in which pre-approval is not possible due to timing or other unforeseen circumstances.
5. Request For Commissioner Compensation: Commissioners shall complete, sign and submit a time sheet requesting payment only for those meetings for which service was rendered as defined in this procedure. Compensation paid by the District will be limited to one meeting per day with a maximum of six meetings per calendar month, as detailed above. Notwithstanding the foregoing, compensation for two meetings in a single day may be allowed when each of said meetings is of a minimum duration of one hour. Otherwise, two meetings in a given day will be counted as a single meeting.
6. Expense Reimbursement: Commissioners may be entitled to reimbursement for expenses incurred as a result of attending approved meetings, as defined herein, or otherwise carrying out

the official duties of the District, in accordance with the policies set forth in Section XIV of these Bylaws.

D. Conflict of Interest

Board members shall be required to follow the current Conflict of Interest Code adopted by the State of California.

VI. MEETING OF COMMISSIONERS

A. Regular Meetings

Regular meetings of the Board shall be held monthly on the fourth Thursday of each month at 7:00 P.M. at the District Office in accordance with the provisions of the Brown Act (Govt. Code Section 54950 et seq.). The Board may from time to time, by majority vote, change the time and place of a regular meeting. The Board may at their option start the closed session of a regular meeting before 7:00 P.M., in an effort to begin open session proceedings on time. Such closed sessions will be noticed on the agenda.

B. Special Meetings

Special meetings of the Board shall be conducted per the Brown Act (Govt. Code 54950 et seq.; Section 54956) and may be called by the President or by a majority of the members of the Board by delivering written notice to each Commissioner of the time, place and business to be transacted at said meeting. Notice shall be delivered, either personally or by other means, at least twenty-four (24) hours in advance of said meeting. Said notice shall also be posted in a public place at least twenty-four (24) hours in advance of said meeting. Written notice may be waived by any Board member by filing a written notice of waiver with the Board's Secretary or designee thereof.

C. Quorum

For regular and special meetings of the Board, a quorum shall be three (3) of the Board members.

D. Majority Vote

All actions of the Board shall require a majority of three (3) of the Board members.

E. Public Meetings

All regular, special or adjourned meetings of the Board shall be open to the public unless otherwise provided by law. Members of the public who desire to present oral comments to the Board shall observe the following:

- (1) Prior to the commencement of the Board meeting, the intended speaker shall, on a form provided by the Board, write his or her identity and identify the agenda item that will be the subject of his or her comments.

- (2) The duration of the oral comments may not exceed three (3) minutes without the prior consent of the President of the Board.
- (3) The time for oral comments may not be donated or extended to a speaker from other members of the public in attendance.
- (4) Oral comments shall be addressed only to the members of the Board.
- (5) The President of the Board shall have the discretion to reasonably limit the number of speakers and the duration of the oral comments on each agenda item.

F. Agenda

The agenda of the Board shall be set by the Board President with input from General Manager. Agenda items may also be added by a majority vote of the Board. The agenda will normally not exceed six (6) action items in an effort to keep meetings a reasonable length.

G. Minutes

A record of proceedings of all public meetings of the Board shall be kept on file.

VII. OFFICERS

A. Positions

The officers of the Board shall be a President, Vice President, and a Secretary.

B. Election of Officers

- (1) The Board of Commissioners shall, at their January meeting, elect the officers from among its members.
- (2) Officers shall be elected for a period of one (1) year and shall serve until a successor is elected.
- (3) Duties

President

The President shall:

- (a) Preside over all meetings of the Board of Commissioners.

- (b) Sign as President and jointly with other officers as appropriate and execute in the name of the District, contracts, conveyances, and other written instruments which have been authorized by the Board of Commissioners.
- (c) Appoint the chairperson and members of the Board committees.

#### Vice President

The Vice President shall in the event of death, absence or other inability of the President, exercise all the powers and perform all the duties of the office of the President.

#### Secretary

The Secretary shall maintain or supervise the preparation of accurate and complete minutes of all meetings, call meetings on order of the President, execute contracts and conveyances and other instruments in writing, and perform such other duties as ordinarily pertain to this office.

#### C. Vacancies and Removal of Officers

- (a) Vacancy in any office shall be filled by special Board election as soon as is reasonably possible.
- (b) Officers may be removed by vote of three (3) Board members for failure to perform the duties of the office or for malfeasance in the office.

D. In addition to the officers referenced in Paragraph A, the Board shall appoint a treasurer in accordance with the provisions of Harbors & Navigation Code Section 6071, whose responsibilities shall include (but not be limited to) receiving and safely keeping all monies of the District. The Treasurer shall hold office at the pleasure of the Board. The Board must assure that all appointees possess the requisite skills and knowledge required to carry out the Treasurer's statutorily defined responsibilities and obligations.

### VIII. COMMITTEES OF THE BOARD

#### A. Appointment and Terms of Members of Board Committees

The President of the Board shall have authority to establish all Board committees and to appoint the members thereof, or committees may be established by a vote of three (3) members of the Board. Appointments are for one year.

#### B. Committee Membership

The General Manager shall be an ex officio member of all committees of the Board and its adjunct organizations, such as the California Special Districts Association, California Marine Affairs and Navigation Conference, where he/she will represent the Board unless the Board directs otherwise.

IX. TITLE TO PROPERTY

The title to all surplus property owned by the District is vested in the Board of Commissioners, and the signatures of the President and the Secretary shall constitute the proper authority for the purchase or sale of surplus property as approved by the Board, or for the investment or expenditure of public or trust funds which are subject to the control of the District.

X. INDEMNIFICATION

Commissioners and officers shall be indemnified by the Harbor District to the to the full extent permitted by law against all claims, liabilities and expenses incurred as a result of an action by the Board, except in the instance of willful misconduct in the performance of duties as an officer.

XI. GENERAL PROVISIONS

A. Execution of Contracts

By a vote of three (3) Commissioners, the Board, except as otherwise provided in these Bylaws, may authorize any officer or officers, agent or agents, to enter into any contract to execute any contract, or execute any instrument in the name of and on behalf of the District.

B. Monetary Expenditures

- (1) A majority vote of the full Board shall be required to establish or terminate a District bank account, LAIF savings account, retirement plan or similar account.
- (2) The Board authorizes the General Manager discretionary authority to expend up to \$7,500 on a single purchase without Board approval.
- (3) The Board authorizes the General Manager to maintain payroll levels, normal maintenance and utility expenses and authorized debt reduction payments without Board approval in compliance with the annual budget.

C. Seal

The District shall have a seal and may alter said seal at its pleasure.

D. Fiscal Year

The fiscal year of the District shall commence on the first day of July of each year and shall end on the last day of June of each year.

E. Annual Audit

The affairs and financial condition of the District shall be audited annually at the end of each fiscal years by a Certified Public Accountant selected by the Board, and a written report of such audit

and the appropriate financial statements shall be submitted to the Board. Additional audits may be authorized as may be considered necessary or desirable by the Board.

F. Review of Bylaws

The Bylaws of the Board should be reviewed at least every two (2) years and revised as necessary.

G. Amendment

These bylaws may be amended at any noticed regular or special meeting of the Board by majority of three (3) Board members.

H. Adoption

Adoption of the Bylaws shall be by a majority of three (3) Board members, at any properly noticed meeting of the Board.

XII. OFFICE

The principal office of this organization is located at 7881 Sandholdt Road, Moss Landing, CA 95039.

ADDENDUM TO BYLAWS OF THE MOSS LANDING HARBOR DISTRICT

Investment Policies

1. Raymond James Financial Services, Inc. is approved as the District's initial investment account funds manager.
2. Unless the investment is designated for payment of a specific expense, when the investment is about to mature, the Finance Committee is authorized to renew the investment at the best possible rate for an approved short term investment, or to liquidate no more that \$100,000 upon satisfactory proof of necessity for payment of unexpected expense(s).
3. Notwithstanding Raymond James' policy of allowing verbal instructions for the handling of investments, the Moss Landing Harbor District requires two (2) signatures from the list of authorized signatories on the Corporate Resolution - Cash Accounts.
4. Dividend checks representing interest earned on investments shall be sent to the Moss Landing Harbor District for deposit in the District's Community Bank money market account for use in the District's general fund.
5. Copies of investment account statements will be presented to the Board no less than quarterly.
6. The Finance Committee will meet no less than annually at least one month prior to the maturity of its one-year CDs and will make any recommended changes to the investment policy to the Board for Board action.
7. The Finance Committee will be added to the list of standing committees on the monthly regular Board meeting Agendas for reporting out as appropriate.

### XIII. INVESTMENT POLICY

The following shall govern the District's investment accounts:

1. Unless the investment is designated for payment of a specific expense, when the investment is about to mature, the Finance Committee is authorized to renew the investment at the best possible rate for an approved short term investment, or to liquidate no more than \$100,000 upon satisfactory proof of necessity for payment of unexpected expense(s).
2. Notwithstanding Raymond James', or any other financial institution's policy of allowing verbal instructions for the handling of investments, the Moss Landing Harbor District requires two (2) signatures from the list of authorized signatories on the Corporate Resolution - Cash Accounts.
3. Dividend checks representing interest earned on investments shall be sent to the Moss Landing Harbor District for deposit in the District's Community Bank money market account, or such other financial institution at which the District may have its operating account, for use in the District's general fund.
4. Copies of investment account statements will be presented to the Board no less than quarterly.
5. The Finance Committee will meet no less than annually at least one month prior to the maturity of its one-year CDs and will make any recommended changes to the investment policy to the Board for Board action.
6. The Finance Committee will be added to the list of standing committees on the monthly regular Board meeting Agendas for reporting out as appropriate.

### ADDENDUM TO BYLAWS OF THE MOSS LANDING HARBOR DISTRICT

### XIV. POLICY FOR EXPENSE REIMBURSEMENT OF MEMBERS OF LEGISLATIVE BODY

**1. Purpose.** The purpose of this policy is to ensure that the reimbursement of members of the District's legislative bodies (hereafter "legislative bodies" or "legislative body") for expenses incurred in the performance of official duties complies with the California Government Code, including the recently enacted Assembly Bill 1234, which adds Sections 53232.2 et seq. to the Government Code.

**2. Policy.** Members of a legislative body shall be reimbursed for actual and necessary expenses incurred in the performance of official duties as provided in this Reimbursement Policy.

**3. Definitions.** The following definition shall apply to this policy:

"Legislative body" means the Board of Harbor Commissioners and any subcommittees thereof subject to the provisions of the Brown Act.

**4. Types of Occurrences that Qualify for Reimbursement.** Members of a legislative body shall be reimbursed for expenses incurred in the performance of official duties relating to travel, meals, lodging, and other actual and necessary expenses, as defined by this Reimbursement Policy.

**5. Travel by Airplane Expense Reimbursement.** Members of a legislative body shall be reimbursed for the expense of a roundtrip airplane ticket, so long as such ticket reserves a seat in the least expensive class of seating provided by the airline (i.e. economy class or open-seating).



**6. Travel by Personal Vehicle Expense Reimbursement.** Members of a legislative body shall be reimbursed for expenses incurred in traveling by personal vehicle at the Internal Revenue Service Mileage Rate. Members of a legislative body requesting such reimbursement shall file a Mileage Reimbursement Request form, which shall satisfy the Documentation Requirements provided in Section 13 of this Reimbursement Policy.

**7. Meals Expense Reimbursements.** A member of the legislative body shall be reimbursed for expenses incurred for meals consumed or incidental expenses in connection with a conference, organized educational activity, or other performance of official duties.

- a) The member of a legislative body shall only be reimbursed for his or her portion of the meal. Meals for the spouses, family members or companions of members of the legislative body shall not be reimbursed.
- b) Incidental expenses include gratuities for hotel employees, parking fees, cab fares, public transportation costs, and other incidental expenses.
- c) A member of a legislative body shall be reimbursed for meals and incidental expenses using the standard per diem rate for meals and incidental expenses (M&IE) for the area traveled to as established annually by the Internal Revenue Service in Publications 463 and 1542. For partial day meals and incidental expenses, the reimbursement rates, which include tax and gratuity, should be as follows:

Breakfast:	20% of the M&IE
Lunch:	30% of the M&IE
Dinner:	50% of the M&IE
- d) If the meal(s) are consumed in connection with an all-day conference, organized educational activity, or other performance of official duties, the incidental expenses as defined under 7b shall be reimbursed for actual costs.

**8. Car Rental Reimbursement.** Members of a legislative body shall be reimbursed for the expense of car rental, so long as such rental rate is at the least expensive available rate.

**9. Lodging Expense Reimbursement.** Members of a legislative body shall be reimbursed for the expense of lodging. Members of a legislative body shall use government or group rates offered by a provider of transportation or lodging services for travel and lodging when available. For lodging in connection with a conference or organized educational activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of the legislative body at the time of booking. If the group rate is not available, a member of the legislative body shall be reimbursed for a maximum rate as set forth annually for the area traveled to by the IRS Publications 463 and 1542.

**10. Conference Registration Fee Reimbursement.** Members of a legislative body shall be reimbursed for the expense of a conference or organized educational activity registration fee.

**11. Other Expenses.** All other actual and necessary expenses incurred in the performance of official duties that are not described in this Reimbursement Policy shall be approved before the expense is incurred by the Board of Harbor Commissioners in a public meeting.

**12. Prohibited Expense Reimbursements.** Members of a legislative body shall not be reimbursed for expenses such as alcoholic beverages, personal telephone calls, spouse or companion meals, entertainment such as movie rental fees or movie theater tickets, and fines for parking citations.

**13. Documentation Requirements.** The General Manager shall provide members of a legislative body with expense report forms to be filed with the District by members of the legislative body for reimbursement for actual and necessary expenses incurred on behalf of the District in performance of official duties. The expense report form shall document that the expenses are proper under this Reimbursement Policy. Members of a legislative body must file expense report forms within 14 calendar days of incurring the expense, and the expense report forms shall be accompanied by receipts documenting each expense. All documents related to reimbursable agency expenditures shall be considered public records subject to disclosure under the California Public Records Act.

**14. Brief Report to Legislative Body.** Members of a legislative body shall provide brief reports on meetings attended at the expense of the District at the next regular meeting of the legislative body. Such reports may be made orally or in writing.

**15. Effect of Violation.** A violation of this Reimbursement Policy may result in the following penalties, including, but not limited to: 1) loss of reimbursement privileges; 2) restitution to the District; 3) civil penalties for the misuse of public resources pursuant to Section 424 of the California Penal Code; and 4) prosecution for misuse of public resources pursuant to Section 424 of the California Penal Code.

**16. Effective Date.** This Resolution shall take effect immediately, and shall supersede any and all other District provisions, policies and rules applicable to the members of a legislative body related to reimbursement for expenses incurred in the performance of official duties. A copy of this Policy shall be attached as Exhibit B to the Moss Landing Harbor District Board of Commissioners Bylaws.

**17. Severability Clause.** The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

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# Pliocene Ridge Community Services District BYLAWS

## DEFINITIONS

The Pliocene Ridge Community Services District will, hereafter, be referred to as the “**District.**”

The District board of Directors will, hereafter, be referred to as the “**Board.**”

The **fiscal year** of the District shall begin on July 1<sup>st</sup> and end on June 30<sup>th</sup> of the following year.

The Alleghany firehouse shall be known as **Station 71**; the Pike City firehouse shall be known as **Station 67**.

“**Employee**” as used in this document shall include volunteers, staff and officers.

## **ARTICLE I**

### **NAME, MAILING ADDRESS, BOUNDARIES, CLASSIFICATION, AUTHORITY, POWERS**

#### NAME

The district established by the Sierra County Board of Supervisors on February 3, 2004, Resolution 04-013 as approved by Sierra Local Agency Formation Commission (LAFCO) on February 26, 2004, Resolution 2004-01, and California State Board of Equalization notice of formation dated December 1, 2004 shall be named *Pliocene Ridge Community Services District* and hereinafter be referred to as the District or PRCSD.

**MAILING ADDRESS:** PRCSD, 100 Pike City Road, Pike City, CA 95960

**PHONE:** 530-288-0624 **WEBSITE:** [plioceneridge.org](http://plioceneridge.org) **EMAIL:** [plioceneridge@gmail.com](mailto:plioceneridge@gmail.com)

#### AUTHORITY

The Pliocene Ridge Community Services District shall be supervised by a governing board herein after referred to as the Board of Directors or the Board. The Board of Directors derives its authority from the district’s formation documents and the enabling legislation for Community Services Districts specifically: California Code Title 6 Division 3 sections 61000-61250 and other applicable Government Codes.

#### POWERS

The Board of Directors has the power to establish its own policies and procedures consistent with applicable law. These policies and procedures supersede all other written or implied policies and procedures, and if any policy or procedure is in conflict with any public agency having authority over the District, said policy or procedure shall prevail.

#### CLASSIFICATION

The Pliocene Ridge Community Services District shall be limited to the following services as declared in its formation documents: A) Fire protection, emergency medical services, emergency response search and rescue and related services; B) Parks and Recreation services; and, C) Street lighting.

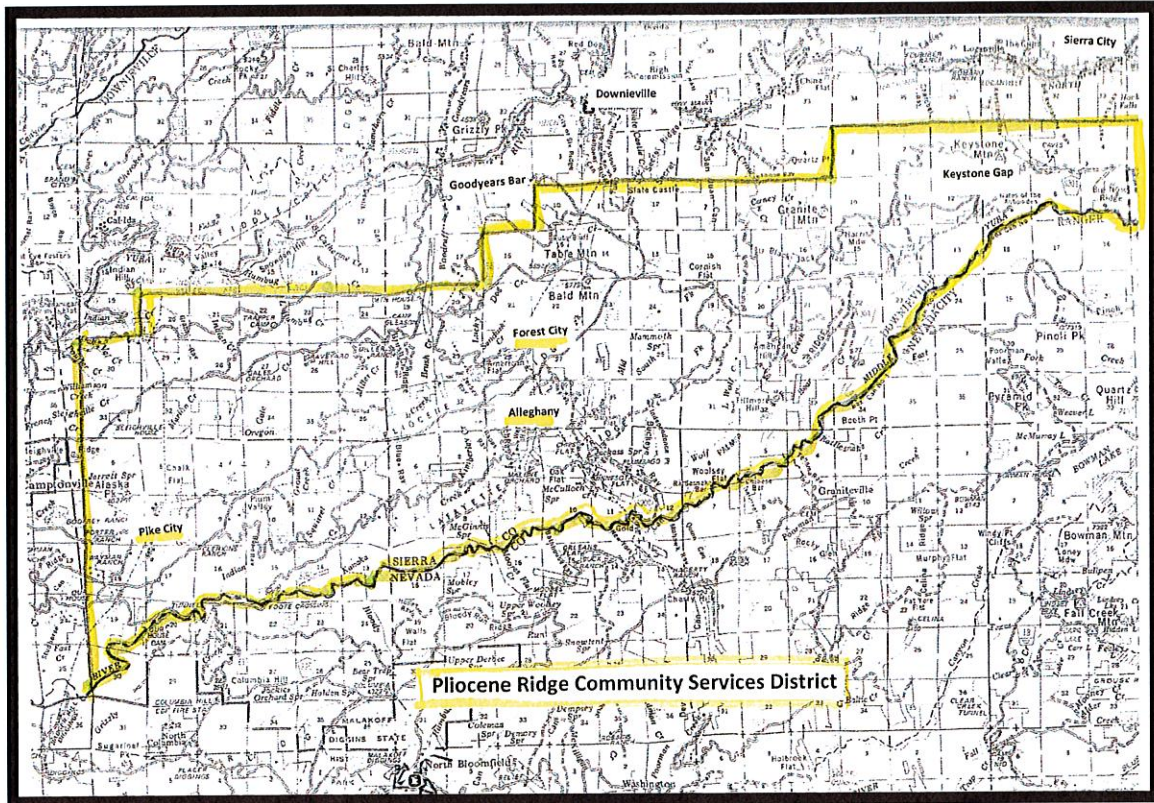




# Pliocene Ridge Community Services District BYLAWS

## BOUNDARIES

The Pliocene Ridge Community Services District shall comprise all areas as established by its formation documents and illustrated below:





# Pliocene Ridge Community Services District BYLAWS

## ARTICLE II DUTIES, RESPONSIBILITIES, BOARD MEETINGS

The Board of Directors shall be comprised of five registered voters of the District and appointed by the Sierra County Board of Supervisors. (Contrary to the District's formation documents which state Directors shall "reside" in the district, Gov. Code Section 61040(b) overrides this)

Each Director shall be appointed to a term of four years unless appointed to serve a remaining term.

It is the duty of the board to govern the district by setting policies and procedures in place for the day-to-day operations of the district. The board is responsible for delegating authority to the district officers and Fire Chiefs; or individual board members as necessary, in order to facilitate efficient day-to-day operation of the district.

The Board is also responsible for setting policies in place that provide the means for sound fiscal management, transparency and accountability; including adoption of an annual budget.

In the discharge of their duties, Board members act as a Board and not as individuals. The individual Board member has no more authority over District policy or personnel than any other citizen. A Board member has no legal or moral right to speak for the Board unless specifically authorized to do so by these Bylaws, Policies and Procedures or action of the Board.

### **BOARD MEETINGS**

1. **Monthly meetings** alternating between Alleghany and Pike City shall be held at the designated Station.
2. A meeting schedule shall be adopted annually and posted throughout the District.

Continued...





# Pliocene Ridge Community Services District BYLAWS

3. The agenda format is as follows:

## **I ESTABLISH QUORUM, CALL TO ORDER, FLAG SALUTE**

At a regular meeting the board may take action upon an item of business not appearing on the posted agenda if, *first* the board publicly identifies the item, and *second* one or more of the following occurs:

- A. the board by a majority vote of the full board, decides that an emergency as defined in government code section 54956.5 exists; or,
- B. upon a decision by a two-thirds vote of the board or if less than two-thirds of the board members are present a unanimous vote of those present the board decides that there is a need to take immediate action and that the need for action came to the attention of the district after the agenda was posted; or
- C. the item was posted on the agenda of a prior meeting of the board occurring not more than five calendar days prior to the date of this meeting, and at the prior meeting the item was continued to this meeting.

## **II CONSENT CALENDAR**

1. Approval of Agenda
2. Approval of Minutes
3. Approval of Treasurer's Report

**III PUBLIC COMMENT** The public may be heard before or during the consideration of any agenda item to be considered by the board, subject to reasonable time limitations for each speaker. Members of the public may address matters under the jurisdiction of the Board of Directors, and not on the posted agenda, provided that no action shall be taken by the board unless the matter is deemed urgent by a 2/3 vote.

## **IV INFORMATION/DISCUSSION ITEMS, STAFF AND/OR COMMITTEE REPORTS**

- A. Correspondence
- B. Committee/Member/Business Reports:
  1. Station 71 Chief's report
  2. Station 67 Chief's report
  3. AVFD Auxiliary
  4. PCVFD Auxiliary
  5. Risk Manager/Safety
  6. Board Members/Staff
  7. Standing Committee Reports: Streetlight, Budget, Safety

## **V ACTION ITEMS**

- A. Unfinished Business
- B. New Business

## **VI NEXT MEETING AGENDA ITEMS**

## **VII ANNOUNCEMENTS**

## **VIII ADJOURNMENT**

## **IX EXECUTIVE SESSION WHEN CALLED** Report out any action taken





# Pliocene Ridge Community Services District BYLAWS

## ARTICLE II BOARD MEETINGS CONTINUED

4. **All agenda items** must be received by the Secretary 10 days prior to the scheduled meeting date.
5. **All Board meetings are open to the public** except during executive session, consistent with the requirements of the "Brown Act." All Board actions shall be conducted in open meetings.
6. **Board meeting minutes will be available** on the district website and in the agenda packets. Copies of Board minutes are available at a cost equal to the expense of duplication plus postage. (Refer to Policy #2350).
7. **Notice of meetings** stating the time, place and agenda shall be provided to Board members and posted in accordance with the "Brown Act" requirements; including utilization of the district website.
8. **Special Meetings** may be called by the President, Secretary or any two Board members.
9. **Closed or Executive meetings** may be called by any Board member during the course of any regular or special meeting or for a future regular or special meetings as defined by the "Brown Act."
10. **Rules of Order** except as they conflict with the California Government Code shall be Rosenberg's Rules of Order and shall govern all questions of procedures not otherwise provided in this document.
11. **Quorum** shall be three Board members. If no quorum is present, the attending Board members shall adjourn the meeting to a time that a quorum is obtained.
12. **Notification of absence** shall be made to the Secretary and shall be the individual responsibility of each Board member.
13. **Board Voting** shall be verbal unless a written ballot is requested by one or more Board members. Ayes and nays shall be recorded upon the passage of all motions. The results of all votes shall be recorded in the meeting's minutes. The act of a majority of Board members present at the meeting at which a quorum is present shall constitute an act of the Board. However, if the government Code or state statute should set different requirements on the voting of any matter, the vote required by the code or statute shall prevail.
14. **Suspension of Rules.** To suspend a rule to change the order of business, a two-thirds vote of the members of the board shall be required.



# Pliocene Ridge Community Services District BYLAWS

## ARTICLE II BOARD MEETINGS CONTINUED

15. **Public Comment.** The public may be heard before or during the consideration of any agenda item to be considered by the board, subject to reasonable time limitations for each speaker. Members of the public may address matters under the jurisdiction of the Board of Directors, and not on the posted agenda, provided that no action shall be taken by the board unless the matter is deemed urgent by a 2/3 vote. Board members are prohibited from addressing any items not previously included on the agenda except to provide simple answers to basic questions. The Board may receive testimony and set the matter for a subsequent meetings.

No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under Public Comment.

No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination by the Chairperson of person's privilege to remain within the hearing, meeting, or workshop.

No oral presentation shall include charges or complaints against any District employee, Volunteer, Officer or Board Member regardless of whether or not the person is identified in the presentation by name or by another reference which tends to identify. All complaints shall be directed to the Board in writing. [The board shall establish a complaint procedure with the objective of handling all complaints at the lowest level of management possible]

## ARTICLE III

### RECORDS, CORPORATE SEAL, LOGO, VACANCIES, COMPENSATION

#### RECORDS

The Board recognizes the necessity to keep adequate and appropriate district records to fulfill legal requirements and maintain/develop the proper administrative functions.

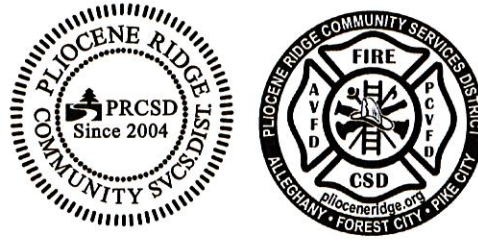
All documents of the District shall be in writing and made available to the public per District policy #2350.

The Secretary and Treasurer shall oversee the development and maintenance of an appropriate record keeping system that: **1.** meets all of the requirements of the state and county laws; **2.** provides data required for the audit; **3.** secures all deeds, title, and such other designated documents in a safe deposit box.



# Pliocene Ridge Community Services District BYLAWS

## CORPORATE SEAL & DISTRICT LOGO



### VACANCIES

Should any member of the Board:

a. die; b. resign; c. be declared mentally or physically unable to perform duties by a qualified professional; d. cease to be a legal voter in the district; e. be convicted of any felony offense; f. refuse or neglect to take the oath of office; g. neglect to attend the duties of the office; h. neglect to attend three regular meetings of the Board in a calendar year except by permission of the Board, said office shall be declared vacant by the Board at its next regularly scheduled meeting and shall be filled by appointment of the Sierra County Board of Supervisors. Any person so appointed shall hold office until the expiration of the term of the vacancy.

### COMPENSATION

1. Board members shall serve as unpaid volunteers.
2. Board members may receive reimbursement of expenses incurred representing the District as directed by the Board.

## ARTICLE IV

### ELECTION AND DUTIES OF OFFICERS, COMMITTEE APPOINTMENTS

#### ELECTION OF OFFICERS

1. Election of Officers shall be conducted annually at the January meeting.
2. The Officers shall be: President, Vice President, Secretary & Treasurer.
3. The Term of Office of each elected officer shall be one year and shall begin upon election in January and shall continue through December.
4. A vacancy in any office shall be filled at the next regular meeting by a vote of the Board to fill the unexpired term.





# Pliocene Ridge Community Services District BYLAWS

## DUTIES OF OFFICERS

### **PRESIDENT shall:**

- a. be the chief executive officer of the Board;
- b. preside at all meetings;
- c. sign all contracts and other papers authorized by the Board;
- d. ensure all orders and policies of the Board are executed;
- e. have the right to vote on all matters coming before the Board; and
- f. be responsible for other such duties as may be directed by the Board.

### **VICE PRESIDENT shall:**

- a. assume the duties of the president as may be required; and
- b. be responsible for other such duties as may be directed by the Board.

### **SECRETARY shall:**

- a. Serve as the clerk-of-the board performing all duties incidental to that position. See section \_\_\_ of the personnel policy manual for a detailed job description.

### **TREASURER shall:**

- a. Serve as the fiscal officer for the district, performing all duties incidental to that position. See section \_\_\_ of the personnel policy manual for a detailed job description.
- b. Per Calif. Code Section 61040 a director SHALL NOT also be the treasurer.

## COMMITTEE APPOINTMENTS

1. Following the election of officers, the President shall appoint committees. These committees shall be ratified by a majority vote of the Board.
2. Committees are:
  - A. Standing:
    1. Budget-2. Street Lights 3. Risk Management/Safety 4. Others as needed



# Pliocene Ridge Community Services District BYLAWS

## DUTIES OF APPOINTED OFFICIALS

1. The Board may fix reasonable compensation where they deem appropriate.
- A. Attorney – At the request of the Board, the attorney shall provide guidance in legal matters.
- B. Auditor – The auditor shall audit the District's financial records in accordance with the laws of the State of California using generally accepted auditing practices.

## ARTICLE V

### CONFLICT OF INTEREST CODE

The Political Reform Act, government code Section 87100, *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contain the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the fair Political Practices commission are hereby incorporated by reference and, along with the attached Appendix A in which members of the board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the Conflict of Interest code of the Pliocene Ridge community Services District.

Each action taken by a Board member and/or employee in the course of their duties will be motivated by the District's best interests and will be free of outside influence and self interests. In addition, board members shall not in any way directly or indirectly financially benefit from any aspect of the district's operations.

In accordance with this policy, Board and employees shall comply with the following:

1. Board members must abstain from voting on any action in which they have a financial interest.
2. No board member shall accept any remuneration in money or services from the district, except as allowed for by Government Code Section 61207.
3. Board members and designated employees, as described in Appendix A of the Pliocene Ridge Community Services District's Conflict of Interest Policy and Procedure, shall file a Statement of Economic Interests, Form 700 annually with the Clerk of the County of Sierra who shall retain copies and make the statements available for public inspection and reproduction. (Government Code Section 81008)



# Pliocene Ridge Community Services District BYLAWS

## Appendix A

### CONFLICT OF INTEREST CODE DISCLOSURE CATEGORIES

#### Category 1

Designated employees assigned to this category must report:

- a. Interest in real property located within the jurisdiction including property located within a two-mile radius of any property owned or used by the agency.
- b. Investments, business positions, and income from sources located in or doing business in the jurisdiction.
- c. Investments and business positions in any business entity or income from any source of the business entity or source of income that manufactures sells supplies, machinery or equipment of the type utilized by the district.
- d. Investments and business positions in any business entity or income from any source if the business entity or source of income is a contractor or subcontractor engaged in the performance of work or services of the type utilized by the District.
- e. Investments, business positions, and sources of income of the type, which engage in land development, construction, or the acquisition or sale of real property.
- f. Investments, business positions, and sources of income of the type which manufacture, sell or distribute medical equipment or services of type leased or loaned by the District to ambulance services, medical services such as police, sheriff and fire rescue units, trauma centers and emergency rooms.
- g. Investments, business positions, and sources of income of the type that provides training for persons engaged in medical service programs.

#### DESIGNATED EMPLOYEES

<u>POSITION</u>	<u>DISCLOSURE CATEGORY</u>
Board Members or Candidates	1
District Officers (Treasurer, Secretary)	1
Station Fire Chiefs	1

Code amended by the PRCSD board on 4/18/16 and approved by the Sierra County Board of Supervisors on 5/17/16.





# Pliocene Ridge Community Services District BYLAWS

## ARTICLE VI

### ADOPTION/AMENDMENT OF BYLAWS, POLICES & PROCEDURES

Consideration by the Board to adopt or amend these Bylaws, Polices and Procedures may be initiated by any Board member, Officer or Staff member and must be submitted to the Secretary in writing for agendizing.

A three fifths (3/5) affirmative vote of all members of the Board at a properly posted regular or special meeting shall be required to add or change the policies, procedures and bylaws of the District.

Copies of all Bylaws, Policies & Procedures shall be placed in an Administrative Procedures Manual and distributed to all Board members and Department Heads.





# Pliocene Ridge Community Services District BYLAWS

## ARTICLE VII ORIENTATION OF BOARD MEMBERS & GENERAL CONDUCT

New Board members shall be given selected materials on the duties and responsibilities associated with Board membership, to include the: PRCSD HANDBOOK OF BYLAWS, POLICIES and PROCEDURES

### GENERAL CONDUCT OF BOARD OF DIRECTORS

**In the meeting process, Board members shall strive to:**

- avoid making individual pronouncements and public conjecture outside of official Board meetings about district matters not yet decided by the Board;
- speak or act for the Board only when specifically authorized to do so by action of the Board;
- arrive on time for meetings; stay focused;
- raise concerns about ground rules as soon as possible;
- don't take things personally;
- after the motion and second, encourage discussion and strive for consensus;
- allow for minority point of view;
- not repeat what has been said, be concise;
- be recognized by the chair before speaking;
- come prepared, ready to ask questions and make decisions, do what is agreed upon;
- follow the agenda;
- respect confidentiality of Executive Session;
- accept the principle of board unity or consensus by supporting majority decisions of the Board.

**In personal interactions, Board members shall strive to:**

- disagree without being disagreeable;
- be honest; sensitive, trustworthy,
- use humor,
- be tolerant;
- respect the opinion of others;
- not intentionally cause anyone embarrassment;
- act with integrity and credibility;
- represent the people of the District and
- make decisions based on factual information.

Agenda Item:

**CORRESPONDENCE**

Summary:

**June 14, 2022:**

The following pieces of correspondence are included in the FWD Board Package:

1. NSC Air Pollution Control District – Notice of Public Hearing (Board Clerk emailed to Board 5/12/22)
2. CSDA – Governor’s State Budget Revisions
3. ACWA – AB 2142 Income Taxes: Exclusion-Turf Replacement Water Conservation Program
4. CSDA – Development Impact Fee Legislation Amended to Address CSDA Concerns
5. CSDA – Status on Bills impacting Special Districts

Potential Board Actions:

FWD Board may choose to select any item above and request it be placed on a future Agenda if it is deemed that action is needed by FWD Board.

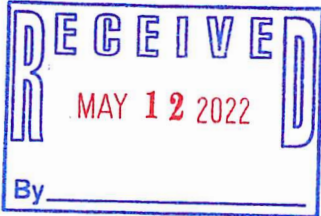
Staff Recommendation: None

Report created by: Dawn Leith, Interim Board Clerk

cc: Jun. 14, 2022  
Board Packet  
ASR "R" Corr. #1

NORTHERN SONOMA COUNTY  
Air Pollution Control District

150 MATHESON STREET HEALDSBURG, CA 95448  
P 707.433.5911 NOSOCO.AIR.ORG



## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the Board of Directors of the Northern Sonoma County Air Pollution Control District (District) has scheduled a public hearing for the presentation and adoption of the District's proposed annual budget for the fiscal year beginning July 1, 2022 pursuant to California Health and Safety Code, Division 26, Section 40131.

In this proposed budget, the District does not propose any new permit fees. Large sources with CPI adjustment in their annual fee schedule pursuant to District Regulation 1 Rules 300 and 310 will receive the applicable CPI adjustment (California-All Urban Consumers).

The hearing for the final adoption of the proposed District budget will be held at 10 a.m. on June 8, 2022 at the District's office in Healdsburg.

The proposed budget summary or fee schedule is available for review by contacting Robert Bamford, Air Pollution Control Officer at (707) 433-5911.

The public is hereby invited to be present at the hearing and to provide comments. Written comments may also be submitted before June 8th, 2022 to the District office at the address listed above or by email at [airquality@sonoma-county.org](mailto:airquality@sonoma-county.org).

***Comments will be received by the District until 4:30 PM PDT, June 7, 2022 and will be reviewed and considered.***

Robert Bamford  
Air Pollution Control Officer  
Northern Sonoma County Air Pollution Control District

# Advocacy News

## Governor's May Revision to the State Budget and its Impact on Special Districts

By [Vanessa Gonzales](#) posted 17 hours ago



On Friday, May 13, Governor Gavin Newsom released the May Revision to his 2022-23 State Budget Proposal. The release of the summary coincided with a livestream in which Newsom highlighted priorities of the proposed budget heading into the fiscal year and moving forward. Major highlights of the May Revision include a \$97.5 billion surplus (nearly \$20 billion more than expected in the January Budget proposal), reflecting \$37.1 billion in proposed budget reserves and \$49.2 billion in discretionary funds, considering roughly half of the surplus is required by law to be spent on Proposition 98 school funding.

At the annual Special Districts Legislative Days conference in Sacramento today, special district leaders advocated for a number of [key budget requests](#), including payment of \$870 million in State mandated debt owed to local governments. CSDA, in partnership with other local government organizations, will continue fighting for these budget requests through the Legislature's June 15 Constitutional deadline to pass a balanced budget.

Below are highlights of the released May Revision:

### **Healthcare**

The May Revision reflects \$933 million to provide retention payments for certain workers in hospitals, psychiatric hospitals, and skilled nursing facilities. If employers commit to fully matching, the state will provide a baseline payment and will increase the payment up to \$1,500. In addition, the May Revision includes a two-year, \$50 million grant program providing technical assistance to small or under-resourced providers to, among others, small physician practices, rural hospitals, and community-based organizations in addition

to education and technical assistance for any entities new to the health information exchange.

The May Revision includes \$280 million (\$132.7 million General Fund) for the Workforce and Quality Incentive Program for payments to skilled nursing facilities that make substantial improvements and meet quality benchmarks building on the average four percent annual increase initially proposed. Furthermore, the May Revision proposes \$100 million (\$50 million General Fund) to support early childhood-focused efforts with the inclusion of grants focusing on encouraging health care provider integration with other early-childhood-specific programs. Lastly in the healthcare space, the May Revision proposes \$100 million for medical surge staffing this fiscal year to allow the California Department of Public Health to support upfront staffing costs until facilities can be invoiced and reimburse the state for costs. The May Revision also includes \$40 million in resources for vaccine staff for the release of vaccines to children under five, continued boosters for eligible groups, and increased staffing at pediatric sites.

### ***Workforce Development***

To expand campus infrastructure to support the need for a highly skilled, STEM-trained workforce, expand access to a CSU education, and to create a California-based collaborative solutions to climate change, the May Revision includes investments in the San Diego State University, Brawley Center, and the CSU Fullerton Engineering and Computer Science innovation Hub.

Targeting older adults and veterans at California's local libraries and building upon the Governor's Budget investment of \$8.8 million to support two additional years of free online job training and workforce development programs available through public libraries, the May Revision includes a \$1.4 million one-time General Fund. Lastly, the May Revision describes an allocation of \$17 million from the 2021 Budget Act to address extreme heat and High Road workforce development in addition to building upon California's climate-smart workforce through apprenticeships and training partnerships in job and careers that address extreme heat.

### ***Pensions***

To further reduce the unfunded liabilities of the CalPERS state plans, the May Revision includes an estimated \$2.9 billion in one-time Proposition 2 debt repayment funding in 2022-23. Unknown is the impact that this may have on the total funded status of the CalPERS fund.

### ***Public Works***

In providing match funding to supplemental grants that certain projects receive from the federal government and non-profit foundations, the May Revision includes \$100 million to support carbon removal projects.

### ***Public Safety***

The May Revision proposes \$50 million one-time General Fund to fund grants intended to improve the health and well-being of general officers, decrease stress and trauma, improve community trust and relations, and build resiliency. This reflects an initial \$5 million one-time General Fund included in the Governor's Budget for the Commission on



Peace Officer Standards and Training to develop a Law Enforcement Wellness Program with grants to be distributed by the Board of State and Community Corrections.

### ***California Arrearage Payment Program***

The California Arrearage Payment Program (CAPP), established in the 2021 Budget, directed \$1 billion in federal American Rescue Plan Act funding to financial assistance to reduce or eliminate past due energy bill balances accrued by customers impacted by the COVID-19 pandemic. Administered by the Department of Community Services and Development, 1.5 million accounts received CAPP benefits. The May Revision includes \$1.2 billion in funding to relieve California households by addressing energy arrearages. In addition, the May Revision includes \$200 million for residential wastewater and water arrearages for the Low-Income Household Water Assistance Program (LIHWAP), also administered by the Department of Community Services and Development.

### ***Climate Innovation and Commitment***

The May Revision converts two green tax credits proposed in the Governor's Budget – the innovation Headquarters Credit and Credit for Green Energy Technologies – into a single Climate Innovation Grant program administered by the California Energy Commission. Focusing on research activities that help California reach its climate goals, the grant would be funded at \$1.05 billion over four fiscal years - \$100 million in 2022-23, \$325 million in 2023-24 and 2024-25, and \$300 million in 2025-26.

The May Revision includes an additional \$9.5 billion over four years for a total \$32 billion to continue to advance the state's Climate and Opportunity Budget, support energy reliability, protect communities, and provide equitable climate solutions. In addition, the May Revision includes an additional \$1.3 billion General Fund for drought resilience and response to better assist communities and fish and wildlife in avoiding immediate negative impacts caused by extreme drought. With a commitment to climate innovation and commitment, the May Revision focuses on these specific issue areas:

- **Drought:** To continue the state's drought response, the May Revision includes an additional \$1.6 billion with \$250 million set aside as a contingency in the Governor's Budget. Furthermore, the May Revision includes \$75 million to support grants up to \$50,000 to farming and related businesses that have been negatively impacted by the drought. The May Revision also includes an investment of \$553 million to provide grants to urban water districts and smaller community water suppliers for drought-relief projects. Additionally, the May Revision includes \$280 million to address biodiversity impacts associated with drought and climate change and build water resilience projects to support the implementation of voluntary agreements with water suppliers.
- **Wildfires:** The May Revision builds on the efforts to enhance and continue building forest and wildfire resilience with additional funding to support expanded fire crews and air attack operations. The Administration plans to continue to work with firefighter associations on additional proposals that would appropriately staff CalFire.
- **Extreme Heat:** To address extreme heat, the May Revision includes \$800 million General Fund over two years including \$300 million to support the implementation of



the state's updated Extreme Heat Action Plan. This includes \$220 million to support cooling of communities at schools and through resilience centers over two years, \$43 million to protect vulnerable populations and ecosystems, \$20 million to increase understanding of the risks posed by extreme heat, and \$17 million to invest in the alignment of the state's response to extreme heat and High Road development and California's climate-smart workforce.

- **Water Resiliency:** Within the \$32 billion investment, the May Revision includes \$530 million to support water recycling and groundwater cleanup, advance drinking water and clean water projects that leverage federal infrastructure funds, and continue adequate solar pilots. Also, the May Revision proposes \$187 million to support agricultural water conservation practices by incentivizing farmers to install more efficient irrigation equipment, provide on-farm technical assistance, and support additional water conservation projects. The May Revision also includes \$500 million General Fund in three years to serve as a multi-year commitment to promote strategic water storage projects that benefit water supply reliability and the environment.
- **Pathways to 30x30 Strategy:** The 2021 Budget Act committed \$1.4 billion General Fund over three years including \$768 million General Fund over two years to support the implementation of the state's Natural and Working Lands Climate Smart Strategy and the Pathways to 30x30 Strategy to accelerate California's pledge to expand access to nature, tackle climate change, and protect biodiversity. More information about the project can be found [here](#).

### ***Energy***

The May Revision proposes to allocate \$8 billion over five years to provide consumers with relief from rising electricity rates and increase the state's energy system reliability. This proposed allocation is in addition to the \$2 billion allocated in the Governor's Budget to provide incentives for industrial grid support and decarbonization projects, renewable hydrogen, and long-duration storage projects. These investments focus on accelerating clean energy projects and innovation, provide relief for taxpayers, and create strategic energy reserves to maintain liability.

### ***Emergency Response***

The May Revision reflects a \$183.4 million proposal and 50 positions to address the more frequent, complicated, and often simultaneous emergencies and disasters occurring across the state. This proposal includes \$29.5 million General Fund one-time to continue COVID-19 testing efforts and provide resources to activate the state's mutual aid system should future outbreaks happen.

### ***Judicial Council***

The May Revision includes \$1.2 million General Fund for the Judicial Council to address climate, environmental, and water-related legal disputes in addition to \$75 million one-time General Fund to support the California Small Agricultural Business Drought Relief Program to aid eligible agricultural-related businesses effected by severe drought. Some of this funding in this specific package in addition to some of the funding proposed for

nature-based solutions will provide habitat restoration supporting voluntary agreements with water users and to improve the health of Northern California Rivers.

### ***Developing Lithium Valley***

To support the development of geothermal and lithium extraction facilities in the Salton Sea region and support the economic supply chain hub that includes in-region lithium and battery production, the May Revision proposes to provide \$5 million to support these efforts. In addition, the May Revision proposes to provide for local governments and residents to benefit from the development and extraction of lithium by establishing a tax per ton of lithium extraction placing reporting and fee requirements on these activities while providing funding to contribute to the maintenance, restoration, and operations of Salton Sea, and grants to support disadvantaged communities in the region.

### ***Electricity Rates Revisions and the Public Utilities Commission***

The May Revision proposes statutory revisions to allow the Public Utilities Commission to adjust electricity rates to predetermined fixed charges with an emphasis on low-income customers. This rate reform effort will reduce charges attached to energy consumed, enable the creation of better price signals to enhance widespread electrification efforts, and help control rate volatility.

### ***Property Tax***

Preliminary data suggest that statewide property tax revenues increased around 3.7 percent in 2021-22, which is 2.5 percent points lower than anticipated in the Governor's Budget. These tax revenues are expected to grow 5.9 percent in 2022-23 due to home price growth slowing and data that shows a much lower rate of property transfers in 2021 compared to recent years. Approximately 42 percent (\$39.6 billion) of property tax revenues this fiscal year will go to K-14 schools. This includes \$2.8 billion that schools are expected to receive in 2022-23 pursuant to the dissolution of redevelopment agencies.

### ***State Appropriations Limit Calculation***

The 2022-23 limit is estimated to be \$135.6 billion pursuant to Article XIII B of the California Constitution. The revised 2022-23 limit is \$4.3 billion above the \$131.4 billion estimated in January and is a result of applying the growth factor of 7.9 percent to the prior year limit.

### ***Libraries***

The May Revision includes an increase of \$335,000 ongoing General Fund to expand public outreach and education to local libraries in the state and patrons in under-served and multilingual communities. In addition, the May Revision includes \$13.5 million one-time General Fund to expand the California State Library Partnership pilot program to provide state park passes for check out at local libraries.

CSDA will continue its advocacy efforts as the Legislature continues its various budget committee and budget subcommittee meetings to present the Governor with a finalized budget by the June 15 deadline. Should you have any questions regarding the May Revision, feel free to reach out to Cole Query at [coleg@csda.net](mailto:coleg@csda.net)



# ACWA ADVISORY

LEGISLATIVE | WATER USE EFFICIENCY  
**May 19, 2022**

## **ACWA-Sponsored AB 2142 Advances to Assembly Floor**

ACWA-sponsored AB 2142 passed the Assembly Appropriations Committee Suspense File today and is headed to the Assembly floor.

AB 2142 is co-sponsored by the California Water Efficiency Partnership and WaterNow Alliance and authored by Assemblymember Jesse Gabriel (D-Woodland Hills). The bill would reinstate the California personal income tax exemption for turf replacement rebates to help incentivize participation in water efficiency programs.

AB 2142 is supported by a broad coalition of organizations including water agencies, cities, and environmental groups, with more than 60 different entities signed onto the effort.

The Assembly will vote on the bill next week. If approved, it will next go to the Senate for consideration. The bill so far has received broad bi-partisan support throughout the process.

### **Background**

AB 2142 is a reintroduction of AB 533 by Assemblymember Chris Holden (D-Pasadena) in 2019. That bill was co-sponsored by Metropolitan Water District of Southern California, the California Water Efficiency Partnership, and WaterNow Alliance. ACWA and its members were supportive of that bill, but it was ultimately held in the Assembly Appropriations Committee on the suspense file.

### **Questions**

For questions about AB 2142, contact ACWA Senior Legislative Advocate Julia Hall at (530) 902-9746.



## California Special Districts Association

*Districts Stronger Together*

cc: Jun. 14, 2022  
Board Packet  
ASR "R" Corr. #4

# Development Impact Fee Legislation Amended to Address CSDA Concerns

By [Vanessa Gonzales](#)

CSDA is pleased to report that Assemblymember Tim Grayson amended two bills related to development impact fees to address concerns raised by CSDA. Development impact fees fund the infrastructure necessary to serve new housing developments and represent critical funding for many special districts to meet the needs of new residents. As originally introduced, AB 2186 (Grayson) and AB 2536 (Grayson) could have stymied the fire protection, parks, water, wastewater, and other public infrastructure needed to properly support growing communities.



CSDA thanks Assemblymember Grayson and the Assembly Local Government Committee for collaborating to address our concerns so that our state can promote needed housing development without underfunding the infrastructure future residents living in that housing will depend upon.

### **AB 2186 (Grayson) Housing Cost Reduction Incentive Program**

AB 2186 would establish the Housing Cost Reduction Incentive Program for the purpose of reimbursing cities and counties, which have land-use authority, for development impact fee reductions provided to qualified housing developments. Upon appropriation, AB 2186 would require the California Department of Housing and Community Development to provide grants to applicants in an amount equal to 50 percent of the amount of a development impact fee reduced for a qualified housing development and grants to applicants in an amount equal to the accrued interest on a deferred development impact fee.

CSDA worked closely with the author's office and the sponsors of the bill (California Housing Partnership) to secure amendments to the bill that ensure grant funds are used for the purposes for which the development impact fee would have been used. Furthermore, applicants must now secure the written consent of affected independent special districts for any grant

application involving the reduction or deferral of fees related to that district's services. The amendments ensure collaboration between the land-use authorities and special districts.

AB 2186 has cleared policy committees in the Assembly and awaits consideration in the Assembly Committee on Appropriations.

### **AB 2536 (Grayson) Development Fees: Impact Fee Nexus Studies: Connection Fees and Capacity Charges**

The Mitigation Fee Act regulates a variety of development impact fees, particularly fees supporting fire protection and park infrastructure. However, connection fees and capacity charges for water and wastewater infrastructure are governed by a different body of law. Most special districts undertake a significant evaluation process to determine the lawful and appropriate amount to impose for connection fees and capacity charges. As amended, AB 2536 intends to codify fundamental parameters for such a process.

CSDA met early on with the author's staff to raise our concerns with the version of the bill introduced February 17, 2022, as it would have imposed undue mandates on special districts that would have increased costs and liability associated with charges necessary for critical infrastructure. After convening meetings with a working group of CSDA members for feedback, CSDA was ultimately able to get behind amendments drafted by the Association of California Water Agencies (ACWA) to resolve our collective concerns. ACWA and CSDA negotiated with Assembly Member Grayson's office to amend the bill to the version now in print.

AB 2536 was heard and passed by the Assembly Committee on Local Government on May 4, 2022 and awaits consideration on the Assembly Floor.

If you have any questions or concerns regarding these bills, contact Cole Query at [coleg@csla.net](mailto:coleg@csla.net) or by phone at (916) 442-7887.



**California Special  
Districts Association**  
*Districts Stronger Together*

## A Report of Status of Bills Impacting Special Districts

By [Kristin Withrow](#) posted 21 hours ago

### Bills Impacting Special Districts are Officially Halfway Through the Legislative Process

May has been a busy month in the State Legislature; legislators returned from Spring recess and worked to clear policy and fiscal committee deadlines as Governor Gavin Newsom released his [May Revision](#). May 27 marked the official deadline for bills introduced this session to pass their "house of origin" with May 23-27 dedicated to only floor sessions. This means, all Assembly Bills introduced in 2022 needed to have passed out of the Assembly, and conversely, any Senate Bills introduced in 2022 needed to pass the State Senate or they are presumed dead for failure to meet the deadline.

At this point, the legislative process has hit what some might consider the "halfway" point. Legislators now have until August 31 to pass their bills through the second house. Any bills amended in the second house must also return to the first house for concurrence prior to that deadline.

We posted the status of these bills last week. **Our most recent updates appear below in red.**

**Below are some of significance to special districts that have cleared the house of origin deadline, including legislation related to climate adaptation, prevailing wage, surplus land, cybersecurity, and pensions.**

**[Assembly Bill 1640](#)** (Ward) - *Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans*

Authorizes eligible entities, including special districts, to establish and participate in a "regional climate network", which shall develop a regional climate adaptation and resilience action plan and submit the plan to the Office of Planning and Research for review, comments, and certification. A regional climate network may receive state and federal grants and engage in activities.

**This bill passed the Assembly on May 26 with zero 'no' votes.**

**[Assembly Bill 1681](#)** (Daly) - *Insurance: fraud prevention and detection*

Pursuant to Section 1879.1 of the Insurance Code, existing law empowers the Insurance Commissioner to convene investigative meetings with insurance companies to discuss specific information concerning suspected, anticipated, or completed acts of insurance fraud, as specified. This bill would allow district attorneys to be invited to such meetings, and also allow district attorneys to convene meetings with representatives of insurance companies and representatives of self-insured employers to discuss specific information concerning suspected, anticipated, or completed acts of insurance fraud, as specified, provided a specified representative of the Insurance Commissioner is present. Such information shared in those meetings will not make a



person subject to civil liability for libel, slander, or any other relevant cause of action, provided specified conditions are met (Insurance Commissioner's representative advises participants of guidelines to ensure compliance with federal and state antitrust laws, and no fraud or malice on the part of participants, as specified). This bill contains provisions for uses and sharing of information that comes out of such meetings.

**This bill passed the Assembly on May 25 with zero 'no' votes.**

**Assembly Bill 1707** (Boerner Horvath) - Property tax postponement: Senior Citizens and Disabled Citizens Property Tax Postponement Fund

This bill perpetually "tops off" the Senior Citizens and Disabled Citizens Property Tax Postponement Fund at \$15 million using General Fund dollars. Introduced on January 26, 2022, this bill has successfully moved through the Assembly Committee on Revenue and Taxation and through Appropriations with no opposition.

**Assembly Bill 1707 passed out of the Assembly on May 23 with no opposition.**

**Assembly Bill 1717** (Aguiar-Curry) - *Public works: definition*

Assembly Bill 1717 adds fuel reduction work paid for in whole or in part out of public funds performed as part of a fire mitigation project, including, but not limited to, residential chipping, rural road fuel breaks, fire breaks, and vegetation management, to the definition of public works. This will require payment of prevailing wage for these activities. This bill was amended on May 19 to clarify that the work it applies to must be done under contract.

**This bill passed the Assembly on May 26 with 58 'aye' votes, 11 'no' votes, and 9 abstentions.**

**Assembly Bill 1721** (Rodriguez) - *Seismic retrofitting: soft story multifamily housing*

Assembly Bill 1721 establishes a funding program through The California Governor's Office of Emergency Services (CalOES) to provide grant opportunities for local fire departments, including special districts, in responding to surges in demand for emergency medical services and provide effective mutual aid during disasters. This bill was amended on May 19 to retain only the seismic retrofit program.

**This bill passed the Assembly on May 26 with zero 'no' votes.**

**Assembly Bill 1751** (Daly) - *Workers' compensation: COVID-19: critical workers*

This bill is a workers' compensation presumption bill related to COVID-19. Under existing law, pursuant to SB 1159 (2020), there is a COVID-19 workplace injury presumption, as specified below, until January 1, 2023. This bill extends applicable sunsets until January 1, 2025.

**This bill passed the Assembly on May 26 with 58 'aye' votes, 10 'no' votes, and 10 abstentions.**

**Assembly Bill 1776** (Gallagher) - *Resource conservation districts: California Prompt Payment Act*

Existing law generally provides that a state agency that acquires property or services pursuant to a contract with certain entities but fails to make payment to the person or business on the date required by the contract, shall be subject to a late payment penalty. This bill would include resource conservation districts within the list of entities entitled to the late payment penalty.

**This bill passed the Assembly on May 25 with zero opposition.**

**Assembly Bill 1851** (R. Rivas) - *Public works: prevailing wage: hauling*

This bill expands the definition of public works to include on hauling of materials used for paving, grading, and fill onto a public works site. Relevant existing law defines public works to include the hauling of refuse from a public works site to an outside disposal location. As applicable to off hauling, "hauling of refuse" is defined as including, but not limited to, hauling soil, sand, gravel, rocks, concrete, asphalt, excavation materials, and construction debris, and excluding the hauling of recyclable metals such as copper, steel, and aluminum that have been separated from other materials at the jobsite prior to transportation and that are to be sold at fair market value to a bona fide purchaser.

**This bill passed the Assembly on May 26 with 58 'aye' votes, 13 'no' votes, and 7 abstentions.**

**Assembly Bill 1883** (Quirk-Silva) - *Public restrooms*

This bill would require library districts (as defined) and park districts (as defined) to complete an inventory of their "accessible, permanent public restrooms, including single-occupancy restrooms" available to the general population in its jurisdiction. These districts - along with cities and counties - would have to provide this completed inventory of bathrooms to the State Department of Public Health not later than July 1, 2023, and quarterly thereafter, for purposes of the development of the Department's online database of public restrooms.

**This bill passed the Assembly on May 26 with 56 'aye' votes, 15 'no' votes, and 4 abstentions.**

**Assembly Bill 1931** (L. Rivas) – *Community water systems: lead pipes*

Existing state and federal law and regulations have established a comprehensive structure for addressing lead in water distribution systems. These efforts exist for both the water system and customer side and amended to ensure that federal infrastructure funding can be used for replacements on the customer-owned portion of the lead service line. This bill is duplicative of some of those efforts and adds uncertainty.

**This bill passed the Assembly on May 26 with 52 'aye' votes, 15 'no' votes, and 11 abstentions.**

**Assembly Bill 2188** (Quirk) - *Discrimination in employment: use of cannabis*

This bill would afford employees protection from employer practices related to the hiring, termination, or any term or condition of employment, or otherwise penalize a person, if based upon any of the following:

- 1) The person's use of cannabis off the job and away from the workplace.
- 2) An employer-required drug screening test that has found the person to have nonpsychoactive cannabis metabolites in their urine, hair, or bodily fluids.

Nothing in this section permits an employee to be impaired by, or to use, cannabis on the job, or affects the rights or obligations of an employer to maintain a drug and alcohol-free workplace, as specified in Section 11362.45 of the Health and Safety Code. This bill does not apply to employees in the building and construction trades and states that it does not preempt state or federal laws requiring employees to be tested for controlled substances, including laws requiring employees to be tested as a condition of receiving federal funding or federal licensing-related benefits.

**This bill passed the Assembly on May 26 with 42 'aye' votes, 23 'no' votes, and 13 abstentions.**

**Assembly Bill 2243** (E. Garcia) - *Occupational safety and health standards: heat illness: wildfire smoke*

This bill requires the Cal/OSHA standards board to:

1) Consider revising the heat illness standard to include an ultrahigh heat standard for employees in outdoor places of employment for heat in excess of 105 degrees, which will include additional mandatory paid rest and recover breaks every hour, more accessible cool water, and increased employer monitoring of employees for symptoms of heat-related illnesses in addition to other protections, and require employers to distribute a copy of the Heat Illness Prevention Plan to all new employees upon hire, when temperatures first exceed 80 degrees and to all employees on an annual basis.

2) Consider revising existing wildfire smoke standards to reduce the AQI threshold for PM2.5 at which control by respiratory protective equipment becomes mandatory to, at a maximum, an AQI of 301. For an AQI above 301 but below 500, the employer need not implement fit testing and medical evaluations or otherwise implement requirements under Section 5144 of Title 8 of the California Code of Regulations.

This bill also requires the Division of Occupational Safety and Health to consider developing or revising regulations related to:

1) Additional protections related to acclimatization to higher temperatures, especially following an absence of a week or more from working in ultrahigh heat settings, including after an illness.

2) Linguistically appropriate training programs for outdoor employees in directly administering first aid related to extreme heat-related illnesses, particularly in rural areas.

**This bill passed the Assembly on May 25 with 47 'aye' votes, 19 'no' votes, and 12 abstentions.**

**Assembly Bill 2247** (Bloom) - *Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible reporting platform*

This bill, co-sponsored by CASA in conjunction with Clean Water Action and the Environmental Working Group, would require manufacturers to register, on a publicly available reporting platform, products containing PFAS that are sold, distributed, offered as promotions, and/or imported into the state. This platform must be established no later than January 1, 2024, by the Department of Toxic Substances Control. This bill was amended May 19 to limit the reporting requirements to products with "intentionally added" PFAS and extend the implementation and reporting deadlines by one year (2025).

**This bill passed the Assembly on May 26 with 43 'aye' votes, 19 'no' votes, and 16 abstentions.**

**Assembly Bill 2357** (Ting) - *Surplus land*

This bill makes several changes to the Surplus Lands Act (SLA) and is a follow-up to Assembly Bill 1486 (Ting, Chaptered 2019). Specifically, Assembly Bill 2357 authorizes local agencies to administratively declare specific types of "exempt surplus land" with 30 days public notice and requires local agencies to notify the Department of Housing and Community Development (HCD) 30 days prior to disposing of exempt surplus land. In addition, Assembly Bill 2357 amends the penalty provisions associated with violations of disposed surplus land making local agencies liable for a penalty that is a specified percentage of an independently appraised fair market value on the surplus land being disposed of.

**This bill passed the Assembly on May 25 with 54 'aye' votes, 19 'no' votes, and 5 abstentions.**

**Assembly Bill 2419** (Bryan) - *Environmental justice: federal Infrastructure Investment and Jobs Act: Justice40 Advisory Committee*

This bill would make the Biden Administration goal a mandate in California by codifying the establishment of a state commission to allocate to disadvantaged communities at least 40 percent of the Infrastructure Investment and Jobs Act's funding for climate, energy, transit, and water/wastewater infrastructure.

**This bill passed the Assembly on May 25 with 55 'aye' votes, 17 'no' votes, and 6 abstentions.**

**Assembly Bill 2421** (Rubio) - *Water: unlicensed cannabis cultivation*

This bill is another attempt to address the issue of illegal water diversion by cannabis growing operations. It provides additional legal authority for local authorities to prosecute crimes relating to water pollution and water theft relating to unpermitted cannabis cultivation. The bill was amended on April 20 to reflect notification requirements for the city attorney or county counsel when an action is taking place.

**Assembly Bill 2421 passed the Assembly on May 25 with no opposition.**

**Assembly Bill 2677** (Gabriel) - *Information Practices Act of 1977*

This bill's intent was to apply a comprehensive data privacy law to local agencies by amending the Information Practices Act of 1977 to apply its provisions to local agencies. The bill also made some changes to the definition of "personal information" to expand to include genetic information, IP address, online browsing history, and more.

The bill was amended on May 19 to remove local agencies from the language (and requirements) of Assembly Bill 2677, while also adding intent language articulating the Legislature's desire to work on a comprehensive data privacy law applicable to local agencies.

**This bill passed out of the Assembly without any opposition on May 25.**

**Assembly Bill 2953** (Salas) - *Department of Transportation and local agencies: streets and highways: recycled materials*

Assembly Bill 2953 would require a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method. Further, the bill would require a local agency that has jurisdiction over a street or highway, beginning January 1, 2024, apply standard specifications that allow for the use of recycled materials in streets and highways to the extent feasible and cost effective. "A local agency that has jurisdiction over a street or highway" is a phrase expressly defined in the bill to only exclude any city whose revenue is equal to or less than 0.02 percent of the total of all California city revenues, or any county whose revenue is equal to or less than 0.10 percent of the total of all California county revenues, as posted for the most recent fiscal year on the Local Government Annual Financial Data internet website or a successor internet website. By expressly defining "a local agency that has jurisdiction over a street or highway" in this manner, special districts would be required to observe these requirements and would not qualify for the exemption provided within the bill.

**Assembly Bill 2953 passed out of the Assembly on May 23 with zero 'no' votes.**

**Senate Bill 892** (Hurtado) - *Cybersecurity preparedness: food and agriculture sector and water and wastewater systems sector*

This bill requires:

- 1) The Office of Emergency Services (CalOES) to develop and enact optional reporting guidelines and content, with specified considerations, as specified, applicable to companies and cooperatives in the food and agriculture industry, and entities in the water and wastewater management systems industry, for when they identify verified significant cyber threats or active cyberattacks. This bill suggests reporting within 30 days of discovery and suggests agencies to which the report should be made.
- 2) CalOES to direct the California Cybersecurity Integration Center (CCIC) to prepare a strategic, multiyear outreach plan focusing on ways to assist the food and agriculture sector and the water and wastewater sector in efforts to improve cyber security, as specified. This bill requires sharing the plan with the Legislature by January 1, 2024.
- 3) CalOES to direct CCIC to evaluate options for providing entities in the food and agriculture sector or the water and wastewater sector with grants or alternative forms of funding to improve cybersecurity preparedness, and provide a report to the Legislature by January 1, 2024, including a summary of CCIC's evaluation, specific grants and other forms of funding for improved cybersecurity preparedness (current and potential funding), and potential voluntary actions that do not require funding and assist the food and agriculture sector and the water and wastewater sector in their efforts to improve cybersecurity preparedness.

The bill specifies that its provisions do not require the water and wastewater sector to submit vulnerability assessments, emergency response plans, or other related documents to the state.

**This bill passed the Assembly on May 24 with 25 'aye' votes, 7 'no' votes, and 8 abstentions.**

**Senate Bill 931** (Leyva) - *Deterring union membership: violations*

Senate Bill 931 would permit an employee organization subject to the jurisdiction of the Public Employment Relations Board (PERB) to bring a claim before PERB alleging a violation of Section 3550. Upon a finding by PERB that the public employer violated Section 3550, the employer will be subject to a civil penalty of up to \$1,000 per each affected employee, not to exceed \$100,000 in total. This bill provides for the awarding of attorney's fees and costs to a prevailing employee organization only, from the inception of administrative proceedings, unless the board finds the claim was frivolous, unreasonable, or groundless when brought, or the employee organization continued to litigate after it clearly became so; but such attorney's fees will not be awarded for proceedings to challenge the dismissal of an unfair practice charge by PERB's Office of the General Counsel.

This bill was amended to have the contemplated penalties paid to the State General Fund, instead of to PERB.

**This bill passed the Assembly on May 24 with 25 'aye' votes, 9 'no' votes, and 6 abstentions.**

**Senate Bill 1044** (Durazo) - *Employers: state of emergency or emergency condition: retaliation*

Senate Bill 1044 will require that in a state of emergency or an emergency condition, an employer shall not take or threaten adverse action against any employee for refusing to report to, or leaving, a workplace within the affected area because the employee feels unsafe; or, prevent any employee from accessing the employee's mobile device or other communications device for



seeking emergency assistance, assessing the safety of the situation, or communicating with a person to verify their safety.

This bill was amended to reduce its scope, including to exclude employees defined as Disaster Service Workers in Section 3101 of the Government Code, first responders as defined in Section 8562 of the Government Code, and certain private sector employees.

**This bill passed the Assembly on May 25 with 24 'aye' votes, 10 'no' votes, and 6 abstentions.**

**Senate Bill 1109** (Caballero) – *California Renewables Portfolio Standard Program: bioenergy projects*

This bill would extend the electrical corporations' obligation to procure their proportionate share of 125 megawatts of cumulative rated generating capacity from bioenergy projects collectively and extend these requirements until December 31, 2023. This bill was amended on May 19 to strike the language requiring standard contract terms and conditions.

**This bill passed out of the Senate on May 26 with zero 'no' votes.**

**Senate Bill 1124** (Archuleta) - *Public health goal: primary drinking water standard: manganese*

This bill would require Office of Environmental Health Hazard Assessment (OEHHA) to prepare a public health goal for manganese, as provided. The bill would require the state board, after OEHHA publishes a public health goal for manganese, to adopt a primary drinking water standard for manganese and to establish monitoring requirements for manganese on or before July 1, 2023.

**This bill passed the Senate on May 25 with 31 'aye' votes, 5 'no' votes, and 4 abstentions.**

**Senate Bill 1127** (Atkins) - *Workers' compensation: liability presumptions*

Senate Bill 1127 would do the following things:

- 1) Adds firefighter and peace officer cancers, as specified in Labor Code Section 3212.1, to the list of conditions for which aggregate disability payments for a single injury occurring on or after January 1, 2023, causing temporary disability, shall not extend for more than 240 compensable weeks.
- 2) Reduces the period of time that employers are allowed to investigate a claim for benefits prior to making a coverage decision. For most claims the investigation period is reduced from 90 to 60 days. For claims covered by legal presumptions, as specified, the investigation period is reduced even further to 30 days.
- 3) Expands penalties on employers which may result in significant benefit expansions for workers covered by certain legal presumptions. Specifically, when liability has been unreasonably rejected for claims of injury or illness covered by certain legal presumptions, as specified, the amount of the penalty will be five times the amount of the benefits unreasonably delayed due to the rejection of liability, capped at \$100,000. This provision is applied retroactively.

**This bill passed the Assembly on May 24 with 28 'aye' votes, 9 'no' votes, and 3 abstentions.**

**Senate Bill 1173** (Gonzalez) – *Public retirement systems: fossil fuels: divestment*

This bill requires CalPERS and CalSTRS to not make additional or new investments or renew existing investments of public employee retirement funds in a fossil fuel company, as defined, and to liquidate investments in fossil fuel companies on or before July 1, 2030. Through January 1,



2035, this requirement shall be suspended upon a good faith determination by the board that an act of God, war, or other unforeseeable event creates conditions that materially impact normal market mechanisms for pricing assets and shall only be reinstated, as specified, upon a subsequent good faith finding of the board that market conditions have substantially returned to normal ex-ante.

The bill does not require the boards of the respective retirement systems to take action as described in the bill unless the boards determine in good faith that the action is consistent with the fiduciary responsibilities of the boards described in the California Constitution. Beginning February 1, 2024, and annually thereafter, each of the boards shall create reports, and provide them to the Legislature and the Governor, and post them to their websites, that include the following: a list of fossil fuel companies of which the board has liquidated its investments as required; a list of fossil fuel companies with which the board still has not liquidated its investments; a list of fossil fuel companies of which the board has not liquidated its investments as a result of a determination that a sale or transfer of investments is inconsistent with the fiduciary responsibilities of the board described in the California Constitution, and the board's findings adopted in support of that determination; and an analysis of methods and opportunities to rapidly and effectively reduce dependence on fossil fuels and transition to alternative energy sources in a realistic timeframe that avoids negatively contributing to economic conditions particularly damaging to public employee retirement funds and to overall net employment earnings of the state's workforce.

**This bill passed the Assembly on May 25 with 21 'aye' votes, 10 'no' votes, and 9 abstentions.**

If there are additional bill that you would like to know the status of, visit the Bill Tracking section of the "[Advocate](#)" tab of CSDA's website at [www.csda.net](http://www.csda.net) where you can search through legislation by bill number or keyword.

Permalink

<https://www.csda.net/blogs/kristin-withrow1/2022/05/31/what-is-the-status-of-special-district-bills>

Agenda Item:

**CUSTOMER REQUEST FOR ADDITIONAL REDUCTION ON LEAK ADJUSTMENT**

Summary:

**June 14, 2022:**

The FWD customer will be at the meeting to discuss his request and has provided a letter for the Board to review.

Copy of the customer's letter included.

Potential Board Actions:

FWD Board may either:

1. Vote to approve request
2. Vote to deny request
3. Direct Staff with further instructions

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

This is a difficult letter to write. I am happy, even proud, to be a member of the Forestville water district. I love this community and the public institutions that serve it. This letter is not to disparage the agency or any member of it. The purpose of this letter is to request that the board consider accepting some financial responsibility for a leakage on my property that likely happened or at least continued to happen because of the district's negligence in addressing a larger leak (smaller hole, much longer period of time) happening on the district's side.

Here is a simple timeline. I've tried to be accurate. I didn't keep a record so some of the dates may be a week or so off in either direction.

**August 2021** I noticed a pool of water uphill from my water meter. I immediately notify the district

**October 2021** I've been away for a month, when I return the pool is still there. I notify the district again

**November 2021** I am a bit irritated so I ask to speak with somebody at the district. I can't remember who it was, but I am told that the water is pooling because of natural seepage running down my driveway.

**January 2022** The pool of water is now large enough that my meter is completely submerged in several feet of water. My stack of wood 30 feet away is sinking into the ground. There is a noticeable run off heading toward my creek. I complain again.

**End of January 2022** The district comes and takes a look, and agrees it's a leak, probably on their side. After a long discussion Tony and I agree that the district will fix the problem by moving my meter to a better location and will run a new line to my house. I agree with the solution.

**Feb** Nothing happens, my meter is completely submerged, water is running toward my creek

**March** Nothing happens, my meter is completely submerged, water is running toward my creek

**End of April** Nothing happens, my meter is completely submerged, water is running toward my creek

I find a leak on my side, a pipe down by my creek (directly downhill from the district leak) has cracked. There are no tree roots in the hole. The break is a threaded coupler where the threads are cracked on top. I receive a huge water bill

**May** Tony and I agree that the bill will be put on hold pending a deeper look into the district's leak. Near the end of May, Tony gets Doug Wood to agree to come first of June to fix the district's leak.

**June** The district's leak, which has been flooding my property since August, is fixed

## Summary

The district had a significant leak on their side of the meter (enough to cause a surface pool of water and submerge my meter 30 feet away). They were notified immediately. The leak continued for 9 to 10 months. After 8-9 months a pipe downstream from the district's leak breaks. It appears to break because pressure from the top was pushing down on it without being supported from the bottom (Doug Woods' employee agreed that it appeared this way).

Why I am asking for the district to accept some of the financial responsibility of this leak. I believe there are 3 undeniable facts. 1) There is some probability that the district's leak eroded the soil under my irrigation pipes. The soil under the pipe that broke was very wet and has since dried significantly since the district fixed their leak. Also, the way the pipe was cracked looked like pressure was being applied to an unsupported pipe. This would be consistent with the theory that a stream of water had been flowing under the pipes for 9 months, eroding away the base. Particularly the softer material that was most likely under the junction that broke.

2) Because I have had many small leaks (all from tree roots) in the past. I've become accustomed to checking my meter periodically. For the 9 months that the district was flooding my property, it was not practical to check my own meter as it was under several feet of water. It is very possible I would have caught the leak sooner, had I been able to check my meter.

3) My meter was under water, thus an inaccurate read on the prior month's water bill could have been made. If this is the case, the leak on my side was able to continue much longer than necessary. I believe this is the least likely scenario, however it is still very possible.

Considering each of these facts could have led to the costly leak on my side (we will never know exactly what happened), I am asking the district to share in the cost of the lost water. If we knew for certain the pipe had broken because of the district's negligence I would ask for 100 percent of the cost to be covered. Likewise, if I were checking my meter every day but could not because of the district's negligence I would ask for 100 percent.

Because we can't know for sure how much the fault was because of the district's failure to fix their own leak, I am simply asking the board to accept half of the responsibility. I would like to take the true cost of the water (wholesale rate) and divide it by two. I will pay half and the district pays half. Of course I would also accept the district taking a larger share of the responsibility!

This is not the first leak on my property. I've never asked the district to cover the costs because the leaks were clearly not the fault of the district. In this case, it is clear to me that the district was negligent in allowing a significant break to flood my property for 9 months. If this negligence contributed to the damage that caused a threaded coupler to break on my property, the district should accept responsibility.

Thank you for considering this request.  
Hillel Posner

Agenda Item:

**FORESTVILLE WATER DISTRICT BOARD VACANCY**

Summary:

**June 14, 2022:**

On May 11, 2022, Forestville Water District posted Public Notices of Board Vacancy with a submission deadline of May 24, 2022. Two (2) letters of interest were received by the sub-committee to interview. The Sub-Committee will make their recommendation to the Board.

**HISTORICAL:**

**May 10, 2022:**

The District Office received an official letter of resignation from Director Hughes on April 25, 2022, effective May 12, 2022. The FWD Board will review and select the path for filling the vacancy by selecting one of the following:

1. **Appointment:** (the following to be completed within 60 days of effective date):
  - Appoint two directors as the Interview Panel for candidates.
  - Choose a deadline date for receiving "applications" / "letters of interest" to fill the FWD Board vacancy.
  - Choose a date to conduct interviews of interested candidates.
  - Approve Notice of Board Vacancy and direct FWD Staff to post notice. *(Draft of Notice included)*
  - Select and approve one candidate to recommend to the Board for approval
  - Board approves appointment
  - Conduct swearing in of new Board Member by **June 14, 2022.**
2. **Election:**
  - The board may call for an election to fill the vacancy by **June 14, 2022.** The election will be held on the next established election date that is 130 or more days after the district's call for the election.
3. **Sonoma County Board of Supervisors:**
  - By either appointing or call for an election 90 days after the effective date

Potential Board Actions:

The Board may either:

- 1) Select and approve one candidate, appointment to FWD Board of Directors, and swear in of new Board Member tonight.
- 2) Approve to repost to acquire possibly additional candidates and appoint before 60 days
- 3) Approve Sonoma County Board of Supervisors to appoint or call for an election fill the vacancy.

Staff Recommendation:

None

Report created by: Dawn Leith, Board Clerk

Agenda Item:

**PROPOSAL FOR INDEPENDENT FINANCIAL AUDIT**

Summary:

**June 14, 2022:**

Blomberg & Griffin has submitted a proposal to renew service contract to conduct annual independent financial audit for Forestville Water District. The proposal covers Fiscal Years 2022-2023 & 2023-2024.

Copy of proposal submitted by Blomberg & Griffin included in board packet.

Potential Board Actions:

FWD Board may:

- 1) Approve the Independent Audit Proposal as presented
- 2) Approve with changes
- 3) Not approve and provide FWD Staff with further instructions

Staff Recommendation:

None

Report created by: Dawn Leith, Board Clerk





Blomberg & Griffin Accountancy Corporation  
Certified Public Accountant

## INDEPENDENT AUDIT PROPOSAL

Board of Directors  
Forestville Water District and Sewer Service Zone  
Forestville, CA

May 19, 2022

Dear Members of the Board:

Thank you for the opportunity to submit the following proposal to serve as independent auditor for Forestville Water District and Sewer Service Zone.

We propose to conduct the audit of the financial statements of the Forestville Water District & Sewer Service Zone for the fiscal years ended June 30, 2022, 2023, and 2024.

We will plan and perform the audit in accordance with generally accepted auditing standards in the United States of America and the State Controller's minimum audit requirements for California Special Districts. If our audit report is other than unqualified, we will fully discuss the reason with the District's manager prior to presentation of the report. If during the audit we become aware of significant deficiencies in the design or operation of internal controls or of ways management practices can be improved, we will communicate such information to the District Board of Directors in a separate letter.

We propose to begin the audit for the fiscal year ended June 30, 2022, 2023, and 2024 as soon as the District records are available. Set-up, pre-list, and certain other procedures would begin on notification of the contract. Fieldwork would begin soon after District personnel complete the trial balance.

Our fee for the above services is based on hourly rates from \$75 to \$125 per hour with an audit fee of \$6,950.00 for each entity for each fiscal year ended June 30, 2022, 2023, and 2024. Total fee amount of \$13,900 for each year.

This audit proposal is for a financial audit and the above fees include our entire out of pocket expenses including up to 10 bound copies of the audit report. Additional copies are available at \$25 each.

**Forestville Water District and Sewer Service Zone Audit Proposal-Page 2**

We will need the cooperation and assistance of District personnel to successfully complete the audit. Such assistance will include but not limited to obtaining copies of documents, contract, invoices, etc., various audit inquiries and assistance with preparation of the audit confirmations and other standard auditing procedures.

Our audit fee includes assistance with preparation of the depreciation schedule, management discussion and analysis, GASB 68 disclosures, and preparation of the State Compensation and financial transactions report.

Should the District need additional services, our fee assisting will be billed at the rate of \$125 per hour in addition to the audit fee discussed above. Such additional fees, if any, will be discussed with the District in advance of providing such services.

Should you need any additional information regarding this proposal please call John E. Blomberg, C.P.A. direct at (209) 466-3894.

Respectfully Submitted,



\_\_\_\_\_  
John E. Blomberg, C.P.A.

Approved By:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Dated

Agenda Item:

**UNFUNDED LIABILITY ANNUAL INVOICE**

Summary:

**June 14, 2022:**

To save paying interest, FWD Staff is requesting an approval to pay the Unfunded Liability for Classic and PEPRAs in one payment for FY 2022-23.

**FY 2022-2023 Annual Unfunded Liability:**

Classic \$52,936.00 Lump Sum (savings of \$1,820.96)

PEPRA \$984.00 Lump Sum (savings of \$33.96)

Copies of both Classic and PEPRA Valuation Report-Required Employer Contributions and CSDA's article on Unfunded Liability are included in the Board Packet.

Potential Board Actions:

FWD Board may either

1. Approve paying the invoice in one sum
2. Approve to make installment payments and pay interest.

Staff Recommendation:

FWD Staff is in favor of paying the Unfunded Liability in full to save the District paying interest.

Report created by: Dawn Leith, Board Clerk

## Required Employer Contributions

	<b>Fiscal Year</b>
<b>Required Employer Contributions</b>	<b>2022-23</b>
<b>Employer Normal Cost Rate</b>	<b>13.35%</b>
<i>Plus</i>	
<b>Required Payment on Amortization Bases<sup>1</sup></b>	<b>\$54,757</b>
<i>Paid either as</i>	
<b>1) Monthly Payment</b>	<b>\$4,563.08</b>
<i>Or</i>	
<b>2) Annual Prepayment Option*</b>	<b>\$52,936</b>
<p><i>The total minimum required employer contribution is the sum of the Plan's Employer Normal Cost Rate (expressed as a percentage of payroll and paid as payroll is reported) plus the Employer Unfunded Accrued Liability (UAL) Contribution Amount (billed monthly (1) or prepaid annually (2) in dollars).</i></p> <p><i>* Only the UAL portion of the employer contribution can be prepaid (<b>which must be received in full no later than July 31</b>).</i></p>	

	<b>Fiscal Year</b>	<b>Fiscal Year</b>
	<b>2021-22</b>	<b>2022-23</b>
<b>Development of Normal Cost as a Percentage of Payroll</b>		
Base Total Normal Cost for Formula	21.31%	21.31%
Surcharge for Class 1 Benefits <sup>2</sup>		
None	0.00%	0.00%
Phase out of Normal Cost Difference <sup>3</sup>	0.00%	0.00%
Plan's Total Normal Cost	21.31%	21.31%
Formula's Expected Employee Contribution Rate	7.96%	7.96%
Employer Normal Cost Rate	13.35%	13.35%

<sup>1</sup> The required payment on amortization bases does not take into account any additional discretionary payment made after April 30, 2021.

<sup>2</sup> Section 2 of this report contains a list of Class 1 benefits and corresponding surcharges for each benefit.

<sup>3</sup> The normal cost change is phased out over a five-year period in accordance with the CalPERS contribution allocation policy.

## Required Employer Contributions

	Fiscal Year
<b>Required Employer Contributions</b>	<b>2022-23</b>
<b>Employer Normal Cost Rate</b>	<b>7.47%</b>
<i>Plus</i>	
<b>Required Payment on Amortization Bases<sup>1</sup></b>	<b>\$1,018</b>
<i>Paid either as</i>	
<b>1) Monthly Payment</b>	<b>\$84.83</b>
<i>Or</i>	
<b>2) Annual Prepayment Option*</b>	<b>\$984</b>
<p><i>The total minimum required employer contribution is the sum of the Plan's Employer Normal Cost Rate (expressed as a percentage of payroll and paid as payroll is reported) plus the Employer Unfunded Accrued Liability (UAL) Contribution Amount (billed monthly (1) or prepaid annually (2) in dollars).</i></p> <p><i>* Only the UAL portion of the employer contribution can be prepaid (which must be received in full no later than July 31).</i></p>	

	Fiscal Year	Fiscal Year
	2021-22	2022-23
<b>Development of Normal Cost as a Percentage of Payroll</b>		
Base Total Normal Cost for Formula	14.34%	14.22%
Surcharge for Class 1 Benefits <sup>2</sup>		
None	0.00%	0.00%
Phase out of Normal Cost Difference <sup>3</sup>	0.00%	0.00%
Plan's Total Normal Cost	14.34%	14.22%
Plan's Employee Contribution Rate <sup>4</sup>	6.75%	6.75%
Employer Normal Cost Rate	7.59%	7.47%

<sup>1</sup> The required payment on amortization bases does not take into account any additional discretionary payment made after April 30, 2021.

<sup>2</sup> Section 2 of this report contains a list of Class 1 benefits and corresponding surcharges for each benefit.

<sup>3</sup> The normal cost change is phased out over a five-year period in accordance with the CalPERS contribution allocation policy.

<sup>4</sup> For detail regarding the determination of the required PEPRA employee contribution rate see Section on PEPRA Member Contribution Rates.

# Understanding Your CalPERS Unfunded Accrued Liability

By Julio Morales, Director at Urban Futures, Inc.

The first step toward developing a pension funding strategy, which ultimately may include multiple funding solutions, is to understand your CalPERS Unfunded Accrued Liability (UAL).

We have used the UAL from a member agency, based on the most recent actuarial reports dated June 30, 2019, for the sake of this article.

**Note:** It is important to note that each agency has a different UAL and faces a unique set of financial constraints. The majority of special districts only have a plan that covers Miscellaneous employees; however, some agencies also have a Safety Plan (police/fire/lifeguard). The concepts introduced below are applicable toward either plan.

## DEFINED BENEFIT PLAN

The public sector has traditionally provided its employees a "Defined Benefit" retirement plan. Social Security, for example, is a defined benefit retirement program.

CalPERS provides its participants a defined benefit, which is derived from a formula based on the number of years of service. The formula that an employee receives is usually based whether they are a regular (Miscellaneous) or Safety/ sworn employee, and on their hire date.

Once an employee retires, the annual amount they will receive, once they retire at age 50, is based on: 1) the highest salary earned over a 1-year period during their career and 2) the number of years of service credit.

If we assume an employee is under the "Classic" formula for Miscellaneous employees 2.0% @ 55, then their annual retirement compensation is equal to: 1) highest salary earned over a 1-year period = \$50,000, and 2) 20 service credit. The employee would receive 40% of their highest year's salary or \$20,000 per year (2.0% x 20 years = 40% x \$50,000 = \$20,000).

There are a variety of benefit plans available:

**Miscellaneous** - 2.0% @ 60 / 2.0% @ 55 / 2.5% @ 55 / 2.7% @ 57 / 3.0% @ 60 / 2.0% @ 62 (PEPRA)

**Safety** - 2.0% @ 57 / 2.5% @ 57 / 2.7% @ 57 / 2.0% @ 55 / 3.0% @ 50 / 3.0% @ 50 / 2.7% @ 57 (PEPRA)



**CalPERS provides its participants a defined benefit, which is derived from a formula based on the number of years of service.**



## DEFINED CONTRIBUTION

The private sector primarily participates in some type of "defined contribution" retirement program, commonly referred to a 401K. There are many derivatives plans (Roth, 403B, SEP, IRA, etc.), which often provide some type of tax-advantage to facilitate long-term savings.

The payout from Defined Contribution Plans are directly tied to the two key factors:

1. The amount contributed (and matched)
2. The investment performance of the plan

The plan participants determine the amount of contributions and typically assume the responsibility investment decisions.

The most important distinction is that the employee assumes the attendant risks of investment shortfalls.



**Benefit Tiers** – An agency typically has two benefit tiers: 1st Tier or Classic, and PEPR. Some agencies created a 2nd tier for new employees hired before January 1, 2013, when PEPR took effect.

**California Public Employees' Pension Reform Act (PEPR)** – PEPR changed the benefit formula for new employees hired after January 1, 2013 or 6 months break from service: 2.0% @ 60 for Miscellaneous employees, and 2.7% @ 57 for Safety employees. PEPR also required employees to pay 50% of their annual contributions or Normal Costs; and placed a cap on annual retirement compensation (~\$150,000).

**Actuarial Reports** - Actuarial reports are generated at the end of each fiscal year – June 30, based on the financial results experience during the prior fiscal year. CalPERS released the June 30, 2019 actuarial report in September 2020, which provides the required payment for the next following fiscal year FY 21-22. Actuarial reports therefore reflect an effective 2-year delay.

CalPERS provides a separate actuarial report for each Tier and type of employee. The majority of an agency's UAL is concentrated in the classic plan (as opposed to PEPR).

**Risk Pools** – CalPERS groups all plans with less than 100 employees into a shared risk pool plan. Member agencies are placed into the plan to minimize the impact of individual benefit events – the retirement/death of a single employee in a 20-member agency is more financially significant than for a larger city with 500 employees. Actuarial calculations are made collectively, but the UAL for each agency is determined individually based on their percentage share of the plan.

Some agencies mistakenly assume if they pay-off their UAL or make an additional discretionary payment (ADP) this payment will be applied toward the pool and for the benefit of other agencies. All payments are tracked and credited to each agency's respective account, percentage allocations (of the risk pool UAL) are rebalanced after such payments are taken into account.

*continued on page 38*

## CSDAFC Board and Staff

### Officers

JO MACKENZIE, PRESIDENT, *Vista Irrigation District*  
VINCE FERRANTE, VICE PRESIDENT, *Moss Landing Harbor District*  
ARLENE SCHAFFER, SECRETARY, *Costa Mesa Sanitary District*  
GLENN LAZOF, TREASURER, *Regional Government Services Authority*

### Members of the Board

GEORGE EMERSON, *Goleta Sanitary District*  
PAUL HUGHES, CSDM, *South Tahoe Public Utilities District*  
JEFF LAND, *Brandis Tallman, a Division of Oppenheimer & Co. Inc.*  
MATTHEW MCCUE, *Mission Springs Water District*  
STEFAN MORTON, *Municipal Finance Corporation*

### Consultants

RICK BRANDIS, *Brandis Tallman, a Division of Oppenheimer & Co. Inc.*  
WILLIAM MORTON, *Municipal Finance Corporation*  
ALBERT REYES, *Kutak Rock LLP*  
SAUL ROSENBAUM, *Prager & Co., LLC*  
NICOLE TALLMAN, *Brandis Tallman, a Division of Oppenheimer & Co. Inc.*

### Staff

NEIL MCCORMICK, *Chief Executive Officer*  
CATHRINE LEMAIRE, *Coordinator*  
AMBER PHELEN, *Executive Assistant*  
RICK WOOD, *Finance & Administrative Director*



CSDA Finance Corporation  
1112 I Street, Suite 200, Sacramento, CA 95814  
tel: 877.924.2732 • www.csdafinance.net



## Recent Financings

In 2020, the CSDA Finance Corporation facilitated the financing of more than \$33 million in projects and purchases for special districts:

**Solano Transportation Authority**  
Admin Building - \$9,000,000

**Northern Salinas Valley Mosquito Abatement District**  
Building Construction - \$5,000,000

**Murphys Sanitary District**  
Bridge Loan - \$4,000,000

**Heritage Ranch Community Services District**  
Solar Project - \$1,500,000

**Riverdale Irrigation District**  
Land Purchase - \$700,000

**Bear Valley Community Services District**  
Generators - \$300,000

**Nevada County Consolidated Fire Protection District**  
Rescue Vehicle - \$280,000

We have solutions for your financing needs, large and small. Contact CSDA Finance Corporation at 877.924.2732 or visit [csdafinance.net](http://csdafinance.net).



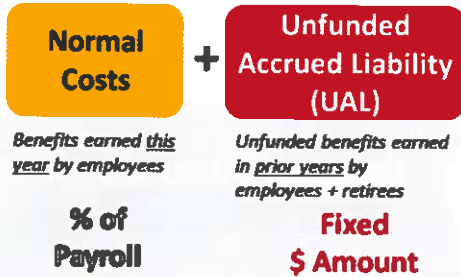
**ANNUAL PENSION COSTS**

An agency's annual pension costs are comprised of two components:

1. Normal Costs, which represents the benefits earned by current employees this year. This amount is calculated

based on a percentage of payroll.

2. Unfunded Accrued Liability (UAL) payment. This amount represents the funding shortfall of benefits earned in prior years, by both current employees and retirees. The annual UAL payment is a fixed dollar amount, which should be viewed as a "payment plan for past due bill."



**NORMAL COSTS**

Normal costs are calculated based on a percentage of payroll. Each Tier/Plan requires a different percentage. Given the current pension law, there is little an agency can do to change its annual normal costs, except to adjust the size of its workforce and/or negotiate for employees to pay a greater share of pension costs. We will focus on understanding the UAL, which is a fixed dollar payment toward the past service credit or past due balance.

**Unfunded Accrued Liability "UAL"**

Each agency's UAL is determined based on two variables:

- 1) Accrued Value of Pension Benefits earned to date.
- 2) Market Value of Assets held and invested by CalPERS.

The shortfall or difference between these amounts is the UAL. The District has a pension funding shortfall or UAL of \$5,975,125 - 77.6% funding level. The PEPRA plan adds \$51,710 to the UAL, which is 92% funded.

The District's classic plan is 2.0% @ 55, as compared to many agencies that have 2.0% @ 50, as a result, the District has a higher funding ratio than average (68%-70%).

Standard & Poor's Rating Service considers pension funding status of 80% a minimum funding level, below which is considered underfunded and requires additional review.

The UAL is viewed as a "past due" amount owed to CalPERS for prior service credit earned by current employees or retirees.

Total Accrued Liability = \$26.6 Million



The UAL is for June 30, 2019, while the UAL in the accompanying chart is for FY 21-22.

**BETTER BUDGETING BETTER RESULTS**

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**Standard & Poor's Rating Service considers pension funding status of 80% a minimum funding level, below which is considered underfunded and requires additional review.**

MISCELLANEOUS PLAN AMORTIZATION BASES FY 21-22

Year	Reason	Ramp Term	Balance	Payment
1 2013	Share Of Pre-2013 Pool	NO 16	\$ 970,753	\$ 83,588
2 2013	Non-Investment (Gain)/Los	100% 24	(21,707)	(1,513)
3 2013	Investment (Gain)/Loss	100% 24	2,259,333	157,508
4 2014	Non-Investment (Gain)/Los	100% 25	1,977	134
5 2014	Investment (Gain)/Loss	100% 25	(1,859,389)	(126,135)
6 2014	Assumption Change	100% 15	1,061,776	106,768
7 2015	Non-Investment (Gain)/Los	100% 26	(93,984)	(6,215)
8 2015	Investment (Gain)/Loss	100% 26	1,191,107	78,764
9 2016	Non-Investment (Gain)/Los	80% 27	(178,860)	(9,355)
10 2016	Investment (Gain)/Loss	80% 27	1,305,747	68,296
11 2016	Assumption Change	80% 17	444,373	32,698
12 2017	Non-Investment (Gain)/Los	60% 28	(38,482)	(1,512)
13 2017	Investment (Gain)/Loss	60% 28	(775,528)	(30,477)
14 2017	Assumption Change	60% 18	522,130	28,427
15 2018	Non-Investment (Gain)/Los	40% 29	115,469	3,069
16 2018	Investment (Gain)/Loss	40% 29	(242,327)	(6,441)
17 2018	Method Change	40% 19	227,150	8,283
18 2018	Assumption Change	40% 19	839,823	30,624
19 2019	Non-Investment (Gain)/Los	20% 20	117,749	10,745
20 2019	Investment (Gain)/Loss	20% 20	116,280	2,542
FY 21-22			\$ 5,963,390	\$ 429,798

**Amortization Base** – The UAL is comprised of a series of Amortization Bases, similar to a loan. Each Amortization Base carries an interest rate of 7.0%. Each Amortization Base has a different final maturity or term, while some repayment terms include an escalation or ramp-up feature while others do not. Therefore, each Amortization Base has a unique amortization or repayment schedule.

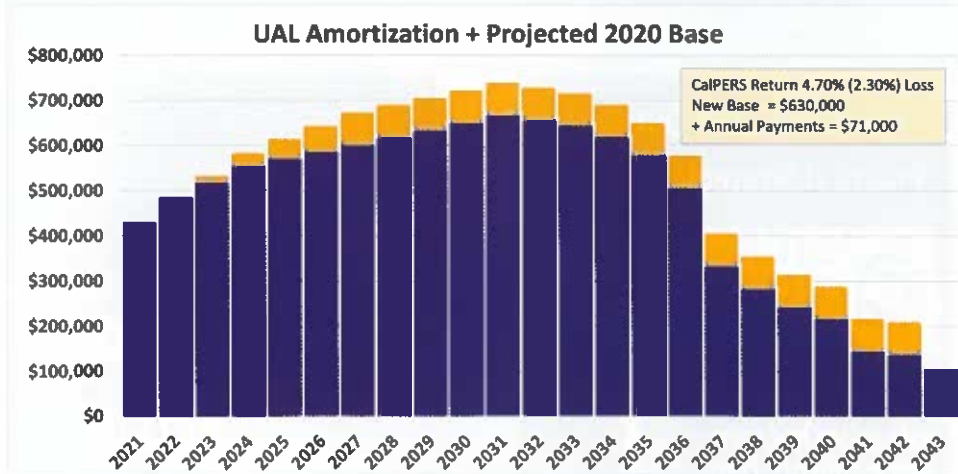
The District has a total of 20 Amortization Bases with terms ranging from 16 years to 29 years.

**UAL Payments** – The District will be required to pay a fixed dollar

UAL payment of \$429,000 in FY 21-22, in addition to the annual normal costs, which is equal to 10.8% of payroll.

The UAL represents an additional 12.7% of payroll (Total Pension Costs estimated 23.6% of payroll).

The District’s UAL payment is scheduled to grow until it peaks in FY 2032-33 at \$667,000 million – a 64% increase.



**FY20** – In 2020, CalPERS return was 4.70%. It fell short 2.30% of its benchmark rate of return of 7.0%. As a result, the District should anticipate that its UAL will grow by \$630,000. CalPERS will amortize this base over 20 years, adding \$71,000 to its annual UAL payments.

**Dynamic Liability** – The UAL is adjusted each year due to a combination of factors, including investment performance, actual retirement/mortality patterns, and changes in assumptions & methods. The UAL is dynamic and should be actively managed. In some years, an agency can earn “credits” against this liability for positive investment performance, while in other years CalPERS may fall short of its target 7.0% and a new base is added to increase the UAL.

It is not likely that CalPERS will “outearn” its unfunded liability (UAL) – we had an unprecedented 10-year economic recovery after the Great Recession and CalPERS remained at a 68% funded ratio.



**The UAL is adjusted each year due to a combination of factors, including investment performance, actual retirement/mortality patterns, and changes in assumptions & methods. The UAL is dynamic and should be actively managed.**



Julio F. Morales heads UFI's pension advisory practice.

For more information,

he can be reached at [juliom@urbanfuturesinc.com](mailto:juliom@urbanfuturesinc.com).

Urban Futures, Inc. (UFI) is CSDA's newest business affiliate and is a full service municipal consulting firm serving cities, counties, school districts, housing entities and special districts in the State of California since 1972.

Urban Futures, Inc. has a broad base of expertise with highly skilled and experienced professionals. Its consulting practice includes strategic planning, financial analysis, management consulting, housing consulting and special study services with offices in the cities of Orange, Daly City, and Walnut Creek.

Agenda Item:

**NOVEMBER 2022 CONSOLIDATED ELECTIONS**

Summary:

June 14, 2022:

Nominations are open from July 18 through August 12, 2022 (with a five (5) days extension for non-incumbent; through 5:00 p.m. on August 17, 2022, **if** an incumbent fails to file during formal open nomination period).

There are three (3) FWD Board positions up for re-election for the November 8, 2022, election.

- (1.) Director Aldridge: for a new 4-year term – current term ending 12/12/2022
- (2.) Director McDermott: for a new 4-year term – current term ending 12/12/2022
- (3.) Vacant – TBD: for a new 4-year term – current term ending 12/12/2022

Sonoma County Registrar of Voters is requiring for FWD to complete and submit the following documents:

- Resolution #417 – Request Consolidation Election on Nov. 8, 2022
- Memorandum – Notice of Offices to be filled and statement of Responsibility for Statements of Qualifications
- Memorandum – Notice of District Boundaries/Statements in Lieu of Map

Copies of Resolution #417, Memorandums, Election Timeline and Filing Schedule for Nov. 8, 2022, election is included in the board packet.

Potential Board Actions:

No FWD Board action needed tonight. For informational purposes only.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk



**RESOLUTION NO.** 417

**DATED** JUNE 14, 2022

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
FORESTVILLE WATER DISTRICT, COUNTY OF SONOMA  
STATE OF CALIFORNIA, ORDERING AN ELECTION TO  
BE HELD AND REQUESTING CONSOLIDATION  
WITH THE NOVEMBER 8, 2022,  
GENERAL DISTRICT ELECTION

**WHEREAS**, an election will be held on NOVEMBER 8, 2022, in the FORESTVILLE WATER DISTRICT for the purpose of electing District Directors to fill positions that will expire in 2026;

**BE IT RESOLVED THAT**, the District Directors of said district hereby request consolidation with any election that may be held on the same day, in the same territory or in territory that is in part the same.

**THE FOREGOING RESOLUTION** was introduced by Director \_\_\_\_\_,  
who moved its adoption, seconded by Director \_\_\_\_\_ and then adopted on  
roll call by the following vote:

Director Aldridge Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

Director Griffith Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

Director McDermott Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

Director Monroe Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

Director \_\_\_\_\_ Aye \_\_\_\_\_ No \_\_\_\_\_ Abstain \_\_\_\_\_

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT \_\_\_\_\_

**WHEREUPON**, the Chairperson declared the foregoing resolution adopted and SO ORDERED

\_\_\_\_\_  
District Administrator

# DRAFT

## MEMORANDUM

TO: DEVA MARIE PROTO, COUNTY CLERK & REGISTRAR OF VOTERS  
FROM: FORESTVILLE WATER DISTRICT  
SUBJECT: NOTICE OF OFFICES TO BE FILLED AND STATEMENT OF RESPONSIBILITY FOR STATEMENTS OF QUALIFICATIONS

Notice is hereby given that, pursuant to Elections Code Section 10509 (which requires notification prior to the 125<sup>th</sup> day before the election, \*July 6, 2022), the following are the elected office holders of this district whose terms will expire in 2022, and whose successors will be required to be elected at the upcoming election to be held on NOVEMBER 8, 2022.

DIRECTOR	LENGTH OF NEXT TERM (Commencing 12/07/22)
1. <u>Heather Aldridge</u>	<u>FOUR YEARS</u>
2. <u>Matt McDermott</u>	<u>FOUR YEARS</u>
3. <u>Vacant-TBD</u>	<u>FOUR YEARS</u>
4. _____	_____ <u> YEARS</u>
5. _____	_____ <u> YEARS</u>

### (MARK APPROPRIATE OPTIONS BELOW)

1. The length of Statements of Qualifications shall not exceed 200 words.
2. The costs incurred in the printing of the optional Statements of Qualifications in the Voter Information Guide is the responsibility of the (select one):
  - District
  - Candidate
  - a. If the candidate is responsible for costs of the Statement of Qualifications, the district opts to (select one):
    - Require payment in advance to the District Administrators.
    - Bill the candidate after the date of the election.

Note: It is the responsibility of the District to collect the costs of Statements of Qualifications from the candidates whether payment in advance or payment after the fact is required. **If advance payment is required, candidates must present a receipt from the district at the time the Statement of Qualifications is filed with the Registrar of Voters Office. Multi-county districts please be advised that the estimated cost reflects only the Sonoma County portion of the cost.**

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND SUBMIT THIS STATEMENT IN COMPLIANCE WITH ELECTIONS CODE SECTIONS 10509 AND 13307.

SEAL SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_



# DRAFT

## MEMORANDUM

TO: DEVA MARIE PROTO, COUNTY CLERK & REGISTRAR OF VOTERS

FROM: FORESTVILLE WATER DISTRICT

SUBJECT: NOTICE OF DISTRICT BOUNDARIES/STATEMENT IN LIEU OF MAP

DATE: JUNE 14, 2022

Pursuant to Elections Code Section 10522 (which requires notification prior to the 125<sup>th</sup> day before the election (\*July 6, 2022)) regarding district boundaries in the above named district), we are hereby notifying the Registrar of Voters Office that:

- As of this date, there has been no change in the boundaries of this district since the date of the last election. A map of the district is already on file with your office; therefore, this notice is in lieu of providing a duplicate map.
- A map of the above district, with all annexations and detachments shown thereon, is attached to this notification and incorporated for reference herein.
- There have been changes in the boundaries of this district since the date of the last election. A verified map of the above district containing all recent annexations and details shown thereon, is already on file with your office.

Submitted by \_\_\_\_\_  
District Administrator

SEAL

PLEASE COMPLETE AND RETURN IN THE PRE-ADDRESSED ENVELOPE.

\*Deadline falls on a weekend or state holiday; it does not move forward to the next business day.

## NOVEMBER 8, 2022, CONSOLIDATED GENERAL ELECTION TIMELINE

DISCLAIMER: Dates are based on information available as of mid-January 2022 and could still change if new legislation is enacted.

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Notification deadline (district director elections)	July 6, 2022
Specifications deadline (school district elections)	July 8, 2022
Candidate nominations filing period	July 18, 2022 - Aug. 12, 2022
Consolidation deadline	Aug. 12, 2022
Deadline for governing bodies to submit measures	Aug. 12, 2022
Tax rate statement deadline (bond measures only)	Aug. 12, 2022
Measure letter assignments	Aug. 15, 2022
Candidate nominations extended filing period (only applies to non-incumbent candidates <u>if</u> an incumbent candidate has not filed)	Aug. 15, 2022 - Aug. 17, 2022
Deadline to amend/withdraw measure	Aug. 17, 2022
Random alphabet drawing	Aug. 18, 2022
Argument deadline	Aug. 19, 2022
Impartial analysis due	Aug. 19, 2022
Rebuttal deadline (only if opposing arguments are filed)	Aug. 26, 2022
Deadline to send ballots to currently registered military/overseas voters	Sep. 24, 2022
First day County Voter Information Guides may be mailed	Sep. 29, 2022
Voting by mail opens; first day voters can pick up Vote-by-Mail ballots at the Registrar of Voters Office	Oct. 10, 2022
First day Registrar of Voters may begin to process Vote-by-Mail ballots	Oct. 10, 2022
Official Ballot Drop Boxes open	Oct. 11, 2022
Standard voter registration deadline	Oct. 24, 2022
Conditional (a.k.a. late) voter registration period	Oct. 25, 2022 - Nov. 8, 2022
11-Day Vote Centers are open daily from 9 a.m. to 5 p.m.	Oct. 29, 2022 - Nov. 7, 2022
Last day to request a ballot be mailed	Nov. 1, 2022
4-Day Vote Centers are open daily from 9 a.m. to 5 p.m.	Nov. 5, 2022 - Nov. 7, 2022
Election Day: 11-Day and 4-Day Vote Centers are open from 7 a.m. to 8 p.m.	Nov. 8, 2022
Official Ballot Drop Boxes close at 8 p.m.	Nov. 8, 2022
Deadline to certify election results	Dec. 8, 2022

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County holidays during this period: Independence Day (Jul. 4), Labor Day (Sep. 5), Veterans Day (Nov. 11), Thanksgiving (Nov. 24), Day After Thanksgiving (Nov. 25).

# Fair Political Practices Commission

## Filing Schedule for Candidates and Controlled Committees for Local Office Who Will be Voted Upon at the November 8, 2022 Election

Deadline	Period	Form	Notes
Aug 1, 2022 <i>Semi-Annual</i>	*- 6/30/22	<a href="#">460</a>	<ul style="list-style-type: none"> <li>Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
Within 24 Hours <i>Contribution Reports</i>	8/10/22 – 11/8/22	<a href="#">497</a>	<ul style="list-style-type: none"> <li>File if a contribution of \$1,000 or more in the aggregate is received from a single source.</li> <li>File if a contribution of \$1,000 or more in the aggregate is made to or in connection with <i>another</i> candidate or measure being voted upon November 8, 2022.</li> <li>The recipient of a non-monetary contribution of \$1,000 or more in the aggregate must file a Form 497 within 48 hours from the time the contribution is received.</li> <li>File by personal delivery, e-mail, guaranteed overnight service, or fax. The committee may also file online, if available.</li> </ul>
Sep 29, 2022 <i>1<sup>st</sup> Pre-Election</i>	7/1/22 – 9/24/22	<a href="#">460</a> or <a href="#">470</a>	<ul style="list-style-type: none"> <li>Each candidate listed on the ballot must file Form 460 or Form 470 (see below).</li> </ul>
Oct 27, 2022 <i>2<sup>nd</sup> Pre-Election</i>	9/25/22 – 10/22/22	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file this statement.</li> <li>File by personal delivery or guaranteed overnight service. The committee may also file online, if available.</li> </ul>
Jan 31, 2023 <i>Semi-Annual</i>	10/23/22 – 12/31/22	<a href="#">460</a>	<ul style="list-style-type: none"> <li>All committees must file Form 460 unless the committee filed termination Forms 410 and 460 before December 31, 2022.</li> </ul>

### Additional Notes:

- **\*Period Covered:** The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- **Local Ordinance:** Always check on whether additional local rules apply.
- **Deadline Extensions:** Deadlines are extended when they fall on a Saturday, Sunday, or an official state holiday. This extension does not apply to a 24-Hour/10-Day Contribution Report (Form 497) that is due the weekend before the election, and this extension never applies to any 24-Hour/10-Day Independent Expenditure Report (Form 496). Such reports must be filed within 24 hours, regardless of the day of the week.
- **Method of Delivery:** All paper filings may be filed by first class mail unless otherwise noted. A paper copy of a statement may not be required if a local agency requires online filing pursuant to a local ordinance.
- **Form [501](#):** All candidates must file Form 501 (Candidate Intention Statement) before soliciting/receiving contributions.
- **Form [460](#):** Candidates who have raised/spent \$2,000 or more file the Form 460. The Form 410 (Statement of Organization) must also be filed once \$2,000 or more has been raised/spent.

## Fair Political Practices Commission

- **Form 470:** Candidates who do not raise or spend \$2,000 or more (or anticipate raising or spending \$2,000 or more) in 2022 and do not have an open committee may file Form 470 on or before September 29, 2022. If, later during the calendar year, the candidate raises or spends \$2,000 or more, a Form 470 Supplement and a Form 410 must be filed.
- **Independent Expenditures:** Committees making independent expenditures totaling \$1,000 or more to support or oppose other candidates or ballot measures also file:
  - **Form 496:** This form is due within 24 hours if made in the 90-day, 24-hour reporting period of the candidate's or measure's election. Refer to the applicable filing schedule. Form 496 is filed with the filing officer in the jurisdiction of the affected candidate or measure.
  - **Form 462:** This verification form must be e-mailed to the FPPC within 10 days. Once the California Access Replacement System (CARS) system is live, this report will be eliminated, and the information captured on other reports.
- **After the Election:** Reporting requirements will depend on whether the candidate is successful and whether a campaign committee is open. See [Campaign Disclosure Manual 2](#) for additional information.
- **Public Documents:** All statements and reports are public documents.
- **Resources:** Campaign manuals and other instructional materials are available on the [Campaign Rules](#) page. Or, visit [www.fppc.ca.gov](http://www.fppc.ca.gov) > Learn > Campaign Rules.

Agenda Item:

**ADOPTION OF RESOLUTION #416: RESETTING AND ADOPTING  
AN APPROPRIATIONS LIMIT FOR 2022-2023 FISCAL YEAR**

Summary:

**June 14, 2022**

Every year the FWD Board is required to adopt and set an Appropriations Limit. The Sonoma County Auditor's Office has provided a calculation for FWD to use. The Appropriations Limit does NOT apply to the Sewer Budget; only the WATER Budget as per the So. Co. Auditor's Office.

**RESOLUTION #416: RESETTING & ADOPTING AN APPROPRIATIONS LIMIT FOR THE 2022-2023 FISCAL YEAR: \$219,873.00** as recommended by the County of Sonoma Auditor's Office.

Copies of the Draft of Resolution #416, Price Factor and Population Info and P1 Calculation of appropriation Limits are included in the Board Packet.

Potential Board Actions:

FWD Board may either:

1. Adopt Resolution #416 to amend the appropriations limit for the 2022-2023 Fiscal Year.
2. Adopt with edits.
3. Direct Staff with further instructions.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk



PO Box 261  
Forestville, CA 95436-0261  
Phone (707) 887-1551 Fax (707) 887-1552  
info@forestvillewd.com

## **DRAFT**

### **RESOLUTION NO. 416**

#### **RESOLUTION OF THE BOARD OF DIRECTORS OF THE FORESTVILLE WATER DISTRICT OF SONOMA COUNTY RESETTING AND ADOPTING AN APPROPRIATIONS LIMIT FOR THE 2022-2023 FISCAL YEAR**

WHEREAS, Article 13B of the Constitution of the State of California establishes appropriations limits on the proceeds of taxes for entities of government, and

WHEREAS, Proposition 111 approved by the voters in June 1990 requires that the 2022-2023 Appropriations Limit for a governmental entity shall be the 1986-87 appropriations limit adjusted from that year forward by the new growth factors stated in the proposition, and

WHEREAS, Proposition 111 allows the choice of either the California per capita personal income from the preceding year or the change in local assessment roll due to non-residential construction from preceding year to be used as the factor for the change in cost of living, and

WHEREAS, the Sonoma County Assessor does not currently have the capability to report the assessment roll changes, and

WHEREAS, due to the factor availability the population and per capita factors as prepared by the State Department of Finance were the factors used to recalculate the appropriations limit, and

WHEREAS, the Board of Directors of the Forestville Water District did meet in a regularly scheduled meeting and did consider and determine each of the factors available to recalculate the 2022-2023 appropriations limit,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Forestville Water District that adopted Appropriations Limit for the 2022-2023 Fiscal Year is **\$219,873.00**.

BE IT FURTHER RESOLVED that the Board of Directors reserves the option to recalculate the 2022-2023 Appropriations Limit based on the formula in Proposition 111 when assessment roll information becomes available.

BE IT FURTHER RESOLVED that the Secretary of this Board is directed to attach the revised limit to the adopted 2022-2023 budget, to forward a copy of this resolution to the Sonoma County Auditor, and to file the required report with the State Controller.

BE IT FURTHER RESOLVED that the Secretary of this Board is directed to retain all calculation sheets and adjustment factor data for three years.



The foregoing resolution was introduced by Director \_\_\_\_\_, who moved its adoption, and seconded by Director \_\_\_\_\_, and adopted on a roll call vote by the following vote:

Director: Heather Aldridge \_\_\_\_\_

Director: Steve Griffith \_\_\_\_\_

Director: Matthew McDermott \_\_\_\_\_

Director: Ben Monroe \_\_\_\_\_

Director: \_\_\_\_\_

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_ ABSTAINED: \_\_\_\_\_

WHEREUPON, the Chair of the Board for the Forestville Water District declared the foregoing resolution adopted, and SO ORDERED this **14<sup>th</sup> day of June 2022.**

\_\_\_\_\_  
Matthew McDermott, Chair of the Board

\_\_\_\_\_  
Dawn Leith, Board Clerk



May 2022

Dear Fiscal Officer:

**Subject: Price Factor and Population Information**

**Appropriations Limit**

California Revenue and Taxation Code section 2227 requires the Department of Finance to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2022, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2022-23. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2022-23 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

**Population Percent Change for Special Districts**

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

**Population Certification**

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2022.**

**Please Note:** The prior year's city population estimates may be revised. The per capita personal income change is based on historical data.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

KEELY MARTIN BOSLER  
Director  
By:

ERIKA LI  
Chief Deputy Director

Attachment

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2022-23 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2022-23	7.55

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2022-23 appropriation limit.

**2022-23:**

Per Capita Cost of Living Change = 7.55 percent  
Population Change = -0.30 percent

Per Capita Cost of Living converted to a ratio:  $\frac{7.55 + 100}{100} = 1.0755$

Population converted to a ratio:  $\frac{-0.30 + 100}{100} = 0.997$

Calculation of factor for FY 2022-23:  $1.0755 \times 0.997 = 1.0723$

Fiscal Year 2022-23

**Attachment B**  
**Annual Percent Change in Population Minus Exclusions\***  
**January 1, 2021 to January 1, 2022 and Total Population, January 1, 2022**

<b>County City</b>	<b><u>Percent Change</u></b>	<b><u>--- Population Minus Exclusions ---</u></b>		<b><u>Total Population</u></b>
	<b>2021-2022</b>	<b>1-1-21</b>	<b>1-1-22</b>	<b>1-1-2022</b>
Sonoma				
Cloverdale	-1.37	9,029	8,905	8,905
Cotati	-1.53	7,512	7,397	7,397
Healdsburg	-1.29	11,174	11,030	11,030
Petaluma	-1.36	59,756	58,945	58,945
Rohnert Park	-0.65	44,287	43,998	43,998
Santa Rosa	-0.91	177,396	175,775	175,775
Sebastopol	-0.41	7,520	7,489	7,489
Sonoma	0.22	10,755	10,779	10,779
Windsor	-0.73	26,134	25,942	25,942
<b>Unincorporated</b>	<b>0.54</b>	<b>130,546</b>	<b>131,253</b>	<b>132,144</b>
County Total	-0.54	484,109	481,513	482,404

\*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

**Attachment C**  
**Annual Percent Change in Population Minus Exclusions\***  
**January 1, 2021 to January 1, 2022**

County	Percent Change	--- Population Minus Exclusions ---	
	2021-22	1-1-21	1-1-22
Sierra			
Incorporated	0.00	737	737
County Total	0.12	3,225	3,229
Siskiyou			
Incorporated	-0.66	19,923	19,791
County Total	-0.32	43,926	43,787
Solano			
Incorporated	-0.56	421,401	419,057
County Total	-0.58	439,181	436,647
Sonoma			
Incorporated	-0.93	353,563	350,260
County Total	-0.54	484,109	481,513
Stanislaus			
Incorporated	-0.29	439,690	438,432
County Total	-0.41	551,737	549,466
Sutter			
Incorporated	0.32	78,805	79,057
County Total	0.24	98,908	99,145
Tehama			
Incorporated	-0.66	23,282	23,129
County Total	-0.47	65,257	64,948
Trinity			
Incorporated	0.00	0	0
County Total	-0.19	16,012	15,981
Tulare			
Incorporated	0.33	338,444	339,546
County Total	0.21	473,786	474,770

\*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

"P1" CALCULATION OF APPROPRIATION LIMITS

	21-22	22-23
PER CAPITA INCREASE	1.0573	1.0755
POPULATION CHANGE	0.9854	1.0054
POPULATION FACTOR USED	(COUNTY TOTAL)	(UNICORP TOTAL)

FIRE DISTRICTS:

71251 BODEGA BAY	3,317,640	3,587,390
71301 RANCHO ADOBE	7,132,624	7,712,561
71451 GRATON	1,653,789	1,788,255
71551 KENWOOD	748,225	809,061
71601 MONTE RIO	1,124,095	1,215,493
71801 GOLD RIDGE	5,282,492	5,711,999
71901 SONOMA COUNTY FIRE DISTR	34,000,000 *	36,764,462
71951 NORTHERN SONOMA COUNTY	1,276,545 *	1,380,338
72001 TIMBER COVE	281,418	304,299
72051 CLOVERDALE	2,123,467	2,296,121
72751 NORTH SONOMA COAST	1,276,545	1,380,338
72901 SONOMA VALLEY FIRE DISTRICT	20,837,268	22,531,498
<b>SUBTOTAL</b>	<b>79,054,108</b>	<b>85,481,815</b>

REC & PARK DISTRICTS:

72151 CAMP MEEKER	317,975	343,829
72251 MONTE RIO	382,256	413,336
72301 RUSSIAN RIVER	654,575	707,797
<b>SUBTOTAL</b>	<b>1,354,806</b>	<b>1,464,962</b>

OTHER DISTRICTS:

72550 OCCIDENTAL CSD	443,996	480,096
72601 CAZADERO CSD	400,333	432,883
72701 COAST LIFE SUPPORT	2,714,934	2,935,679
76151 FORESTVILLE WTR	203,340	219,873
76901 BODEGA BAY P.U.D.	861,352	931,387
77051 NO SO CO HOSPITAL	20,190,548	21,832,195
78350 SMART	152,544,355	164,947,386
<b>SUBTOTAL</b>	<b>177,358,858</b>	<b>191,779,499</b>

<b>TOTAL LOCAL BOARDS</b>	<b>257,767,772</b>	<b>278,726,276</b>
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\*Figure Adopted by district replaces limit calculated by the Auditor's Office.



Agenda Item:

**ANNUAL REVIEW OF FWD INVESTMENT POLICY**

Summary:

**June 14, 2022:**

Forestville Water District's legal counsel reviewed the current Investment Policy, adopted on May 11, 2021. The board packet includes the recommended policy set forth by legal, which has no changes from the 2021 version and is being presented to the Board for review and approval.

Potential Board Actions:

The FWD Board may:

1. Adopt the Investment Policy as presented.
2. Adopt with changes
3. Direct FWD Staff with further instructions

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk



PO Box 261  
Forestville, CA 95436-0261  
Phone (707) 887-1551 Fax (707) 887-1552  
[www.forestvillewd.com](http://www.forestvillewd.com) [info@forestvillewd.com](mailto:info@forestvillewd.com)

cc: Jun. 14, 2022  
Board Packet  
ASR "F"

**FORESTVILLE WATER DISTRICT  
RESTATED INVESTMENT POLICY  
(Government Code Sections 53630, et. seq.)**

*This Restated Investment Policy Supersedes and Replaces in its Entirety the Investment Policy  
Adopted May 11, 2021*

- 1.) Investment Transaction. Every investment transaction must be reviewed and authorized by the Board of Directors and documented by the Treasurer of the District.
- 2.) Monthly Report. The Treasurer shall submit a monthly report to the Board of Directors in accordance with the requirements of Government Code Section 53646. All such reports shall include a comparison with the report last generated and include, in addition, the following elements:
  - a.) Type of investment;
  - b.) Institution;
  - c.) Date of Maturity;
  - d.) Amount of Deposit;
  - e.) Rate of Interest;
  - f.) Statement Relating to the Report of the Investment Policy.

In addition, at the time of the next Board meeting following the creation of any new account, and at the time of the next Board meeting following the adoption of the annual resolution authorizing signatories, the Treasurer shall provide an acknowledgement or acknowledgements of receipt by Savings Institutions of the Board Resolutions authorizing signatories.

- 3.) Investment Policy. The Forestville Water District shall, in the Board's discretion, invest its moneys (other than monthly operating fund) in savings accounts, certificates of deposit and federally insured banks and savings and loan institutions, or through the Sonoma County pooled investment fund and any other lawfully permitted investment through that fund, with the following qualifications:
  - a.) The maximum Term of any deposit account shall be two (2) years. The Maximum invested in any single bank or savings and loan shall be no more than the available insurance covering such deposits or \$250,000, whichever is greater. The amount so deposited shall not cause the total invested in any one (1) institution, including accrued interest, to exceed the available deposit insurance.
  - b.) There is no requirement that investments made through the Sonoma County pooled investment fund be insured.

- c.) The District may invest funds in brokered certificates of deposit, so long as:
  - (i) the investment is made through a Federally licensed securities brokerage firm;
  - (ii) said brokerage firm maintains at least \$500,000 protection on all District funds while in the control of the brokerage through the Securities Investor Protection Corporation (“SIPC”);
  - (iii) the amount invested in each certificate of deposit be only in the name of the District: and;
  - (iv) the amount invested in each certificate of deposit does not exceed the maximum federal insurance limit on such certificates through the FDIC.
- d.) To provide security to District funds in those situations where the District accounts with a FDIC insured bank or savings and loan exceed the FDIC insurance limit (e.g. due to interest re-deposited), the District is authorized to enter into a Waiver of Security or Collateralization or similar agreement with the lending institution, so long as:
  - (i) The financial institution has committed to provide and maintain approved collateral for all deposits in excess of \$250,000 in accordance with Government Code Section 53652; and
  - (ii) The financial institution remains fully insured under FDIC for up to \$250,000 of deposits by the District.
- 4.) Withdrawals and Transfers from Investment Accounts. Any withdrawal, or transfer of funds held in an investment account (i.e., savings accounts, time certificates and other forms of deposit accounts designated to earn interest) shall require approval of the Board of Directors and, except with respect to a roll-over or renewal, the signature of two persons authorized by the Board of Directors.
- 5.) Withdrawals and Transfers from Operating Accounts. Any withdrawal, checks drawn, or transfer of funds held in a financial institution for purposes of day-to-day operations (i.e., checking accounts) shall require the signatures of any two persons authorized by the Board.
- 6.) Temporary, Non-Insured Investments. The District shall be allowed to deposit funds in excess of the \$250,000 insurance limit set forth in this Investment Policy into the District's operating, checking account for periods up to four (4) months each, pending the utilization of the proceeds received from the County of Sonoma on the annual

Sewer Charge collected from the County Tax Rolls. Due to the amount of these annual payments, the need for prompt expenditure of all or large parts of such payments, it is impractical to place such funds in insured savings accounts for short term periods.

- 7.) Signature Card Authorization. Each year following adoption of the annual budget, the Board shall, by resolution, authorize specific persons among the Board and staff to be the signatories on all financial accounts for the District.

Within thirty (30) days following its adoption, or within thirty (30) days following the creation of any new investment, a copy of the resolution shall be delivered to each savings institution in which the District has any investment, with a request that the institution acknowledge such receipt. The Resolution shall provide that, until a further resolution is adopted, only the named signatories shall be permitted to authorize deposits, withdrawals and transfers of District monies.

To carry out the provisions of this Section 7, the District Administration shall prepare a cover letter to the financial institution, to be signed by the Chairman of the Board, enclosing a copy of the current Board Resolution authorizing only certain signatories on the account or investment. The letter shall be in substantially the same form as that attached to this Policy, and shall request that the financial institution respond in writing and provide the following information directly to the Board Chairman at his or her home mailing address:

- a.) Written verification of the financial institution's receipt of a copy of the current Board Resolution authorizing only certain signatories on the type of account held with the financial institution; and
- b.) A photocopy of the record of the financial institution which shows the actual signatures of the persons authorized to make withdrawals and transfers on the accounts or investments of the District with that institution.

Upon receipt of the financial institution's written reply, the Chairman shall present such reply at the next Board meeting to verify all signatures on the accounts or investments. Records of the communications with the financial institutions made pursuant to this policy shall be maintained in a separate file with the District.

- 8.) Other Investments. The District may, from time to time, make such other investments as are authorized by the California Government Code (as amended or superseded); provided, however, prior to making investments not previously authorized and set forth in this AMENDED AND RESTATED INVESTMENT POLICY, the Board shall review the type of investment and adopt a resolution approving the investment.

- 9.) **Bonding.** All employees of the District who have been authorized to co-sign payments, transfers, deposits or withdrawals of District funds shall be bonded to an amount determined by the Board of Directors by an insurance company rated A or better in Best's Guide.
- 10.) **Internal Controls.** The District shall adopt in writing, from time-to-time, such internal controls as are reasonably required to prevent losses of public funds arising from fraud, employee error, or misrepresentation of third parties, or imprudent actions by employees and officers of the District.

11.) **MOTION PASSED June 14, 2022, BOARD MEETING:**

**MOTION** was made by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_ and passed \_\_\_\_\_ to allow FWD Certificates of Deposits with Financial Institutions to be as high as the maximum existing FDIC Insurance coverage when needed.

DATE ADOPTED: June 14, 2022

\_\_\_\_\_  
Chair of the Board

ATTEST:

\_\_\_\_\_  
District Board Clerk

Agenda Item:

**2018 SEWER IMPROVEMENT PROJECT**

Summary:

**June 14, 2022:**

DFA has provided an e-mail address to which the disbursement requests can be sent. There are currently three requests prepared.

**HISTORICAL:**

**May 10, 2022:**

FWD Engineer provided status on progress of work and of disbursement. No action taken by the Board.

**April 12, 2022:**

FWD Engineer provided status on progress of work, delay of disbursement, and announced loan requirement changed to 100% grant funding. No action taken by the Board.

**February 15, 2022:**

FWD Engineer updates:

- a. Design is progressing including preparation of the Caltrans application for the crossing of 116 (Main Street) with a pipe bursting method.
- b. A site visit with property owners in the alleys off of 1<sup>st</sup> and 2<sup>nd</sup> Streets will be scheduled for the last week of February or the first week of March.
- c. PG&E has indicated that neither of the two gas mains in Forestville Alley (east of 1st Street) can be abandoned. Therefore, B&R has adjusted the design to move the new sewer alignment approximately 1 foot north to minimize potential conflict with the 4-inch gas main.

**January 11, 2022:**

Director Monroe to speak to customers on behalf of the District.

**December 14, 2021:**

FWD Engineer described areas of concern & actions needed before starting the project.

**November 9, 2021:**

Brelje & Race (BRCE) prepared and transmitted to the District the Quarterly Status report and Disbursement Request documents for District signature and submittal to State DFA. Also, preparing application to Caltrans for the crossing of Route 116 (Main Street) involved with the project and consulting with PG&E concerning the gas mains on Forestville Lane that are affecting alignment.

**October 12, 2021:**

BRCE completed the Quarterly Report and Disbursement Request (for the previous almost 4 years) the week of Monday, October 11<sup>th</sup> for the District to submit.

**September 14, 2021:**

FWD Staff received the Construction Installment Sale Agreement from the State Water Resources Board fully executed.

Dyanna/B&R has started the process of compiling B&R expenses from Dec. 17, 2018, to date.

A copy of the agreement is included in the board packet.

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation:

None

Report created by: Dawn Leith, Board Clerk



Agenda Item:

**TIME SCHEDULE ORDER (TSO) AND GRANT APPLICATION FOR SEWER TREATMENT PLANT**

Summary:

**June 14, 2022:**

On May 31, 2022, FWD’s State Board Representative, Matthew Herman, requested an update for the TSO RI 2018-0037 Ammonia and Nitrate Assessment Report.

DFA is estimating an executed contract may not be completed until the end of the calendar year.

**HISTORICAL:**

**May 10, 2022:**

No new updates to report. No action taken by the Board.

**April 12, 2022:**

FWD Engineer reported status of grant application approval to the Board.

**February 15, 2022:**

BRCE anticipates that DFA will produce a draft agreement within the next 30 days.

**January 11, 2022**

The process is still on schedule and for an agreement to be presented to the District by February 2022.

**December 14, 2021:**

No new updates to report.

**November 9, 2021:**

As of November 5, 2021, Project Mgr. Gabriel has no new updates on the status of the application.

**October 12, 2021:**

BRCE has been in communication with the State DFA on the funding schedule. They are anticipating an executed planning agreement completed by May 2022.

**September 14, 2021:**

With the completion of the 2018 Sewer Improvement grant application process, this application should start moving forward.

**August 10, 2021:**

Application process still pending the completion of the 2018 Sewer Improvement grant application process.

**July 13, 2021:**

Once the grant application process for the 2018 Sewer Improvement Project is completed then this grant will be processed. Estimating about end of 2021.

**June 8, 2021:**

The State DFA has indicated that the planning grant application will be processed once the Sewer Improvement Project funding agreement is executed.

**May 11, 2021:**

State DFA has recently shifted Planning Grant funding priority from CWSRF to DWSRF, so FWD Grant Application processing is delayed until June/July time frame.

**April 13, 2021:**

Application still in holding status with no new updates.

**March 9, 2021**

Due to State Financial Audit the approval of the application has been delayed. FWD application will be reviewed for approval most likely in June 2021.

**February 9, 2021 - October 13, 2020:**

FWD Engineer to update the Board.

**September 8, 2020:**

FWD Engineer to review the revised Plan of Study for the planning grant application.

A revised Plan of Study will be provided via email on 9/8/20.

**August 11, 2020 - November 5, 2019:**

FWD Engineer to update the Board.

\*\*\* SEE ASR FROM OCTOBER 8, 2019, BOARD MEETING FOR PRIOR HISTORICAL DATA RELATED TO THIS AGENDA ITEM \*\*\*

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation:

None

Report created by: Dawn Leith, Board Clerk

# Forestville Water District - Agenda Summary Report



Agenda Item:

## PRV REPLACEMENT OPTIONS

Summary:

### **June 14, 2022:**

BRCE is waiting for confirmation of a start date from Piazza Construction to continue this project. The contractor is preparing a change order request for the Giusti PRV improvement and is scheduling the work for the Trenton Road PRV removal and valve extension.

### **HISTORICAL:**

#### **May 10, 2022:**

Engineer, Dyanna/BRCE prepared Change Order #2 for the PRV #3 replacement and sent to Piazza. Copies of Change Orders #1 & #2 included.

#### **April 12, 2022:**

Piazza was onsite, Mar. 28, 2022, to eliminate the PRV on Trenton Road and North Covey Road. All the valves were closed and found that the East side valve into the PRV would not close enough to do the project. Dyanna/BRCE sent a change order to Piazza to have Tap Masters install a insertion valve and just abandon the failing valve.

#### **February 15, 2022:**

BRCE believes it will be most efficient and cost effective to implement the replacement of PRV 2 (Mirabel & Giusti) completed as a change order to the PRV 3 (Anderson & Covey) project. BRCE has prepared an exhibit with the details and specifications necessary for replacement of PRV 2. If the District agrees with the approach, BRCE will transmit the exhibit to Piazza so that they can prepare the change order request. Copies of exhibit with details included.

#### **January 11, 2022**

FWD Engineer briefed the Board on the Change Order Request received from Piazza for the leaking valves.

#### **December 14, 2021:**

Dyanna/BRCE has finalized plans and drawings with Piazza Construction for the Anderson/Covey line stop and the remaining project on Trenton Road. A fire hydrant repair will also be made on Trenton Road, since all the equipment will be on-site.

#### **November 9, 2021:**

Piping and PRV equipment have been installed in the Anderson Road Valve Building. The PRVs that were installed require replacement of pilot valve springs for the correct valve pressure operation. Submitted traffic control plan has been approved allowing the contractor to perform work in Covey Road. The contractor still needs to prepare a submittal for the "line-stop" equipment and the construction sequence plan to continue work.

\*\*\* SEE ASR FROM OCTOBER 12, 2021, BOARD MEETING FOR PRIOR HISTORICAL DATA RELATED TO THIS AGENDA ITEM \*\*\*

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation:

GM approves this proposal

Report created by: Dawn Leith, Board Clerk

Agenda Item:

**SEWER FORCE MAIN PROJECT**

Summary:

**June 14, 2022:**

FWD Engineer Coleman met with Tony and Cory in the field on May 18th and determined that the Covey Road force main blowoff will not be operated in its current condition. A blowoff replacement is being designed. A field survey was conducted on May 25th. Hydraulic analysis on the pump and force main system is also being conducted.

Pictures of the main included in the board packet.

Historical:

**May 10, 2022:**

Engineer David Coleman/BRCE will open a discussion regarding the sewer force main that runs from Intermediate Lift Station on Trenton Road to the treatment facility. Coleman will also discuss the exploration process necessary and a budget amount to commence.

Potential Board Actions: None – Information purpose only

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk



















Agenda Item:

**DIRECTOR'S TRAINING**

Summary:

**June 14, 2022:**

**Upcoming Mandatory Training for Directors:**

- Ethics Training (Required every two years)
  - All Board Members are current until October 2022
- ACWA/JPIA (mandatory for Liability Coverage)
  - ✓ = Completed
  - Brown Act Refresher & Updates\*
    - ✓ Directors Aldridge
    - ✓ Director Griffith
    - Director McDermott
    - Director Monroe
    - GM Lopes
    - ✓ Board Clerk, Dawn Leith
  - Public Records Act Training\*
    - ✓ Director Aldridge
    - ✓ Griffith completed
    - Director McDermott
    - Director Monroe
    - GM Lopes
    - ✓ Board Clerk, Dawn Leith

*\*Each Director is registered to complete the above pieces of training through the CSDA's on-demand webinars. CSDA sent out emails to everyone with the links and instructions of how-to login.*

**Upcoming Director Training/Conference Opportunities:**

- CSDA
  - Webinar: Financing with Flexibility, 7/26/22 10:00 am- 11:30 am Free
  - 2022 Annual Conference & Exhibitor Showcase, 8/22/22-8/25/22 Palm Desert \$650/\$725
- ACWA/JPIA
  - 2022 Training Conference, 10/18/22-10/19/22 San Diego (flyer attached)
  - Virtual Roundtable-Federal Funding, 6/15/22 1pm-2pm \$50 (flyer attached)

If any member of the Board wishes to attend a training that involves a cost, FWD will cover the cost & register the Board member at the same time.

Potential Board Actions:

To successfully complete mandatory/required training on or before the date listed to the right of each Director's name. Attend non-mandatory training/conference as they choose.

Staff Recommendation:

Directors stay in compliance with State regulations and mandatory training.

Report created by: Dawn Leith, Board Clerk



## UPCOMING REGION EVENTS

GET UPDATED EVENT  
INFO & REGISTRATION

### Region 1 Program and Tour: North Coast Water Forum

**Date: July 7-8, 2022**

**Location: Eureka, CA**

Join us on July 7-8 in Eureka for the North Coast Water Forum and Tour co-hosted by ACWA Region 1 and Humboldt Bay Municipal Water District. Attendees will gather the evening of July 7 and board the historic Madaket for a Humboldt Bay Harbor Cruise. Following the cruise, dinner and a statewide water updates program will take place at the Sea Grill Restaurant just a few blocks away. On July 8, the program will begin at Humboldt Bay MWD and include discussions on innovative instream flow, microgrid, and SCADA system projects. The morning program will be followed by lunch at the famous Carson Mansion and an afternoon tour of Nordic Aquafarms, where attendees will get an overview of the Samoa Peninsula Land-based Fish Farm Project. *See [Preliminary Program Agenda](#) for timing and details.*

[REGISTER NOW](#)

#### Registration Information

Pre-registration: ACWA Member \$70 | Non-member \$105

Onsite Registration Fee: ACWA Member \$88 | Non-member \$130

Registration fee includes: meeting materials, dinner, tour transportation, breakfast, lunch, snacks, and refreshments. *Tour participants are required to sign an [ACWA Voluntary Release and Waiver](#).*

**Online registration deadline is [June 29, 2022](#)**, or until space is full. Onsite registrations will be accommodated as space permits. Cancellations must be received in writing by **June 29** to cancel a registration and receive reimbursement. Substitutions must be received in writing by **June 29**. After that date, substitutions will be handled onsite at the event. Event details are subject to change and registrants will be notified by email if changes occur.

**QUESTIONS:** Contact Regional Affairs Representative [Jennifer Rotz](#) or (916) 441-4545.



**Join A Virtual Roundtable Discussion on Federal Funding  
June 15, 2022 | 1:00 PM-2:00 PM (PT)**

During ACWA's 2022 Spring Conference & Exhibition, a roundtable discussion on federal funding was held that proved to be very popular and well attended.

Catch an overview of the federal funding opportunities for water and wastewater providers at Dept of Interior, US Environmental Protection Agency, and Dept of Agriculture. Talk with experts on the Bipartisan Infrastructure Law Implementation funding available this year, as well as accessing other programs.

**Questions**

Contact the ACWA Events Team at [Events@acwa.com](mailto:Events@acwa.com)

**REGISTER NOW**



Agenda Item:

**GROUNDWATER MONITORING AT THE FORESTVILLE YOUTH PARK (FYP)**

Summary:

**June 14, 2022:**

The three monitoring wells were installed on May 3rd and 4th. Preparations are underway to commence the quarterly monitoring, sampling and analysis required by the permit.

**Historical:**

**May 10, 2022:**

FWD Engineer reported on the progress of the work on drilling the wells and sampling. No action taken by the Board.

**April 12, 2022:**

FWD Engineer reported on the progress of approval from both the State Resources Control Board and Sonoma County Permit Department and provided the work schedule plan. No action taken by the Board.

**February 15, 2022:**

A site visit was conducted at selected properties surrounding the youth park to locate any existing wells or septic fields within 100 feet of the three proposed groundwater monitoring wells. Only one feature was found – an abandoned well 75 feet from the GW Monitoring well No. 3. This should not present a problem. The FYP GW monitoring well drilling, and development is now scheduled for March 17 and 18.

**January 11, 2022**

FWD Engineer briefed the Board on the requirements set by Sonoma County Permit Department.

**December 14, 2021:**

FWD Engineer briefed the Board on the current progress on the scope of work.

**November 9, 2021:**

Piazza Construction has scheduled the potholing to start the week of November 8.

\*\*\* SEE ASR FROM OCTOBER 12, 2021 BOARD MEETING FOR PRIOR HISTORICAL DATA RELATED TO THIS AGENDA ITEM \*\*\*

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

Agenda Item:

**DISTRICT GOALS UPDATES**

Summary:

**June 14, 2022:**

**Administration**

- Employee Job Descriptions: 20%
- Employee Handbook: 51%
- Audit SOP creation: 55%

**Operations**

- Water Distribution updated spreadsheets: 83%

**Office**

- Document Retention (archive): 15%
- IT needs: 95%
- Ord. 61 – record “Notice”: 70%
- Update website to include FAQ: 75%, Backflow Testing: 25%, ADU: 0%
- Transfer Dropbox to OneDrive: 95%
- UMS update all service addresses with APN #'s: 20%
- Obtain property owner’s info from Sonoma County Assessor’s: 50%
- Create Public Record Act form & procedures: 0%
- Input Backflow inventory into UMS for annual testing: 25%
- New Customer’s Service Agreement: 85%

**Board**

- Compilation of “Orientation” manual for new Director: 25%
- Rules Code of Conduct for Board Meetings: 5%
- Draft Minutes & ASR policy: 0%
- Legal Claims Policy: 0%

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk



Agenda Item:

**NEW WATER RATE STRUCTURE**

Summary:

**June 14, 2022:**

The Sub-committee will brief the Board of any new updates.

**Historical:**

**May 10, 2022:**

The sub-committee met on Apr. 19, 2022 but had nothing new to report to the Board. No action taken by the Board.

**April 12, 2022:**

The sub-committee will meet Apr. 19, 2022 @ 10 am.

**February 15, 2022:**

The Subcommittee met on January 25, 2022 to review requested adjustments and findings.

**January 11, 2022**

Sub-Committee will meet Jan. 25, 2022, at 10:00 am.

**December 14, 2021:**

FWD Engineer will make the requested adjustments and provide findings to the Sub-Committee to report at January's meeting.

**November 9, 2021:**

The sub-committee met on November 8, 2021 and will email some adjustments for BRCE to make on the module.

**October 12, 2021:**

The Water Rate Structure Subcommittee will meet on Oct. 14, 2021, at 3:30 p.m. via Zoom.

**September 14, 2021:**

The Sub-committee will discuss the next scheduled meeting date.

**August 10, 2021:**

Tabled to next month for more data to be collected with the drought and obtain more information with the recycled water and Graton.

**July 13, 2021:**

Subcommittee met on 6/22/21 to discuss the topic further. Subcommittee may meet again in late August or September to gather more data from drought response.

**June 8, 2021:**

Water Rate Structure Sub-Committee met on 5/25/21, and discussed options. Brelje and Race developed an excel spreadsheet model to simulate and evaluate alternate water rate plans for the District to considered. The model was presented to, and shared with, the Water Rate Structure Subcommittee.

**May 11, 2021:**

FWD Engineer is preparing a first draft of a new rate structure to test using 2020 metered water use. FWD Engineer will inform Board about progress.

**April 13, 2021:**

GM Lopes met with FWD Engineers, David Long & David Coleman to discuss a new water rate structure on Apr. 5, 2021.

The Board approved B&R to initiate research for a new fee structure not to exceed \$5k.

Potential Board Actions:

No FWD Board action is needed; for informational purposes only.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

Agenda Item:

**WATER CONSERVATION**

Summary:

**June 14, 2022:**

GM will update the Board.

Copies (eight (8) pieces) of articles and alerts on the drought and conservation efforts included.

**Historical:**

**May 10, 2022:**

GM Lopes attended the Water Advisory Committee meeting on 5/2/22 to listen in on the water drought updates. Sonoma Water using a new slogan, "Drought is still here..."



Statistics & graphs from the Water Advisory Committee meeting included.

**April 12, 2022:**

GM Lopes provided current usage and shared ACWA Advisory on the expansion of the Governor's Conservation Executive Order. No action taken by the Board.

Potential Board Actions: None – Information purpose only

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

**Ramping up water reuse**

**NORTH BAY » Agencies seeking \$83 million to expand operations to help offset already strained supplies of drinking water due to drought**

By  
**GUY KOVNER**

THE PRESS DEMOCRAT

Petaluma, one of the driest corners of Sonoma County during the past two years of drought, is making a multimillion-dollar advance into recycled water.

Operator of a wastewater treatment plant that serves about 65,000 people and treats about 5 million gallons of effluent a day, Petaluma is seeking grants for four projects with a total cost of \$42 million.

Six other North Bay agencies — including Sonoma Water and the Sonoma Valley County Sanitation District — are proposing a dozen projects totaling \$41.2 million, bringing the total to \$83.2 million, as Gov. Gavin Newsom is backing water reuse as an antidote to drought.

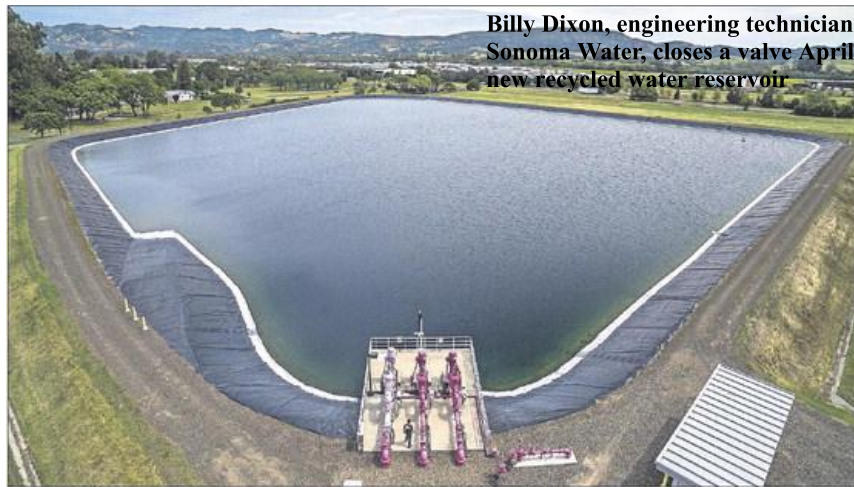
The projects are meant to help offset already strained supplies of North Bay drinking water as

California braces for longer and more severe periods of water scarcity amid the escalating climate crisis.

Through expanded treatment, new pipelines and storage facilities, the 16 projects are expected to deliver 5,364 acre feet of water per year — enough to offset potable



**Billy Dixon, engineering technician with Sonoma Water, closes a valve April 29 at the new recycled water reservoir**



**The new 35-million-gallon recycled water reservoir inside the Sonoma Valley Wastewater Treatment Plant was built with funds from the North Bay Water Reuse Authority's first round of projects worth \$104 million. PHOTOS BY CHAD SURMICK / THE PRESS DEMOCRAT**

**WATER**

**CONTINUED FROM A1**

supplies for about 32,000 people.

An acre foot is 326,000 gallons, about half the size of an Olympic swimming pool and enough for more than two households for a year.

“First and foremost is drought resistance,” said Christopher Bolt, Petaluma’s public works and utilities director.

“In the face of climate change we want to make sure we can meet the community’s needs.”

Water recycling — transforming sewage through intensive treatment into water safe for irrigation of landscapes, pastures, playgrounds and crops that are eaten raw — is a high priority throughout California in the third year of a drought that experts say could last another decade.

Bay Water Reuse Authority, a collaboration of 11 agencies in portions of Sonoma, Napa and Marin counties dedicated to ending discharge of treated wastewater into San Pablo Bay, largely by diverting it to urban and agricultural irrigation.

The authority’s 350-square-mile territory faces “long-term challenges in providing reliable water supplies” with limited surface and groundwater sources and some groundwater basins “showing harmful effects on water levels and quality,” its website says.

“A warming climate will likely further stress water supplies, and recycled water is a sustainable resource that can help augment regional water supplies,” it says.

The authority’s first round of projects, started in 2012 and completed in 2020 at a cost of \$104 million, is providing 3,800 acre feet per year for urban and agricultural irrigation along with 46 miles of new pipeline.

California is developing regulations for direct potable use of recycled water, a system that puts it into public water supplies rather than limiting it to irrigation and injection into groundwater.

Orange County’s pioneering \$481 million groundwater injection system, in operation since 2008, produces 100 million gallons of recycled, potable water per day through an advanced purification process that includes microfiltration, reverse osmosis and ultraviolet light with hydrogen peroxide.

Two-thirds of the treated water is piped to recharge basins in Anaheim, replenishing groundwater that provides 75% of the water for more than 2.5 million Orange County residents.

Davis and Rabbitt are not ready to advocate for direct potable use, also known as “toilet to tap,” a description some water experts find disagreeable.

Drinking recycled water “understandably triggers a gag reflex in some consumers — but

“Recycled water is a sustainable, nearly drought-proof supply when used efficiently, and the total volume of water California recycles today could triple in the next decade,” said the 2020 California Water Resilience Portfolio, a response to Newsom’s order calling for recommendations “to enable water security for all Californians.”

California produced 728,000 acre feet of recycled water in 2020, up about 40% from 20 years ago.

The State Water Resources Control Board is currently funding \$970 million in loans and grants for 12 projects that would provide about 62,000 acre feet of recycled water per year for urban and agricultural irrigation and indirect potable use through groundwater recharge.

Wastewater experts like to say all water on, in and above Earth is recycled and humans are using the same water as the dinosaurs.

Petaluma’s Ellis Creek Water Reclamation Facility commits all treated water to irrigation of parks, schools, commercial properties, golf courses and farms during dry summer months, averting it from discharge into the nearby Petaluma River. In wet months, however, a substantial amount goes into the river, which is a tidal slough from San Pablo Bay.

“We’re looking to expand and grow the water recycling system,” Bolt said. “We have a vision of zero discharge into the river year-round.”

Expansion of the distribution system and developing more storage capacity would reduce the wintertime discharge, he said.

Petaluma’s rainfall to date for this year and 2021 is well below or only an inch above the level for the other 18 communities in The Press Democrat’s weather log.

Sonoma County Supervisor David Rabbitt, a Petaluma resident, is an avid booster of recycled water.

“My mantra is you gotta use water twice,” he said. “In an ideal world we would avoid using potable water for irrigation.”

Purple pipes that carry recycled water should go under every street in newly developed areas, along with power, sewer and regular water lines, Rabbitt said.

Rabbitt has served since 2013 as chair of the North

Sonoma Valley County Sanitation District’s projects included a fifth reservoir holding about 35 million gallons of recycled water and starting work on a 3.5-mile pipeline to carry up to 1,700 acre feet per year for habitat restoration at the Napa-Sonoma Marshes Wildlife Area on San Pablo Bay and along the Napa River.

Petaluma did not participate in the water reuse authority’s first round of projects, but has a fistful of major projects awaiting funding under the second round.

The projects, costing a total of \$42 million, would yield a projected 2,575 acre feet of recycled water a year — enough to offset potable supplies for about 15,000 people.

Boosting the Ellis Creek facility’s treatment capacity would cost \$9 million, while extension of the urban and agricultural recycled water pipelines would cost \$33 million.

For Bolt, who came to Petaluma in September from Jackson County, west of Ann Arbor in southern Michigan, drought is a new experience.

Due to climate change and frequent precipitation, surface and groundwater levels have been rising in that area, with wet basements and routine flooding of streams and roadways, he said.

Bolt said he is impressed by water conservation efforts in Sonoma County, and in the regional authority as a “great example of how agencies can work together to solve pressing problems for the good of all concerned.”

The drought makes recycled water “even more appealing,” Rabbitt said. “It’s an easy sell because it makes more sense.”

Rabbitt said he was proud to have convinced Petaluma to join the North Bay regional authority “after they said no initially.”

Grant Davis, general manager of Sonoma Water, said the three-county authority is “a model for maximizing the benefits of limited water resources in the west.”

Projects can be designed to “meet the needs of entire watersheds,” he said, noting that federal and state funding agencies have policies that promote regional partnerships over independent jurisdictions.

it shouldn’t,” Amanda Little, a Vanderbilt University professor of journalism and science writing, wrote as a Bloomberg columnist.

“Recycled wastewater is quickly becoming the single most important element of a droughtproof water supply in the climate-change era, and it happens to be as pure and delicious as anything you might buy bottled from the Swiss Alps,” she said.

Rabbitt once tasted recycled water at a conference on water. “It was fine,” he said.

“Never say never,” Davis said.



**Billy Dixon of Sonoma Water reads the recycled water meter on April 29 for Sangiacomo Vineyards in Sonoma.** CHAD SURMICK / THE PRESS DEMOCRAT



**Canada geese and their goslings swim on Monday in one of the treatment ponds at the Ellis Creek Water Recycling Facility in Petaluma.** JOHN BURGESS THE PRESS DEMOCRAT

## Farmers feel pinch of rising cost of wastewater

cc: Jun. 14, 2022  
Board Packet  
ASR "O" - #2

By

**GUY KOVNER**

THE PRESS DEMOCRAT

Back in the 1980s, when Santa Rosa was paying ranchers to use recycled wastewater for irrigation, dairyman Doug Beretta considered it a sweet deal.

“At first, the city said take all the water you

can use — plus more,” said Beretta, whose Llano Road pasture is across the road from two recycled water storage ponds holding treated wastewater from homes and businesses

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## FARMERS

### CONTINUED FROM A1

in Santa Rosa, Rohnert Park, Sebastopol and Cotati.

“It was a great relationship (between the city and the farmers),” he said. “There was nowhere else for the water to go.”

Beretta is one of the 61 ranchers who last year received 788 million gallons of recycled water from the Laguna Wastewater Treatment Plant to irrigate 6,400 acres that produce milk, hay, grapes and vegetables.

The agricultural water system, with 26 miles of pipe, stretches from Rohnert Park nearly to the county airport south of Windsor. The distribution to farmers is one of three ways the Santa Rosa plant found four decades ago to dispose annually of its now roughly 5 billion gallons of treated wastewater. The bulk of the outflow goes to The Geysers geothermal fields for use in energy production, with smaller amounts to agricultural

Organic dairies are required to maintain cows on pasture at least 120 days a year with 30% of their grass intake from pasture.

Over time, the city stopped paying ranchers to use recycled water, and a fee schedule adopted in 2019 after a series of public hearings and engagement with ranchers set rates from \$12.50 to \$50 per acrefoot in four steps from 2021 to 2024.

At the top rate, assuming he uses 80 million gallons, Beretta will pay \$12,275 for water that he was once paid up to \$22,000 — a \$34,000 swing on his bottom line, he said.

Moreover, his water allocation this year will likely be used up by the end of July, forcing him to tap one of the two deep irrigation wells he hasn't used since 1958.

“Without the reclaimed water it's going to force us back into the ground,” he said, referring to the use of potable groundwater.

Beretta said he's already spent \$15,000 to make sure the wells are operational. He may also have to

have “interruptible contracts,” allowing their water supplies to be curbed when there is an insufficient supply and including lower rates than other customers.

The recent cutbacks were “based on recycled water availability impacted by the drought and each ranch's past water use,” she said.

The Geysers, which receives 80% of the city's recycled water, and urban water users are guaranteed their water supply and pay substantially more for the reliability, Burke said.

Ranchers pushed for the lowest recycled water cost they could get, Beretta said. What griped them was taking cuts in their water allocation, while deliveries to The Geysers and urban irrigators were not curtailed.

“Just really hard to pay for something and not get the amount you need,” he said.

***“Without the reclaimed water it's going to force us back into the ground.”***



and urban irrigation, the latter in Santa Rosa and Rohnert Park.

The arrangement in the 1980s allowed bypassing discharge into the Laguna de Santa Rosa, a beleaguered Russian River tributary that previously was the main disposal route for treated wastewater.

In the early days, it was a boon for farmers.

In time, Beretta more than doubled his irrigated pasture to 200 acres, irrigating it with 80 million gallons a year of recycled water and enabling him to convert to organic milk production with a higher and more stable price.

“It was kind of a no-brainer,” he said.

spend up to \$92,000 on truckloads of alfalfa and hay for his animals because the well water won’t irrigate all 200 acres. Over the past decade, the city has sent ranchers an average of 1.6 billion gallons of recycled water a year, including that amount in 2019, according to Jennifer Burke, Santa Rosa Water director.

In 2020, the ranchers were limited to 1.4 billion gallons, a 13% reduction, and in 2021 their allocation was limited to 788 million gallons, a 44% cut from the previous year.

Burke said the ranchers

**DOUG BERETTA**, dairy rancher on the increasing cost of recycled wastewater



SONOMA COUNTY » WATER WORRIES

By

GUY KOVNER

THE PRESS DEMOCRAT

Homes and businesses across central Sonoma County generated more than 5 billion gallons of wastewater last year, enough to fill more than 7,500 Olympic-sized swimming pools. That sewage flowed into Santa Rosa’s regional treatment plant south of Sebastopol, where it was cleaned up and nearly all of it put to a second use.

About 4 billion gallons of recycled water was pumped north from the Llano Road treatment plant in a 41-mile pipeline and up a steep slope into The Geysers geothermal fields southeast of Cloverdale. There it was injected into the ground to generate enough clean, renewable energy for about 100,000 North Bay households.

The system also sent 788 million gallons of recycled water to 61 farms covering 6,400 acres

that produce milk, hay, grapes and vegetables, along with 386 million gallons for urban irrigation in Rohnert Park and Santa Rosa, the two largest cities in the wastewater system.

**Treated wastewater from a regional plant in Santa Rosa powers one of Calpine’s 15 geothermal power plants in The Geysers region.** CHRISTOPHER CHUNG / THE PRESS DEMOCRAT



**Dairy ranch owner Doug Beretta pulls elevated irrigation cylinders, which are used to help water a pasture on his 200-acre ranch, on April 28 in Santa Rosa. Beretta uses recycled water from Santa Rosa’s waste treatment plant.** KENT PORTER / THE PRESS DEMOCRAT



**WATER**

**CONTINUED FROM A1**

Every drop of the recycled irrigation water — safe for everything short of human consumption and sanitized to a

treatment process that includes removal of solids, clarification and filtration through a 4-foot bed of granular coal. Finally, the water is disinfected with ultraviolet light, deactivating potentially disease-causing bacteria and viruses, used instead of chlorination.

watershed, along with groundwater, constitute the main supplies.

“We’re always looking at our options,” Burke said, noting that conservation, surface water, groundwater and recycled water are in play. “We’re planning for the

degree that eliminates the COVID virus — replaces a drop of potable water from sources sure to be strained as California moves into its third year of worrisome drought.

But the state's water future is daunting, and could pose a fundamental challenge to Santa Rosa's recycling system, which was born out of controversy in the 1980s and is now hailed by state regulators as a win-win that safeguards local waterways — the Laguna de Santa Rosa and Russian River — previously used for discharge.

### Key water source

For water-stressed parts of California, where winter snowpack and rains are proving increasingly scarce or unreliable, recycled water is likely to prove a key source not just for irrigation but household and commercial use.

The warning signs are already apparent: State water regulators on Tuesday signaled plans to reduce or pause diversions along the Russian River and its tributaries in Sonoma and Mendocino counties as early as June. The moves would likely affect fewer than the 1,800 water rights frozen last year in the face of dangerously low reservoir levels.

Long-range climate forecasts call for even more severe and persistent droughts, making existing surface and groundwater supplies more tenuous, while California's latest long-term water strategy calls making greater use of recycled water.

"Recycled water is a sustainable, nearly droughtproof supply when used efficiently, and the total volume of water California recycles today could triple in the next decade," the 2020 California Water Resilience Portfolio said.

The 141-page document was issued in response to Gov. Gavin Newsom's executive order in 2019 calling for recommendations "to enable water security for all Californians."

It also called for streamlining regulations to expand use of nonpotable recycled water while "protecting food safety and the environment."

Recycled water that receives tertiary treatment is deemed safe for irrigation of landscapes, pastures, playground and crops that are eaten raw.

The city says it recycles 98% of the wastewater flowing into the plant, and there's obviously no desirable way to boost the flow. Successful conservation measures in recent decades have, in fact, reduced the total amount of water used by Californians — and the nation as a whole.

Those savings reduce the amount of water available for recycling, local officials noted.

Californians could further reduce urban water use by 30% to 48% by steps such as replacing inefficient appliances and installing low-water use landscaping, according to a Pacific Institute report last month.

The major constraint for more local water recycling is Santa Rosa's deal with Houston-based Calpine Corp., the nation's largest geothermal power producer, which operates 13 plants at The Geysers, straddling the Sonoma-Lake county line in the Mayacamas Mountains.

Steam wells, some deeper than 2 miles, tap superheated steam from water in contact with hot, porous and permeable rock. At the surface, steam runs through pipes to the power plants, spinning turbines that generate 725 megawatts of green energy around the clock.

Under a contract with Calpine that runs until 2037, Santa Rosa is required to provide 90% of the targeted 4.6 billion gallons of recycled water a year or pay penalties.

Reduced deliveries are allowed for natural catastrophes, such as wildfire and earthquake damage, but current drought conditions would not trigger that provision because there is enough water to fulfill the contract, said Jennifer Burke, director of Santa Rosa Water.

"The Geysers provides a critically important piece of our wastewater treatment system," she said. "We need it to dispose of our wastewater."

future with additional dry years," she said.

There are opportunities for expanded water recycling in the county's northern reaches, including Healdsburg, Cloverdale, Dry Creek Valley and Alexander Valley, said Grant Davis, general manager of Sonoma Water, the dominant water wholesaler and a key player in recycling efforts over the past two decades.

"As (potable) water becomes more constrained, you have to look further, you have to be more innovative," he said. "You need to work hard to make these projects pencil out," including the prospect of tapping ratepayers for support.

Adding a fourth step to the wastewater treatment process to transform sewage into potable water is an option, Davis and Burke said, noting that it is already happening in the state.

"Everything is on the table." Burke said.

### Leading the way

Orange County's \$481 million Groundwater Replenishment System, in operation since 2008, produces 100 million gallons of recycled water per day through an advanced purification process that includes microfiltration, reverse osmosis and ultraviolet light with hydrogen

peroxide. Two-thirds of the treated water is piped to recharge basins in Anaheim, replenishing groundwater that provides 75% of the water for more than 2.5 million Orange County residents — a system known as indirect potable water reuse.

Billed as the world's largest potable water purification facility, Orange County's system uses one-third of the energy required to desalinate seawater and half the energy needed to import water from Northern California.

No agency is currently allowed to produce recycled water for direct potable use, but the Water Resources Control Board is required by law to develop regulations for direct potable use — putting it into public water supplies — by the end of 2023.

The State Water Resources Control Board is currently funding \$970 million in loans and grants for 12 projects that would provide about 62,000 acre-feet of recycled water per year for urban and agricultural irrigation and indirect potable use through groundwater recharge. An acre-foot is 326,000 gallons, enough for more than two households for a year.

California produced 728,000 acre feet of recycled water in 2020, up about 40% from 20 years ago. Santa Rosa's 5 billion gallon production equals 15,344 acre-feet — enough to sustain 35,750 local households annually, or an average of more than 92,000 people.

### Obstacles to consider

Wastewater experts like to say all water on, in and above Earth is recycled and humans are using the same water as the dinosaurs.

But there are major constraints on how the modern system of sewage plants can respond, starting at Santa Rosa's Laguna Treatment Plant, located about 2 miles southwest of the city limits.

It receives an average of 16.4 million gallons of wastewater a day from more than 225,000 residents and 6,500 businesses in Santa Rosa, Rohnert Park, Cotati, Sebastopol and parts of Sonoma County outside cities.

The water goes through a three-step, 15-hour

Even if the city could curtail water delivery to The Geysers, it is prohibited from spraying more recycled water on farmland than the crops require, Burke said.

Calpine has so far shown no interest in renegotiating the contract, she said.

### Costs of recycling

Santa Rosa's last look at the prospects for expanding water recycling said it did not pencil out — “not cost effective for the foreseeable future,” according to the city's 2020 Urban Water Management Plan.

Burke said it would cost tens to hundreds of millions of dollars to install the necessary pipes, painted purple to distinguish them from ordinary potable water pipes.

Even at its current historically low level for this time of year, 2,700-acre Lake Sonoma west of Cloverdale, the North Bay's largest reservoir, holds a two- to three-year supply of water, she said. It has helped the region support growth while withstanding several droughts over the past four decades.

But city and county officials and water authorities are not downplaying the prospect of running low on drinking water around the North Bay, which has no connections to the state and federal water systems. Rainwater runoff into the Russian River

The regulations will provide options to California communities “working to diversify their water supply portfolios in the face of recurring drought and climate change,” Rebecca Greenwood, a water board engineering geologist, said in an email.



**Dairy ranch owner Doug Beretta of Santa Rosa moves irrigation pipe, which uses recycled wastewater, to water a pasture on April 28 on his 200-acre dairy ranch. KENT PORTER / THE PRESS DEMOCRAT**



San Francisco Chronicle Article link: [Chronicle](#)

## Major Bay Area water district will have ‘water cops’ enforce conservation for the first time ever

By Kurtis Alexander

For the first time ever, a major water supplier in Santa Clara County will be sending water inspectors into the streets to make sure homes and businesses aren't wasting water as California's drought deepens. The new, stepped-up enforcement action was approved Tuesday by the Santa Clara Valley Water District, the South Bay's largest water wholesaler, after months of dismal water savings by county residents.

"This is unprecedented," said district Chair Pro Tem John Varela, shortly before the governing board's unanimous vote. "We are in a water crisis. All 2 million people in this county need to adjust their water use to conform to conservation so that we will have water."

Violators could face fines of \$500 or more.

The district's crackdown is among a broader push by water agencies across the state to ratchet up savings and shore up supplies as California enters the hot summer months and a third extraordinarily dry year. The depths of the current drought are considered some of the most severe in state history.

Under the policy scheduled to start in Santa Clara County on June 1, contractors hired by Valley Water will be sent to investigate complaints of people violating local water restrictions. Per district policy, outdoor watering is limited to two days per week, watering cannot be done within 48 hours of rain or "mid-day," and irrigation water can't overflow onto streets or sidewalks.

If and when a violation is confirmed, the newly hired water inspectors will provide two warnings to the offender. After that, violators will be subject to a fine of \$100, a second fine of \$250 if the offense is not corrected and a third fine of \$500 if need be. Rare instances in which "substantial and intentional water waste" is documented could result in penalties up to \$10,000, district officials say.

"We want people to know that we're serious about this," Kirsten Struve, assistant officer at Valley Water's water supply division, told The Chronicle. "We have to get our water use down in the county so we have sufficient water."

The new rules and fines pertain to the more than 1 million residential and commercial customers in Santa Clara County served by water retailers that get supplies from Valley Water. Among these are the San Jose Water Co. and the cities of Santa Clara and Sunnyvale. Communities that don't get the bulk of their water from the district, including Palo Alto, are not affected.

Water wholesalers like Valley Water don't typically police the water use of households and businesses. That responsibility usually belongs to the retailers, which regularly interact with their customers through billing and other service matters.



However, officials at Valley Water, who will be working with retailers on enforcement, say the situation has gotten so dire that everyone needs to be involved in making sure water is used wisely.

“It’s the first time we’re stepping in to handle enforcement, but it’s necessary because of the unprecedented drought conditions,” said Neeta Bijoor, the district’s senior water resource specialist.

Despite district calls for 15% voluntary conservation, compared with 2019, water use was up 30% in the county in March, the latest month that records are available. When compared with 2020 water use, which is the state’s benchmark for consumption, use was up 5% in March.

This lack of conservation comes on top of several shortcomings with Valley Water’s supplies. First, the district’s groundwater is running low. Second, the surface water usually purchased from the state and federal water projects isn’t readily available. And lastly, the district’s largest reservoir was drained for earthquake retrofitting.

While Valley Water’s new enforcement tactics will be entirely complaint driven, the district says it’s already receiving about 30 reports of water violations each week. It expects that number to increase once the new policy takes hold and gets more publicity.

The Metropolitan Water District of Southern California, the state’s largest wholesaler, which sells to water agencies in Los Angeles and surrounding communities, has also begun taking a more hands-on approach to monitoring the water it sells.

Starting June 1, the water titan plans to make sure its retailers are enforcing a one-day-a-week outdoor watering policy. Local agencies that violate the rule could face fines up to \$2,000.

Many water agencies in the Bay Area have already limited when customers can water their lawns and gardens. Additionally, the state has adopted a handful of prohibitions on outdoor watering, including filling ornamental fountains and irrigating after rain, but these rules are seldom enforced.

Some water agencies have gone as far as putting caps on customer consumption, whether the use is outdoor or indoor. Such policies have been common in the North Bay, where supplies have been most scarce.

The East Bay Municipal Water District, which serves Alameda and Contra Costa counties, [recently adopted an “excessive use” penalty](#) for water users that exceed certain thresholds. While the limits are fairly generous, on top of a fine, violators will be subject to having their identities revealed per a transparency policy that during last decade’s drought led to widespread public shaming.

*Kurtis Alexander is a San Francisco Chronicle staff writer.*

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# ACWA ADVISORY

REGULATORY | DROUGHT  
May 24, 2022

## State Water Board Adopts Drought-Related Emergency Water Conservation Regulation

The State Water Resources Control Board today adopted a drought-related [emergency water conservation regulation](#) that places new requirements on urban water suppliers and new restrictions related to irrigation of non-functional turf. The regulation is expected to go into effect the week of June 6.

Three specific elements of the regulation include:

- Requires urban water suppliers to implement, at a minimum, all demand reduction actions identified in Level 2 of their locally adopted Water Shortage Contingency Plans.
- Requires urban water suppliers to submit a preliminary water supply and demand assessment to the Department of Water Resources by June 1, 2022.
- Prohibits the irrigation of non-functional turf with potable water in the commercial, industrial, and institutional sector. The ban on irrigation would include non-residential grass areas that are considered ornamental and not otherwise used for recreation or other community purposes.

The prohibition on irrigation of non-functional turf does not apply to residential customers, turf irrigated with recycled water or irrigation of trees and other perennial plantings. The prohibition does apply to homeowner associations' common areas. Water suppliers are authorized to fine customers not in compliance.

State Water Board staff will be developing a detailed "frequently asked questions" document to help clarify the regulation specifics. Development of such a document was one of the recommendations made by ACWA in a written [comment](#)



[letter](#) submitted jointly with the California Municipal Utilities Association in response to the draft regulation.

ACWA staff and a number of member agencies testified during the State Water Board meeting to urge a locally driven approach that recognizes local water supply conditions as opposed to a one-size-fits-all regulation.

Agencies also shared information about their conservation efforts and investments in climate resiliency, including the diversification of water supplies through potable reuse, increased storage, recycled water and other projects.

Based on water agency and stakeholder comments, the State Water Board added some new changes to the proposed regulation during its meeting. First, the State Water Board clarified that if a water supplier has not submitted a Water Shortage Contingency Plan, and will be following the default Level 2 response actions outlined in the regulations, the limitation on outdoor watering two days a week is limited to potable water. Further, a limited exemption from the requirement to adopt Level 2 of locally adopted Water Shortage Contingency Plans was added. Finally, a small exception was provided for non-functional turf that meets certain drought-tolerance standards, among other more technical updates and changes.

An updated version of the regulation will likely be posted on the State Water Board's [website](#).

## Background

The proposed regulation was drafted in response to Gov. Newsom's calling for Californians to voluntarily reduce water use by 15% compared to 2020 levels. The conservation request – extended by the [March 28 Executive Order](#) — applies to residential, industrial, commercial, agricultural and institutional water users. The State Water Board continues to track and report monthly on the state's progress toward achieving the 15% reduction.

In addition, the State Water Board adopted emergency regulations to prevent wasteful water uses and promote urban water conservation that went into effect Jan. 18.

## Questions

For questions about the emergency regulation or ACWA's comments, please contact ACWA Senior Legislative Advocate Julia Hall at [JulieH@acwa.com](mailto:JulieH@acwa.com) or 530-902-9746.

# PROPOSED EMERGENCY REGULATION TEXT

Version: May 13, 2022

## Title 23. Waters

### Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

#### Chapter 3.5. Urban Water Use Efficiency and Conservation

#### Article 2. Prevention of Drought Wasteful Water Uses

##### § 996. Urban Drought Response Actions

(a) As used in this section:

(1) “Commercial, industrial and institutional” refers to commercial water users, industrial water users, and institutional water users as respectively defined in Water Code, section 10608.12, subdivisions (e), (i), and (j), and includes homeowners’ associations, common interest developments, community service organizations, and other similar entities but does not include the residences of these entities’ members or separate interests.

(2) “Common interest development” has the same meaning as in section 4100 of the Civil Code.

(3) “Community service organization or similar entity” has the same meaning as in section 4110 of the Civil Code.

(4) “Homeowners’ association” means an “association” as defined in section 4080 of the Civil Code.

(5) “Non-functional turf” means turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events. Non-functional turf does not include sports fields and turf that is regularly used for human recreational purposes or for civic or community events.

(6) “Separate interest” has the same meaning as in section 4185 of the Civil Code.

(7) “Turf” has the same meaning as in section 491.

(8) “Urban water supplier” has the same meaning as Water Code section 10617.

(9) “Water shortage contingency plan” means the plan required by Water Code section 10632.

- (b) Each urban water supplier shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code.
- (c) (1) Each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources shall implement by June 10, 2022, at a minimum, the demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten to twenty percent (Level 2).
- (2) Notwithstanding subdivision (1), urban water suppliers shall not be required to implement new residential connection moratoria pursuant to this section.
- (d) Each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources shall, by June 10, 2022, and continuing until the supplier has implemented the demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten to twenty percent (Level 2), implement at a minimum the following actions:
- (1) Initiate a public information and outreach campaign for water conservation and promptly and effectively reach the supplier's customers, using efforts such as email, paper mail, bill inserts, customer app notifications, news articles, websites, community events, radio and television, billboards, and social media.
- (2) Implement and enforce a rule or ordinance limiting landscape irrigation to no more than two days per week and prohibiting landscape irrigation between the hours of 10:00 a.m. and 6:00 p.m.
- (3) Implement and enforce a rule or ordinance banning, at a minimum, the water uses prohibited by section 995. Adoption of a rule or ordinance is not required if the supplier has authority to enforce, as infractions, the prohibitions in section 995 and takes enforcement against violations.
- (e) (1) To prevent the unreasonable use of water and to promote water conservation, the use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites.
- (2) Notwithstanding subdivision (e)(1), the use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need.

- (f) The taking of any action prohibited in subdivision (e) is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.
- (g) A decision or order issued under this section by the Board, or an officer or employee of the Board, is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the Water Code.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, and 4185, Civil Code; Section 8627.7, Government Code; Sections 102, 104, 105, 275, 350, 491, 1122, 10608.12, 10617, 10632, and 10632.1, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463; *Stanford Vina Ranch Irrigation Co. v. State of California* (2020) 50 Cal.App.5th 976.



Sent via ELECTRONIC MAIL to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov).

May 19, 2022

Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100,  
Sacramento, CA 95812-2000

**RE: Joint ACWA/CMUA Comment Letter – Proposed Drought-Related Emergency Regulation for Water Conservation**

Dear Ms. Townsend:

The Association of California Water Agencies (ACWA) and California Municipal Utilities Association (CMUA) appreciate the opportunity to submit comments to the State Water Resources Control Board (State Water Board) on the Proposed Drought-Related Emergency Regulation for Water Conservation (Proposed Emergency Regulation). ACWA represents over 460 local public water agencies that supply water for domestic, agricultural, and industrial uses to over 90 percent of California's population. CMUA represents over 50 public water agencies that deliver water to over 75 percent of California's population. Our member agencies take California's drought emergency and the associated challenges in water management very seriously, as demonstrated by ongoing water savings following the previous drought.

ACWA and CMUA appreciate the Governor's and State Water Board's recognition of locally adopted water shortage contingency plans. Based on the lessons learned from the 2012-2016 drought, the State recognized that a locally tailored approach, that considers unique hydrology, water supplies and water uses, is the best path forward for responding to drought challenges. Following the previous drought, the State took significant steps to bolster local drought planning, including new requirements to improve consistency of the development and implementation of water shortage contingency plans. Recent public polling demonstrates that communities have a high level of trust in their local water suppliers. Utilizing local agency-level planning documents recognizes that relationship.

Last year, water suppliers submitted updated urban water management plans and water shortage contingency plans to the Department of Water Resources. On July 1, 2022, water suppliers will also be required to conduct and submit annual water shortage contingency plans. These plans will provide transparency to the State and diverse stakeholders on water shortage levels and the response actions local water suppliers are undertaking to respond to those conditions. We continue to urge the State to rely on these plans, both in responding to the current emergency drought, and in preparing for prolonged and more frequent droughts anticipated with climate change. ACWA and CMUA will continue to be partners as the State works to address drought and long-term water challenges.

ACWA and CMUA offer the following more specific input for the State Water Board on the Proposed Emergency Regulation.

### **Irrigation of Non-functional Turf at Commercial, Industrial, and Institutional Sites**

ACWA and CMUA appreciate and support that the “non-functional turf” provisions of the Proposed Emergency Regulation recognize and provide the necessary flexibility to protect the health of shade trees and urban forests. We also appreciate that these regulations limit the prohibition of irrigation to potable water, which recognizes local efforts to implement locally sustainable recycling programs that will help mitigate some of the impacts of drought on our landscapes. In supporting the Governor’s call for conservation in response to the State’s ongoing drought emergency, it is critical that the State Water Board consider and minimize other potentially adverse impacts as a result of these regulations. Further, some additional clarity on implementation may be helpful as local agencies work with their customers to better understand these issues. See below for discussion of specific issues.

#### Disadvantaged Communities

ACWA and CMUA request consideration of the impacts of a prohibition on watering non-functional turf landscapes in disadvantaged and low-income communities. These communities likely have fewer resources immediately available to transform non-functional turf into water-wise landscapes, and we urge the State Water Board to consider ways to mitigate these impacts on communities that already disproportionately lack green space. Further, it will be important to be thoughtful in defining what turf is “non-functional” in these communities as many may use non-traditional green spaces as access to nature. To address these concerns, we propose the following change to section 962(e)(2):

“(2) Notwithstanding subdivision (e)(1), the use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other perennial non-turf plantings, ~~or~~ to the extent necessary to address an immediate health and safety need, or to the extent necessary to minimize adverse impacts to disadvantaged communities.”

#### Homeowners Associations and Common Interest Developments

ACWA and CMUA request the State Water Board thoughtfully consider the different types of homeowners associations (HOAs) and common interest developments (CIDs) in its implementation of the Proposed Emergency Regulation. We note there are nuances in how HOAs and CIDs are used and defined across the state, with many serving low-income and senior populations. We want to ensure residents of communities managed by HOAs have public gathering areas available; those areas should be considered functional. Further, for residential HOAs and CIDs specifically, there may be areas defined as “common interest” that are actually managed as separate interests.

#### Defensible Space

ACWA and CMUA recommend the Proposed Emergency Regulation be amended to include an allowance for defensible spaces that serve to minimize the risk of wildfire. As proposed, defensible space could be considered under the State Water Board’s proposed “non-functional turf” definition. We propose language in section 996(e)(2) to clarify that the use of water for non-functional turf is not prohibited to ensure the watering of defensible space for wildfire prevention.



#### Additional Guidance for Local Agencies and the Public

The Proposed Emergency Regulation includes infraction authority, punishable by a fine of up to \$500 for each day of violation. The definition for non-functional turf is appropriately non-specific given the variety of uses of turf in different communities, but this could make the regulation potentially open to interpretation or misunderstanding. ACWA and CMUA would encourage and appreciate the development of “Frequently Asked Questions” with general guidance on these issues that may help inform both local agencies and the public as these regulations are implemented. It is also unclear under the Proposed Emergency Regulation who is responsible for citing and fining these violators; this ambiguity could create confusion. Given the scope of the Proposed Emergency Regulation, and to ensure consistent interpretation and implementation, we believe that the State Water Board is best suited to retain this authority. We would also encourage the State to define its enforcement plans and invest in broad communication of those plans.

#### **Funding for Drought Conservation Response and Related issues**

The State Water Board should partner with the water community to secure additional funding for local incentives to empower water users to use water wisely both in response to the drought emergency and to achieve the long-term goal of making water conservation a California way of life. Our associations have recommended that additional funding be made available in this year’s budget for urban water conservation for investments in both long and short term water efficiency, including addressing leaks, reducing demand, providing water efficiency related mapping and training, and maintaining a drought vulnerability tool. Likewise, funding is a critical tool to support and enable turf replacements across the state. Further, we encourage consideration of State Revolving Funds for infrastructure to support water use efficiency and prevent leak loss, which is critically important.

#### **Implementation of Level 2 Water Shortage Contingency Plans**

The requirement to implement demand reduction actions identified in Level 2 of locally adopted water shortage contingency plans recognizes the local planning efforts that have been taken to prepare for and respond in times of shortage. Water shortage contingency plans may include both supply augmentation and demand reduction actions that a water supplier determines are appropriate for its unique local supplies and conditions. Proposed Emergency Regulation section 996(c) would limit implementation for a Level 2 shortage to demand reduction actions, recognizing that supply augmentation is not appropriate where a supplier is not experiencing a shortage. While we note that the flexibility to implement actions appropriately is appreciated, we would encourage the State Water Board to recognize the importance of supply augmentation where needed. Further, ACWA and CMUA appreciate that compliance with this requirement is not based on a percent reduction but on the implementation of these demand reduction actions.

With this flexibility in mind, ACWA and CMUA urge the State Water Board to thoughtfully consider how it will evaluate and publicly report on water suppliers’ implementation of the Proposed Emergency Regulation. Because many water shortage contingency plans may include supply augmentation measures, some water suppliers will only implement the demand reduction actions of their plan. State Water Board reporting on implementation of Level 2 of the water shortage contingency plans may misconstrue the actions water suppliers are taking in compliance with the Proposed Emergency Regulations. ACWA and CMUA encourage the Board to focus on the demand reduction actions being implemented.

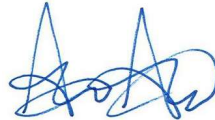
These comments are offered on behalf of ACWA and CMUA. We anticipate that the State Water Board will also receive comments from some of our member agencies with feedback based on unique characteristics and local conditions. We encourage the State Water Board to consider those comments.

ACWA and CMUA appreciate consideration of these comments. If you have any questions regarding these comments, please contact Julia Hall at [JuliaH@acwa.com](mailto:JuliaH@acwa.com) or Andrea Abergel at [AAbergel@cmua.org](mailto:AAbergel@cmua.org).

Sincerely,



Julia Bishop Hall  
Senior Legislative Advocate, ACWA



Andrea Abergel  
Senior Regulatory Advocate, CMUA

cc: The Honorable Joaquin Esquivel, Chair, State Water Resources Control Board  
The Honorable Dorene D'Adamo, Vice Chair, State Water Resources Control Board  
The Honorable Sean Maguire, Board Member, State Water Resources Control Board  
The Honorable Nichole Morgan, Board Member, State Water Resources Control Board  
The Honorable Laurel Firestone, Board Member, State Water Resources Control Board  
Ms. Eileen Sobeck, Executive Director, State Water Resources Control Board  
Mr. Eric Oppenheimer, Chief Deputy Director, State Water Resources Control Board  
Mr. Dave Eggerton, Executive Director, Association of California Water Agencies  
Ms. Cindy Tuck, Deputy Executive Director for Government Relations, Association of California Water Agencies  
Ms. Danielle Blacet-Hyden, Deputy Executive Director, California Municipal Utilities Association  
Ms. Chelsea Haines, Regulatory Relations Manager, Association of California Water Agencies



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CRWA, in partnership with DWR, is offering FREE leak detection surveys. If you are a small and/or tribal water system & are interested in getting leak detection technical assistance, please contact: Ruby Viramontes at [viramontes@calruralwater.org](mailto:viramontes@calruralwater.org).



California  
Rural Water Association

CALIFORNIA RURAL  
WATER ASSOCIATION

1234 N. Market Blvd.  
Sacramento, CA 95834  
(916) 553-4900

[www.calruralwater.org](http://www.calruralwater.org)

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**California Special  
Districts Association**  
*Districts Stronger Together*

## CSDA Joins Coalition Calling for Significant State Investment in Water Sustainability Projects as New Drought Regulations Take Effect

By [Kristin Withrow](#) posted 20 hours ago

In light of the critical water reliability issues facing the state, CSDA co-signed a letter with the [California Municipal Utilities Association](#) and the [Community Water Center](#) urging the Newsom Administration and legislative leaders to provide significant investments in the 2022-2023 State budget for water projects that can help ensure a sustainable water system. With a discretionary budget surplus of nearly \$50 billion, the opportunity to take bold action is now. Among the suggested priorities are water affordability, dam safety, access to safe drinking water, groundwater management, recycled water and more. [View the letter in its entirety here.](#)

To address the continuing drought with more immediate actions, at its May 24 meeting, the State Water Resources Control Board (SWRCB) approved an Emergency Drought Regulation based on Governor Gavin Newsom's [Executive Order #N-7-22](#) of March 28. The order mandates the following actions:

- All watering of non-functional turf with potable water in commercial, institutional and industrial (CII) settings will be banned. CII users include "...homeowners' associations, common interest developments, community service organizations, and other similar entities but does not include the residences of these entities' members or separate interests." Non-functional turf is defined as "...turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events. Non-functional turf does not include sports fields and turf that is regularly used for human recreational purposes or for civic or community events."
- All urban water suppliers are required to submit a preliminary annual water supply and demand assessment to the Department of Water Resources by 6/1/22, followed by a final assessment by 7/1/22.
- By June 10, 2022, all urban water suppliers must implement all demand reduction actions outlined in Level 2 of their Water Shortage Contingency Plans (WSCP). For agencies without a WSCP, the SWRCB prescribes a number of mandatory actions to be taken. The baseline year for measuring demand reduction will be 2020.

Many water suppliers and stakeholders commented at the meeting, with a number noting that their agencies have made significant investments in drought-resilient water supplies and that customer usage has steadily decreased.

SWRCB staff indicated the expectation that water suppliers communicate to their commercial, industrial and institutional (CII) customers about the ban, and also affirmed local agencies' authority to enforce the regulation at their discretion.

Based on stakeholder feedback, the SWRCB Board altered the draft regulation of May 13 in a few areas. The text of the adopted regulation can be found [here](#). It is anticipated to go into effect the week of June 6 and last for one year, unless extended by the state.

Permalink

<https://www.csda.net/blogs/kristin-withrow1/2022/05/31/csda-joins-coalition-for-state-investment-in-water>





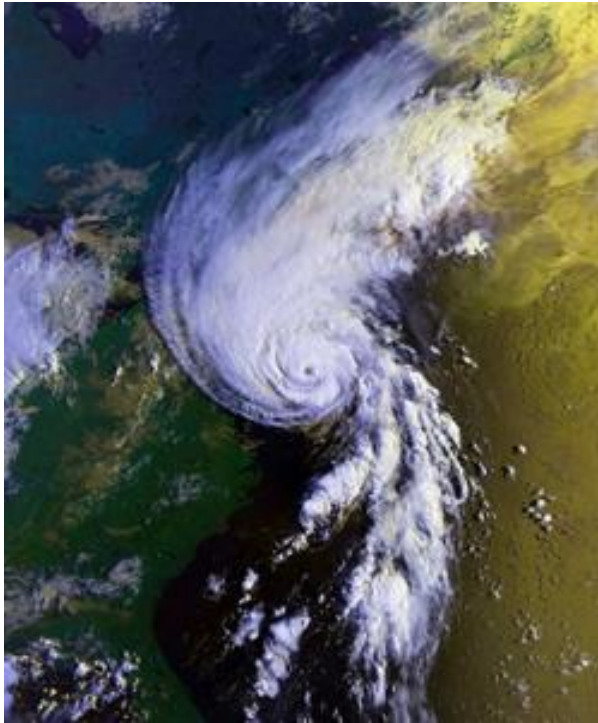
## California Special Districts Association

*Districts Stronger Together*

### Wish You Could Better Understand When, Where, and How Much it will Rain?

By [Kristin Withrow](#) posted 21 hours ago

Did you know that roughly half of California's annual precipitation and over 90-percent of its flood damages are caused by a phenomenon known as atmospheric rivers?



ARs, as they are commonly known, are focused channels of moisture in the atmosphere that can carry the equivalent of 25 Mississippi Rivers' worth of water within individual storm systems. Accurately forecasting ARs to strengthen our resilience to climate change is the central goal of California scientists, federal and state agencies, and regional water districts.

[Sonoma Water](#), scientists at UC San Diego's Scripps Institution of Oceanography, California Department of Water Resources, and the U.S. Army Corps of Engineers have pioneered a program called [forecast-informed reservoir operations](#), or FIRO for short. FIRO enables water resource

managers to optimize how much water is stored in California reservoirs by incorporating AR forecasts into operational decision making. This approach allows water agencies to enhance their water supply while also mitigating flood risks during the rainy season. In 2021, [FIRO enabled Sonoma County](#) to store an additional 11,000 acre feet, a nearly 20-percent increase, in Lake Mendocino that otherwise would have been required to be released under existing regulations.

Improved AR forecasts also provide the data needed for the National Weather Service to create hazard weather forecasts alerting residents and emergency managers of dangerous mudslides and post-wildfire debris flows within burn zones. Forecast-based



decisions also support groundwater recharge efforts, renewable energy generation, and biodiversity conservation goals.

A [statewide coalition](#) water agencies and stakeholders, including CSDA, are pursuing a \$10 million budget request to the State of California to ensure continued AR forecast improvement and FIRO implementation at additional reservoirs. The Governor's May Revise includes \$10m in ongoing funding to expand FIRO and support AR forecast development. For more information about the coalition and its efforts, please contact Ian Clampett with UC San Diego's Scripps Institution of Oceanography at [iclampett@ucsd.edu](mailto:iclampett@ucsd.edu).

The \$10 million proposal for AR forecasting and FIRO implementation is included in the [2022 Key Budget Requests](#) CSDA is supporting in the State Budget process. Legislators must pass a balanced budget by the Constitutional deadline of June 15.

To learn more about AR and advanced precipitation quantification information radar systems, watch this [CSDA video featuring Sonoma Water and Santa Clara Valley Water District](#). For more information about Scripps atmospheric rivers research, please visit the [Center for Western Weather and Water Extremes \(CW3E\)](#) website. CW3E at Scripps is the world's leading center for research on atmospheric rivers. Its aims are to improve scientists' abilities to characterize ARs, predict if, when and where they will originate and make landfall, and how intense they will be. A scale created by CW3E scientists works similarly to scales measuring wind or hurricane strength and helps emergency officials distinguish between largely beneficial ARs and those with the potential to cause severe flooding and property damage.

Permalink

<https://www.csda.net/blogs/kristin-withrow1/2022/05/31/wish-you-could-better-understand-when-where-and-ho>

Agenda Item:

**Accessory Dwelling Unit**

Summary:

**June 14, 2022:**

The first draft of amending Resolution #151 of proposed amendments and exhibits to be included along with a sample of a flow chart for employee's has been submitted to FWD Legal Counsel for further edits.

Included is the draft, exhibits and flow chart.

**HISTORICAL:**

**May 10, 2022:**

Staff is in the process of researching other Districts' policies to assist with the drafting of Forestville Water District's Accessory Dwelling Unit policy.

**April 12, 2022:**

Legal advised the Board on the laws for connection fees and bi-monthly charges.

Board instructed FWD Staff draft the policy including a flowchart.

**March 8, 2022:**

A minimum of 5 accounts are in the process of adding Accessory Dwelling Unit (ADUs) onto their properties so the Board will need to open the discussion for any new policies & what the District can & cannot legally charge for.

Included Sonoma County ADU Code, Government Code 65850, and Senate Bill 1069.

Potential Board Actions:

The Board may review, discuss and/or give further instructions to the FWD Staff.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

RESOLUTION OF THE FORESTVILLE WATER DISTRICT **AMENDING RESOLUTION 151 AND ESTABLISHING SEWER** POLICY FOR CONNECTIONS ON PROPERTY UNDER ONE OWNERSHIP WHERE SERVICE TO MORE THAN ONE RESIDENTIAL STRUCTURE IS REQUESTED

WHEREAS, Sections 34 and 151 of Ordinance No. 2 and Section 3.09 of Ordinance No. 32 provide that not more than one parcel of real property under one ownership shall be serviced from each service connection, except for apartments, office buildings, or structures of a like nature, and

WHEREAS, the Board of Directors believe it is necessary to set forth a policy which will assist its staff in interpreting and administering said provisions of the ordinance.

**WHEREAS** the Forestville Water/Sanitation District (“FWD”) imposes capacity charges on all new residential developments that use sewer capacity (Exhibit A); and,

**WHEREAS**, the Governor of California signed Assembly Bill No. 2299 (AB 2299) into law on September 27, 2016, amending Section 65852.2 of the California Government Code limiting the authority of cities and counties to regulate accessory dwelling units (“ADUs”); and,

**WHEREAS**, AB 2299 prohibits cities and counties from imposing capacity charges on ADUs that are contained within the existing space of a single family residence or an accessory structure and have an independent exterior access from the existing residence (Attached ADU); and

**WHEREAS**, AB 2299 authorizes cities and counties to impose capacity charges on ADUs that are constructed either to expand the footprint of the existing single-family residence or accessory structure, or to be a new accessory structure on the parcel (Detached ADU) provided that the capacity charge is proportionate to the burden on the sewer system created by the proposed ADU, based on either its size or the number of its plumbing fixtures; and

**WHEREAS**, on August 4, 1981, FWD adopted Resolution 151 amending provisions of its resolution regarding Multiple Units to conform with AB 2299; and,

**WHEREAS**, the FWD Board of Directors anticipates that the rules governing the imposition of capacity charges by cities and counties for ADUs under AB 2299 and other legislation will be made applicable to special districts by the state legislature; and,

**WHEREAS**, the FWD Board finds that the impact of Attached ADUs on the sewer system capacity is, on average, no greater than the impact from the existing single family residence or accessory unit and therefore no capacity charges should be required for such ADUs; and,

**WHEREAS**, the FWD Board finds that, for Detached ADUs, capacity charges should be

calculated based on their estimated proportional burden on the system, and that calculating the charge based on the square footage of the Detached ADU is the best available data for sewer capacity usage.

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

- A. Where an application is received by the District to serve more than one residential structure located on a single parcel of real property under one ownership, and the application does not fall within one of the expressed exceptions provided in Sections 34 and 151 of Ordinance No. 2, as determined by the District, the application shall be denied unless the applicant satisfies the following conditions:
  1. The applicant provides the District with a written permit or statement from the County of Sonoma Planning Department or other appropriate County Department that the added residential unit(s) are permitted without a duly approved lot split.
  2. That the applicant and owner of the property execute a written statement, on a form provided by the District and subject to recording in the **Official Records** of Sonoma County, acknowledging that if the property is divided at a later date the District may require an additional service lateral and service meter and required payment of the added charges for the new connection(s). In such event, credit for the connection charges previously paid shall be given.
  3. The meter size shall be adjusted as may be required to handle the additional residential unit and the applicant shall pay the additional connection fees and increase in the costs of the meter used arising out of the increase in the size of the meter.
  4. For each residential structure served, a monthly charge will be paid to the District, and the customer shall receive the appropriate amounts of water allowed in accordance with the monthly charges.
  5. The property owner shall be responsible for the payment of the water bill.
  6. That the applicant acknowledges that the policy established by the resolution and the charges of the District are at all times subject to review and changes by the Board of Directors of the District.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE FORESTVILLE WATER DISTRICT:**

**ARTICLE 2** of ORDINANCE No. 2 and ORDINANCE 32, titled "Definitions," is amended to include the follow definitions:

**Accessory Dwelling Unit (ADU) – AKA "granny units, in-law units, second units, and backyard cottages". An ADU is a small dwelling unit (maximum of 1,200 square feet) that may be established in addition to single-family or multi-family dwellings in residential, mixed-use, or agricultural zones. An ADU may be detached, attached to**

primary dwelling or other accessory structure, or located within a main dwelling and may involve new construction or conversion of an existing structure (such as a detached garage or other accessory structure, or a portion of a dwelling).

**Attached Accessory Dwelling Unit** – shall mean an Accessory Dwelling Unit that is constructed and contained within the existing space of the single-family residence or accessory structure and has an independent exterior access from the existing residence.

**Detached Accessory Dwelling Unit** – shall mean an Accessory Dwelling Unit that is constructed either to expand the footprint of the existing single-family residence or accessory structure, or to be a new accessory structure on the parcel.

**Junior Accessory Dwelling Unit (JADU)** – is a specific type of ADU (maximum of 500 square feet) that is built within an existing residence, utilizes an existing bedroom, and has a small efficiency kitchen.

SECTION 2.03 of Ordinance 32, titled “Abbreviations” is hereby amended to include the following Acronyms:

**ADU** Accessory Dwelling Unit

**JADU** Junior Accessory Dwelling Unit

EXHIBIT A and B, attached hereto and incorporated by this reference.

PASSED AND ENACTED at a regular meeting of the Board of Directors of Forestville Water District duly held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Matt McDermott, Chair  
Forestville Water District

ATTEST:

\_\_\_\_\_  
Dawn Leith, Board Clerk  
Forestville Water District



George's copy

# EXHIBIT A

Forestville Water District  
 P.O. Box 261  
 Forestville, CA 95436

## EQUIVALENT SINGLE-FAMILY DWELLING BILLING UNIT FOR FORESTVILLE CSD

Use Category	Billing Basis			Use of Measurement	ESD Calculation
	Flow gallons / day	BOD mg/l	TSS mg/l		
<b>Residential</b>					
Single family	140	324	324	connections	1.00
Condominium	140	324	324	dwelling units	1.00
Multiple family	112	324	324	dwelling units	0.80
Mobile home park	112	324	324	spaces	0.80
Mobile home (Individual)	112	324	324	units	0.80
Granny unit	112	324	324	unit	0.80
<b>Commercial</b>					
Appliance repair	190	200	200	1,000 sq. ft.	1.01
Art gallery	190	200	200	1,000 sq. ft.	1.01
Auto dealers					
With service facilities	190	180	280	connection	1.10
Without service facilities	38	180	280	add per service bay	0.22
Bakery	190	200	200	connection	1.01
Butcher	190	1000	600	1,000 sq. ft.	2.67
Banks & financial institutions	190	130	80	see note 1 below	
Barber shop	19	130	80	1,000 sq. ft.	0.75
Beauty shop	38	130	80	chair	0.08
Bars & taverns	20	200	200	chair	0.15
Car washes, self service	190	20	150	seat	0.11
Camp ground or RV park				stall	0.70
with hookups	125	200	200		
without hookups	75	200	200	site	0.67
Churches, hall & lodges	2	200	200	site	0.40
Coffee shops	6	1000	600	seat	0.01
Dry cleaners	285	150	110	seats	0.08
Fire stations	190	200	200	1,000 sq. ft.	1.23
Garages	95	180	280	1,000 sq. ft.	1.01
Hospitals				service bays	0.55
Convalescent	125	250	100		
General	175	250	100	beds	0.62
Veterinarian	6	250	100	beds	0.87
Hotels/motels	100	310	120	cages	0.03
Laundromats	500	150	110	sleeping rooms	0.56
Library	190	200	200	washing machines	2.16
Machine shops	162	180	280	1,000 sq. ft.	1.01
Markets	38	800	800	1,000 sq. ft.	0.88
Offices				1,000 sq. ft.	0.53
Business	76	130	80		
Dental	190	130	80	1,000 sq. ft.	0.30
Medical	190	130	80	Exam. room	0.75
Post office	190	130	80	Exam. robm	0.75
Resort				1,000 sq. ft.	0.75
Restaurants				calc per ESD	
Dine-in					
With DW & garbage disp.	6	1000	600	seat	0.08
With DW or garbage disp.	6	619	371	seat	0.06
Without DW & garbage disp	6	238	143	seat	0.03
Take-out	475	238	143	1,000 sq. ft.	2.47
Rest homes	125	250	100	beds	0.62
Retail stores	38	150	150	1,000 sq. ft.	0.18
Schools					
Elementary	9	130	100	per student day	0.04
High	14	130	100	per student day	0.06
Service stations	380	180	280	set of gas pumps	2.19
Shoe repair	38	180	280	add per service bay	0.22
Theaters	190	200	200	1,000 sq. ft.	1.01
Warehouse	2	200	200	seat	0.01
Others Uses Not Listed				see note 1 below	
<b>Industrial</b>				see note 1 below	

Duplex = 1.8

ALL COMMERCIAL ESDs TO BE DETERMINED BY THE FOLLOWING FORMULA:

$$ESD = (TSS \times FLOW \times 0.33) / (SFD TSS \times SFD FLOW) + (BOD \times FLOW \times 0.33) / (SFD BOD \times SFD FLOW) + (FLOW \times 0.34) / SFD FLOW$$

Note 1: Use to be calculated on a case by case basis using the above formula

Definitions:	Flow = Gallons Per Day
	BOD = Biological Oxygen Demand
	TSS = Total Suspended Solids
	ESD = Equivalent Single Family Dwelling



## EXAMPLE OF EXHIBIT B

Project Classification and Fees for Accessory Dwelling Units (ADUs) and Accessory Structures											
Category	Junior Accessory Dwelling Unit (Jr ADU)		Accessory Dwelling Unit (ADU) DETACHED		Accessory Dwelling Unit (ADU) ATTACHED		Additional Residential Unit <span style="color: red;">Note 2</span> <i>(optional for brochure)</i>		Accessory Structure Connected to Sewer <span style="color: red;">Note 2</span> <i>(optional for brochure)</i>		
Sq. Ft. Limits	less than 500 square feet		not more than 50% of existing footage*		not more than 1,200 square feet* primary dwelling square footage*		No size limits		No size limits		
Qualifying Features	Full/partial kitchen (bathroom not required) Must be within the walls of an existing Single Family Residence		Both full bath and full/partial kitchen (i.e. "additional sink outside bathroom")		Both full bath and full/partial kitchen (i.e. "additional sink outside bathroom") <span style="color: red;">Note 2</span>		Both full bath and full/partial kitchen (i.e. "additional sink outside bathroom") <b>AND</b> <b>does not meet ADU criteria</b>		Connected to sewer with either (1) sink in bath or (2) sink outside bath, but not both		
Category	Conversion of Existing Space	New Construction	Conversion of Existing Space	New Construction	Conversion of Existing Space	New Construction	Conversion of Existing Space	New Construction	Conversion of Existing Space	New Construction	
Capacity Fee	No fee	<del>Not Allowed</del>	No fee	Note 1	Per-Square Foot Fee under Govt Code 65852.2 (f)(5)	Note 1	Per-Square Foot Fee under Govt Code 65852.2 (f)(5)	Capacity Fee	Capacity Fee	No fee	No fee
Annual Sewer Service Charge	No fee	<del>Not Allowed</del>	Additional Annual Charge	Additional Annual Charge	Additional Annual Charge	Additional Annual Charge	Additional Annual Charge	Additional Annual Charge	Additional Annual Charge	No fee	No fee
Other Fees	Application Fee (all projects), Inspection Fees (may or may not be required)										

\*Conversion = 100% within footprint of existing dwelling (ADU can expand existing footprint by up to 150 sq ft for ingress/egress only) Attached = shared structural element (floor, wall, ceiling) with main dwelling  
Detached = stands alone/unsupported by main dwelling

Partial kitchen - contains a sink and refrigerator but no stove Note 2

Note 1 - State law also allows proportionality by fixture count  
Note 2 - This is specific to

We typically receive a couple projects a year that the applicant characterizes as a "pool house", "artists studio", or something like that and doesn't want to pay the associated ADU fees. Government Code section 65852.2(j)(1) defines an ADU as

*an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:*

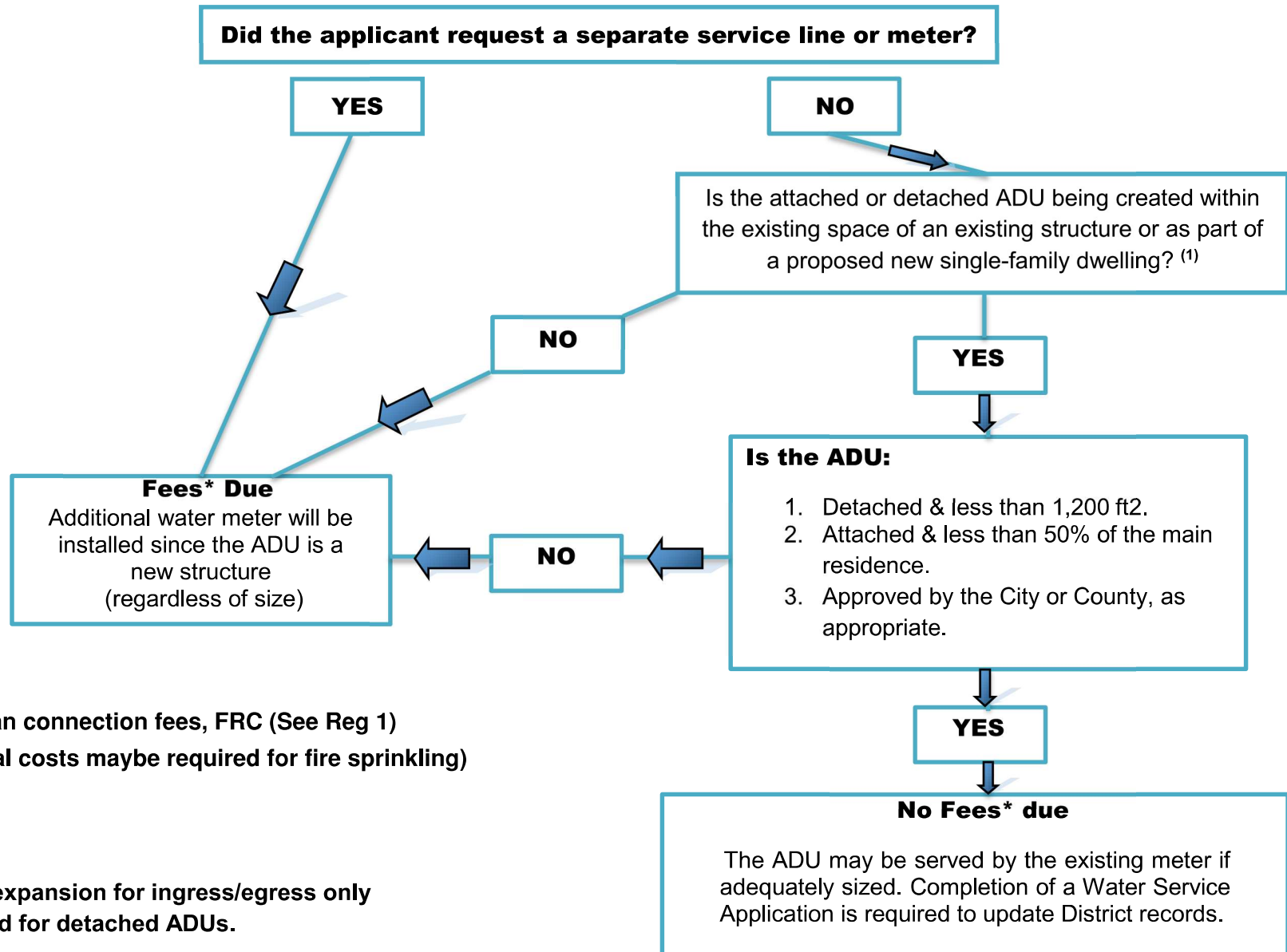
- (A) An efficiency unit.
- (B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

Central San generally characterizes anything with a full bath and a partial kitchen as an ADU - the partial kitchen being defined under further down under Health & Safety. Internally, we refer to this as "sink outside the bathroom." My highlights on the PDF point out that this is our language (and interpretation), not state law.

# EXAMPLE

## Accessory Dwelling Unit (ADU) Requirements

### Attached or Detached from Main Residence



\*Fees mean connection fees, FRC (See Reg 1)  
(Additional costs maybe required for fire sprinkling)

(1) 150 ft2 expansion for ingress/egress only allowed for detached ADUs.

Agenda Item:

**ESTABLISHING BYLAWS**

Summary:

**June 14, 2022:**

The Board Clerk has provided a few bylaw examples in the board packet for review. These and additional bylaw examples are available for review in Dropbox in the "Subcommittee Projects" file.

**Historical:**

**May 10, 2022:**

The Board tabled to next month's meeting and instructed the Board Clerk to provide examples in the June board packet.

Potential Board Actions:

The Board may either:

1. Select two Directors for the Subcommittee members and date(s) for meeting(s).
2. The Board may review, discuss and/or give further instructions to the FWD Staff.

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

**BYLAWS OF THE BOARD OF COMMISSIONERS  
MOSS LANDING HARBOR DISTRICT**

**I. GENERAL**

The Board is irrevocably dedicated to efficient management of the Harbor and to the preservation of natural resources within the Harbor. The Board is fully empowered to receive and administer funds for the attainment of these objectives, all in accordance with Federal, State and local laws.

**II. SCOPE OF BYLAWS**

**A. Definition**

These Bylaws, shall be known as the District Bylaws, and shall govern the Moss Landing Harbor District, its Board of Commissioners, and all of its affiliated and subordinate organizations and groups.

**B. Delegation**

The Board of Commissioners may delegate certain powers to the General Manager. No assignment, referral or delegation of authority by the Board of Commissions shall preclude the Board of Commissioners from exercising the authority required to meet its responsibilities for operation of the District and the quality of Harbor Management. The Board of Commissioners shall retain the right to rescind any such delegation.

**III. POWERS OF DISTRICT**

The District shall have and exercise the powers set forth in Sections 6070-6086 of the California Harbors and Navigation Code.

**IV. PURPOSE AND ORGANIZATION**

**A. PURPOSE**

Moss Landing Harbor District hereinafter called "District" is organized and operated pursuant to California Harbors and Navigation Code, Section 6000 *et seq.* The District exists to insure high quality management of harbor and dock facilities, granted tidelands, shorelines and land owned or leased by the District. The general functions of the District Board of Commissioners are to:

1. Promote good Harbor management including the development, maintenance and improvement of the Harbor and related facilities and well as the protection of the Harbor's natural environment.
2. Oversee organized methods and efficient financial management.
3. Attract a staff of highly qualified and competent employees and provide these employees with a clean, safe working environment and opportunities for professional growth.

4. Plan and develop cost-effective facilities to support commerce and navigation within the Harbor.
5. Provide convenient and safe public access to the ocean and Harbor.

B. ORGANIZATION

1. COMMISSIONERS

The Board of Commissioners shall consist of five (5) members, each of whom shall be a registered voter residing in the District. Members shall be elected by the registered voters residing in the District, pursuant to California Elections Codes Section 32100, et seq. The terms shall be set in accordance with California Harbors and Navigation Code. An employee of the Harbor District may not be a Commissioner.

No member of the family of a Commissioner shall be appointed as an employee of the District during the Commissioner's term of office. In the event a Commissioner is elected to office and a member of his/her family is already employed by the District, the employee may retain his/her position, but may not be promoted, reassigned or rehired (if position with District is vacated) during the term of office of the Commissioner. For purposes of this provision, "family" shall mean the wife, husband, son, daughter, mother, father, brother or sister of an employee, or other person enjoying a close, familial relationship with said employee through co-habitation.

2. GENERAL MANAGER

The Board of Commissioners is authorized to employ a General Manager of the Harbor District who shall be responsible for the day-to-day management of the Harbor District and the employment of the District personnel subject to Board policy. The qualifications of the General Manager shall meet the requirements established by the Board. The duties of the General Manager shall be determined by the Board, and the General Manager shall be evaluated annually by the Board.

3. HARBOR DISTRICT STAFF

The General Manager shall be responsible for maintaining a suitable staff to conduct the business of the Harbor District. The Board of Commissioners has approval powers over the size and organization of the staff.

V. COMMISSIONER'S DUTIES AND RESPONSIBILITIES

A. Duties of the individual Board members include, but are not necessarily limited to:

1. Attendance at Board meetings
2. Attendance at meetings of committees to which the member is assigned

3. To relate community input to the Board
4. Representation of the District in a positive and effective manner in public forums
5. As appropriate, to be politically active on behalf of the District and its interests and needs
6. Becoming knowledgeable about harbor management and harbor services so that the Board members can effectively question reports of the General Manager, staff and consultants and evaluate the answers
7. The acceptance and completion of reasonable assignments from the President of the Board
8. Participation in the annual evaluation of the General Manager conducted according to established procedures
9. Participation in orientation and training programs for new Board members
10. Becoming reasonably knowledgeable of all Federal, State and local laws pertaining to the operation of the Harbor District.

#### B. Vacancies and Removal of Commissioners

If a Board member is absent from three (3) consecutive regular meetings, or from three (3) of any five (5) consecutive meetings of the Board, without first having obtained permission in advance for such absence or absences from the Board's President, the Board may, by resolution, declare that a vacancy of the Board exists. Where the office of a Board member becomes vacant during his/her term, the vacancy shall be filled for the unexpired portion of the term by appointment by the majority of remaining Board members within 30 days of the vacancy. If no action is taken within 30 days, or no appointed candidate receives a majority vote, the position will be filled by the County Board of Supervisors.

1. Appointment to Fill a Vacancy
  - (1) A Notice of Vacancy shall be posted at least fifteen (15) days prior to the Board meeting at which the appointment shall be made.
  - (2) An affidavit of Posting shall be executed.
  - (3) Publication of the Notice of Vacancy shall be made in a newspaper of local circulation once in each of two (2) consecutive weeks prior to the meeting at which the appointment shall be made.

#### C. Commissioner Compensation



1. Compensation: Compensation shall be paid to Commissioners attending authorized business-related meetings. Commissioner's compensation for services rendered shall be \$100 for each meeting attended, up to a maximum of six meetings per month, for a total maximum compensation of \$600 per month as provided by Harbors and Navigations Code Section 6060.
2. "Services Rendered:" Services rendered shall be defined as those instances in which a Commissioner has attended a meeting to engage in some activity falling within the commission duties established in Section V of these Bylaws, and such attendance was "pre-approved" by the Board of Harbor Commissioners.
3. Meetings Considered Pre-Approved: Although not required by law, the District shall look to Government Code Section 53232.1 for guidance when dealing with issues of Commissioner compensation. (The District does adhere to Government Code Sections 53232.2 and 53232.3 when dealing with issues of Commissioner reimbursement. See Section XIV of these Bylaws for details.) As such, attendance at the following entitles a Commissioner to be eligible to receive compensation:
  - a. A meeting of the legislative body (Meeting of the Board of Harbor Commissioners); or
  - b. A meeting of an advisory body, including meetings of the standing Board Committees; or
  - c. A conference or organized educational activity conducted in compliance with Government Code Section 54952.2(c), including but not limited to ethics training required by Government Code Section 53234; conferences of the California Special Districts Association ("CSDA"), and meetings of the committees of CSDA, provided the commissioner is a member in good standing of the involved committee.
4. Meetings Requiring "Pre-Approval:" Attendance by Commissioners at meetings or activities not specified in Paragraph 3 above (e.g., ad hoc, ceremonial community events or organized tours to review the processes or technologies related to the District's business, etc.), require specific pre-approval by the Board in order to qualify as rendered. However, the Board has the authority to retroactively approve, in a public meeting, a Commissioner's compensation for attending meetings in instances in which pre-approval is not possible due to timing or other unforeseen circumstances.
5. Request For Commissioner Compensation: Commissioners shall complete, sign and submit a time sheet requesting payment only for those meetings for which service was rendered as defined in this procedure. Compensation paid by the District will be limited to one meeting per day with a maximum of six meetings per calendar month, as detailed above. Notwithstanding the foregoing, compensation for two meetings in a single day may be allowed when each of said meetings is of a minimum duration of one hour. Otherwise, two meetings in a given day will be counted as a single meeting.
6. Expense Reimbursement: Commissioners may be entitled to reimbursement for expenses incurred as a result of attending approved meetings, as defined herein, or otherwise carrying out

the official duties of the District, in accordance with the policies set forth in Section XIV of these Bylaws.

D. Conflict of Interest

Board members shall be required to follow the current Conflict of Interest Code adopted by the State of California.

VI. MEETING OF COMMISSIONERS

A. Regular Meetings

Regular meetings of the Board shall be held monthly on the fourth Thursday of each month at 7:00 P.M. at the District Office in accordance with the provisions of the Brown Act (Govt. Code Section 54950 et seq.). The Board may from time to time, by majority vote, change the time and place of a regular meeting. The Board may at their option start the closed session of a regular meeting before 7:00 P.M., in an effort to begin open session proceedings on time. Such closed sessions will be noticed on the agenda.

B. Special Meetings

Special meetings of the Board shall be conducted per the Brown Act (Govt. Code 54950 et seq.; Section 54956) and may be called by the President or by a majority of the members of the Board by delivering written notice to each Commissioner of the time, place and business to be transacted at said meeting. Notice shall be delivered, either personally or by other means, at least twenty-four (24) hours in advance of said meeting. Said notice shall also be posted in a public place at least twenty-four (24) hours in advance of said meeting. Written notice may be waived by any Board member by filing a written notice of waiver with the Board's Secretary or designee thereof.

C. Quorum

For regular and special meetings of the Board, a quorum shall be three (3) of the Board members.

D. Majority Vote

All actions of the Board shall require a majority of three (3) of the Board members.

E. Public Meetings

All regular, special or adjourned meetings of the Board shall be open to the public unless otherwise provided by law. Members of the public who desire to present oral comments to the Board shall observe the following:

- (1) Prior to the commencement of the Board meeting, the intended speaker shall, on a form provided by the Board, write his or her identity and identify the agenda item that will be the subject of his or her comments.

- (2) The duration of the oral comments may not exceed three (3) minutes without the prior consent of the President of the Board.
- (3) The time for oral comments may not be donated or extended to a speaker from other members of the public in attendance.
- (4) Oral comments shall be addressed only to the members of the Board.
- (5) The President of the Board shall have the discretion to reasonably limit the number of speakers and the duration of the oral comments on each agenda item.

F. Agenda

The agenda of the Board shall be set by the Board President with input from General Manager. Agenda items may also be added by a majority vote of the Board. The agenda will normally not exceed six (6) action items in an effort to keep meetings a reasonable length.

G. Minutes

A record of proceedings of all public meetings of the Board shall be kept on file.

VII. OFFICERS

A. Positions

The officers of the Board shall be a President, Vice President, and a Secretary.

B. Election of Officers

- (1) The Board of Commissioners shall, at their January meeting, elect the officers from among its members.
- (2) Officers shall be elected for a period of one (1) year and shall serve until a successor is elected.
- (3) Duties

President

The President shall:

- (a) Preside over all meetings of the Board of Commissioners.

- (b) Sign as President and jointly with other officers as appropriate and execute in the name of the District, contracts, conveyances, and other written instruments which have been authorized by the Board of Commissioners.
- (c) Appoint the chairperson and members of the Board committees.

#### Vice President

The Vice President shall in the event of death, absence or other inability of the President, exercise all the powers and perform all the duties of the office of the President.

#### Secretary

The Secretary shall maintain or supervise the preparation of accurate and complete minutes of all meetings, call meetings on order of the President, execute contracts and conveyances and other instruments in writing, and perform such other duties as ordinarily pertain to this office.

#### C. Vacancies and Removal of Officers

- (a) Vacancy in any office shall be filled by special Board election as soon as is reasonably possible.
- (b) Officers may be removed by vote of three (3) Board members for failure to perform the duties of the office or for malfeasance in the office.

D. In addition to the officers referenced in Paragraph A, the Board shall appoint a treasurer in accordance with the provisions of Harbors & Navigation Code Section 6071, whose responsibilities shall include (but not be limited to) receiving and safely keeping all monies of the District. The Treasurer shall hold office at the pleasure of the Board. The Board must assure that all appointees possess the requisite skills and knowledge required to carry out the Treasurer's statutorily defined responsibilities and obligations.

### VIII. COMMITTEES OF THE BOARD

#### A. Appointment and Terms of Members of Board Committees

The President of the Board shall have authority to establish all Board committees and to appoint the members thereof, or committees may be established by a vote of three (3) members of the Board. Appointments are for one year.

#### B. Committee Membership

The General Manager shall be an ex officio member of all committees of the Board and its adjunct organizations, such as the California Special Districts Association, California Marine Affairs and Navigation Conference, where he/she will represent the Board unless the Board directs otherwise.

IX. TITLE TO PROPERTY

The title to all surplus property owned by the District is vested in the Board of Commissioners, and the signatures of the President and the Secretary shall constitute the proper authority for the purchase or sale of surplus property as approved by the Board, or for the investment or expenditure of public or trust funds which are subject to the control of the District.

X. INDEMNIFICATION

Commissioners and officers shall be indemnified by the Harbor District to the to the full extent permitted by law against all claims, liabilities and expenses incurred as a result of an action by the Board, except in the instance of willful misconduct in the performance of duties as an officer.

XI. GENERAL PROVISIONS

A. Execution of Contracts

By a vote of three (3) Commissioners, the Board, except as otherwise provided in these Bylaws, may authorize any officer or officers, agent or agents, to enter into any contract to execute any contract, or execute any instrument in the name of and on behalf of the District.

B. Monetary Expenditures

- (1) A majority vote of the full Board shall be required to establish or terminate a District bank account, LAIF savings account, retirement plan or similar account.
- (2) The Board authorizes the General Manager discretionary authority to expend up to \$7,500 on a single purchase without Board approval.
- (3) The Board authorizes the General Manager to maintain payroll levels, normal maintenance and utility expenses and authorized debt reduction payments without Board approval in compliance with the annual budget.

C. Seal

The District shall have a seal and may alter said seal at its pleasure.

D. Fiscal Year

The fiscal year of the District shall commence on the first day of July of each year and shall end on the last day of June of each year.

E. Annual Audit

The affairs and financial condition of the District shall be audited annually at the end of each fiscal years by a Certified Public Accountant selected by the Board, and a written report of such audit

and the appropriate financial statements shall be submitted to the Board. Additional audits may be authorized as may be considered necessary or desirable by the Board.

F. Review of Bylaws

The Bylaws of the Board should be reviewed at least every two (2) years and revised as necessary.

G. Amendment

These bylaws may be amended at any noticed regular or special meeting of the Board by majority of three (3) Board members.

H. Adoption

Adoption of the Bylaws shall be by a majority of three (3) Board members, at any properly noticed meeting of the Board.

XII. OFFICE

The principal office of this organization is located at 7881 Sandholdt Road, Moss Landing, CA 95039.

ADDENDUM TO BYLAWS OF THE MOSS LANDING HARBOR DISTRICT

Investment Policies

1. Raymond James Financial Services, Inc. is approved as the District's initial investment account funds manager.
2. Unless the investment is designated for payment of a specific expense, when the investment is about to mature, the Finance Committee is authorized to renew the investment at the best possible rate for an approved short term investment, or to liquidate no more that \$100,000 upon satisfactory proof of necessity for payment of unexpected expense(s).
3. Notwithstanding Raymond James' policy of allowing verbal instructions for the handling of investments, the Moss Landing Harbor District requires two (2) signatures from the list of authorized signatories on the Corporate Resolution - Cash Accounts.
4. Dividend checks representing interest earned on investments shall be sent to the Moss Landing Harbor District for deposit in the District's Community Bank money market account for use in the District's general fund.
5. Copies of investment account statements will be presented to the Board no less than quarterly.
6. The Finance Committee will meet no less than annually at least one month prior to the maturity of its one-year CDs and will make any recommended changes to the investment policy to the Board for Board action.
7. The Finance Committee will be added to the list of standing committees on the monthly regular Board meeting Agendas for reporting out as appropriate.



### XIII. INVESTMENT POLICY

The following shall govern the District's investment accounts:

1. Unless the investment is designated for payment of a specific expense, when the investment is about to mature, the Finance Committee is authorized to renew the investment at the best possible rate for an approved short term investment, or to liquidate no more than \$100,000 upon satisfactory proof of necessity for payment of unexpected expense(s).
2. Notwithstanding Raymond James', or any other financial institution's policy of allowing verbal instructions for the handling of investments, the Moss Landing Harbor District requires two (2) signatures from the list of authorized signatories on the Corporate Resolution - Cash Accounts.
3. Dividend checks representing interest earned on investments shall be sent to the Moss Landing Harbor District for deposit in the District's Community Bank money market account, or such other financial institution at which the District may have its operating account, for use in the District's general fund.
4. Copies of investment account statements will be presented to the Board no less than quarterly.
5. The Finance Committee will meet no less than annually at least one month prior to the maturity of its one-year CDs and will make any recommended changes to the investment policy to the Board for Board action.
6. The Finance Committee will be added to the list of standing committees on the monthly regular Board meeting Agendas for reporting out as appropriate.

### ADDENDUM TO BYLAWS OF THE MOSS LANDING HARBOR DISTRICT

### XIV. POLICY FOR EXPENSE REIMBURSEMENT OF MEMBERS OF LEGISLATIVE BODY

**1. Purpose.** The purpose of this policy is to ensure that the reimbursement of members of the District's legislative bodies (hereafter "legislative bodies" or "legislative body") for expenses incurred in the performance of official duties complies with the California Government Code, including the recently enacted Assembly Bill 1234, which adds Sections 53232.2 et seq. to the Government Code.

**2. Policy.** Members of a legislative body shall be reimbursed for actual and necessary expenses incurred in the performance of official duties as provided in this Reimbursement Policy.

**3. Definitions.** The following definition shall apply to this policy:

"Legislative body" means the Board of Harbor Commissioners and any subcommittees thereof subject to the provisions of the Brown Act.

**4. Types of Occurrences that Qualify for Reimbursement.** Members of a legislative body shall be reimbursed for expenses incurred in the performance of official duties relating to travel, meals, lodging, and other actual and necessary expenses, as defined by this Reimbursement Policy.

**5. Travel by Airplane Expense Reimbursement.** Members of a legislative body shall be reimbursed for the expense of a roundtrip airplane ticket, so long as such ticket reserves a seat in the least expensive class of seating provided by the airline (i.e. economy class or open-seating).

**6. Travel by Personal Vehicle Expense Reimbursement.** Members of a legislative body shall be reimbursed for expenses incurred in traveling by personal vehicle at the Internal Revenue Service Mileage Rate. Members of a legislative body requesting such reimbursement shall file a Mileage Reimbursement Request form, which shall satisfy the Documentation Requirements provided in Section 13 of this Reimbursement Policy.

**7. Meals Expense Reimbursements.** A member of the legislative body shall be reimbursed for expenses incurred for meals consumed or incidental expenses in connection with a conference, organized educational activity, or other performance of official duties.

- a) The member of a legislative body shall only be reimbursed for his or her portion of the meal. Meals for the spouses, family members or companions of members of the legislative body shall not be reimbursed.
- b) Incidental expenses include gratuities for hotel employees, parking fees, cab fares, public transportation costs, and other incidental expenses.
- c) A member of a legislative body shall be reimbursed for meals and incidental expenses using the standard per diem rate for meals and incidental expenses (M&IE) for the area traveled to as established annually by the Internal Revenue Service in Publications 463 and 1542. For partial day meals and incidental expenses, the reimbursement rates, which include tax and gratuity, should be as follows:

Breakfast:	20% of the M&IE
Lunch:	30% of the M&IE
Dinner:	50% of the M&IE
- d) If the meal(s) are consumed in connection with an all-day conference, organized educational activity, or other performance of official duties, the incidental expenses as defined under 7b shall be reimbursed for actual costs.

**8. Car Rental Reimbursement.** Members of a legislative body shall be reimbursed for the expense of car rental, so long as such rental rate is at the least expensive available rate.

**9. Lodging Expense Reimbursement.** Members of a legislative body shall be reimbursed for the expense of lodging. Members of a legislative body shall use government or group rates offered by a provider of transportation or lodging services for travel and lodging when available. For lodging in connection with a conference or organized educational activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of the legislative body at the time of booking. If the group rate is not available, a member of the legislative body shall be reimbursed for a maximum rate as set forth annually for the area traveled to by the IRS Publications 463 and 1542.

**10. Conference Registration Fee Reimbursement.** Members of a legislative body shall be reimbursed for the expense of a conference or organized educational activity registration fee.

**11. Other Expenses.** All other actual and necessary expenses incurred in the performance of official duties that are not described in this Reimbursement Policy shall be approved before the expense is incurred by the Board of Harbor Commissioners in a public meeting.

**12. Prohibited Expense Reimbursements.** Members of a legislative body shall not be reimbursed for expenses such as alcoholic beverages, personal telephone calls, spouse or companion meals, entertainment such as movie rental fees or movie theater tickets, and fines for parking citations.

**13. Documentation Requirements.** The General Manager shall provide members of a legislative body with expense report forms to be filed with the District by members of the legislative body for reimbursement for actual and necessary expenses incurred on behalf of the District in performance of official duties. The expense report form shall document that the expenses are proper under this Reimbursement Policy. Members of a legislative body must file expense report forms within 14 calendar days of incurring the expense, and the expense report forms shall be accompanied by receipts documenting each expense. All documents related to reimbursable agency expenditures shall be considered public records subject to disclosure under the California Public Records Act.

**14. Brief Report to Legislative Body.** Members of a legislative body shall provide brief reports on meetings attended at the expense of the District at the next regular meeting of the legislative body. Such reports may be made orally or in writing.

**15. Effect of Violation.** A violation of this Reimbursement Policy may result in the following penalties, including, but not limited to: 1) loss of reimbursement privileges; 2) restitution to the District; 3) civil penalties for the misuse of public resources pursuant to Section 424 of the California Penal Code; and 4) prosecution for misuse of public resources pursuant to Section 424 of the California Penal Code.

**16. Effective Date.** This Resolution shall take effect immediately, and shall supersede any and all other District provisions, policies and rules applicable to the members of a legislative body related to reimbursement for expenses incurred in the performance of official duties. A copy of this Policy shall be attached as Exhibit B to the Moss Landing Harbor District Board of Commissioners Bylaws.

**17. Severability Clause.** The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

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# Pliocene Ridge Community Services District BYLAWS

## DEFINITIONS

The Pliocene Ridge Community Services District will, hereafter, be referred to as the “**District.**”

The District board of Directors will, hereafter, be referred to as the “**Board.**”

The **fiscal year** of the District shall begin on July 1<sup>st</sup> and end on June 30<sup>th</sup> of the following year.

The Alleghany firehouse shall be known as **Station 71**; the Pike City firehouse shall be known as **Station 67**.

“**Employee**” as used in this document shall include volunteers, staff and officers.

## **ARTICLE I**

### **NAME, MAILING ADDRESS, BOUNDARIES, CLASSIFICATION, AUTHORITY, POWERS**

#### NAME

The district established by the Sierra County Board of Supervisors on February 3, 2004, Resolution 04-013 as approved by Sierra Local Agency Formation Commission (LAFCO) on February 26, 2004, Resolution 2004-01, and California State Board of Equalization notice of formation dated December 1, 2004 shall be named *Pliocene Ridge Community Services District* and hereinafter be referred to as the District or PRCSD.

**MAILING ADDRESS:** PRCSD, 100 Pike City Road, Pike City, CA 95960

**PHONE:** 530-288-0624 **WEBSITE:** [plioceneridge.org](http://plioceneridge.org) **EMAIL:** [plioceneridge@gmail.com](mailto:plioceneridge@gmail.com)

#### AUTHORITY

The Pliocene Ridge Community Services District shall be supervised by a governing board herein after referred to as the Board of Directors or the Board. The Board of Directors derives its authority from the district’s formation documents and the enabling legislation for Community Services Districts specifically: California Code Title 6 Division 3 sections 61000-61250 and other applicable Government Codes.

#### POWERS

The Board of Directors has the power to establish its own policies and procedures consistent with applicable law. These policies and procedures supersede all other written or implied policies and procedures, and if any policy or procedure is in conflict with any public agency having authority over the District, said policy or procedure shall prevail.

#### CLASSIFICATION

The Pliocene Ridge Community Services District shall be limited to the following services as declared in its formation documents: A) Fire protection, emergency medical services, emergency response search and rescue and related services; B) Parks and Recreation services; and, C) Street lighting.

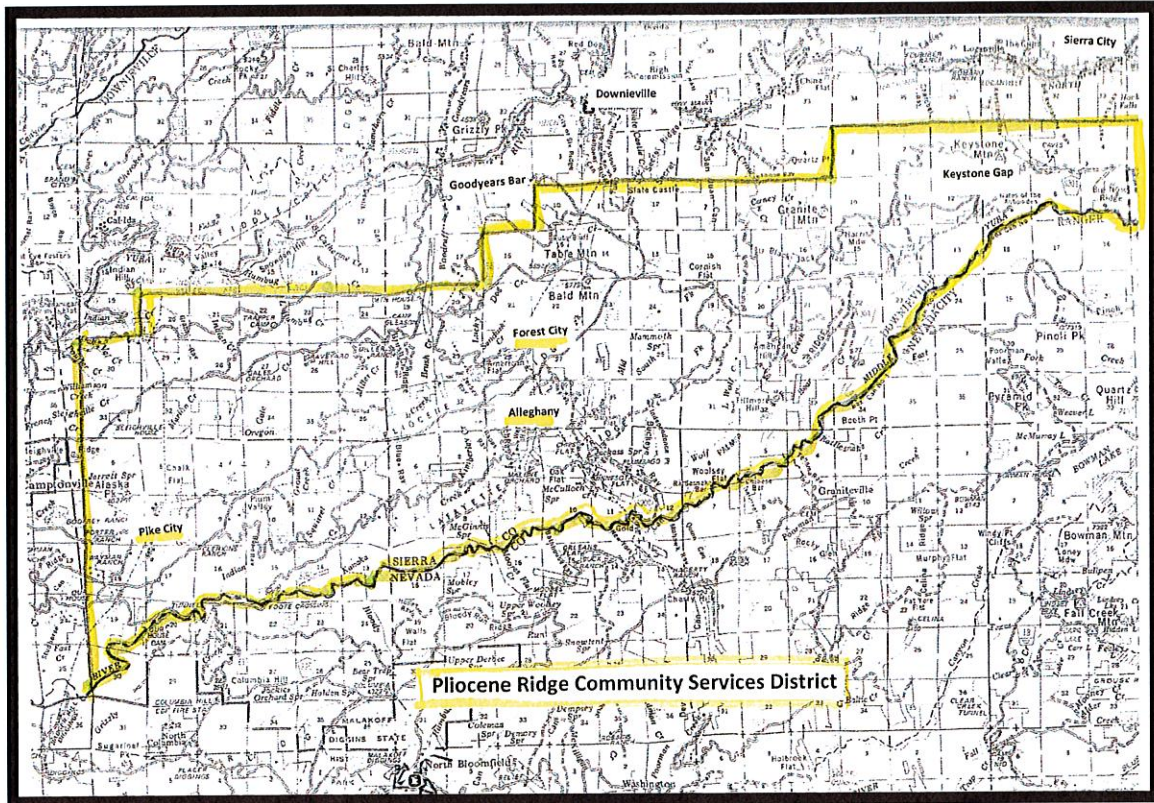




# Pliocene Ridge Community Services District BYLAWS

## BOUNDARIES

The Pliocene Ridge Community Services District shall comprise all areas as established by its formation documents and illustrated below:







# Pliocene Ridge Community Services District BYLAWS

## ARTICLE II DUTIES, RESPONSIBILITIES, BOARD MEETINGS

The Board of Directors shall be comprised of five registered voters of the District and appointed by the Sierra County Board of Supervisors. (Contrary to the District's formation documents which state Directors shall "reside" in the district, Gov. Code Section 61040(b) overrides this)

Each Director shall be appointed to a term of four years unless appointed to serve a remaining term.

It is the duty of the board to govern the district by setting policies and procedures in place for the day-to-day operations of the district. The board is responsible for delegating authority to the district officers and Fire Chiefs; or individual board members as necessary, in order to facilitate efficient day-to-day operation of the district.

The Board is also responsible for setting policies in place that provide the means for sound fiscal management, transparency and accountability; including adoption of an annual budget.

In the discharge of their duties, Board members act as a Board and not as individuals. The individual Board member has no more authority over District policy or personnel than any other citizen. A Board member has no legal or moral right to speak for the Board unless specifically authorized to do so by these Bylaws, Policies and Procedures or action of the Board.

### **BOARD MEETINGS**

1. **Monthly meetings** alternating between Alleghany and Pike City shall be held at the designated Station.
2. A meeting schedule shall be adopted annually and posted throughout the District.

Continued...



# Pliocene Ridge Community Services District BYLAWS

3. The agenda format is as follows:

## **I ESTABLISH QUORUM, CALL TO ORDER, FLAG SALUTE**

At a regular meeting the board may take action upon an item of business not appearing on the posted agenda if, *first* the board publicly identifies the item, and *second* one or more of the following occurs:

- A. the board by a majority vote of the full board, decides that an emergency as defined in government code section 54956.5 exists; or,
- B. upon a decision by a two-thirds vote of the board or if less than two-thirds of the board members are present a unanimous vote of those present the board decides that there is a need to take immediate action and that the need for action came to the attention of the district after the agenda was posted; or
- C. the item was posted on the agenda of a prior meeting of the board occurring not more than five calendar days prior to the date of this meeting, and at the prior meeting the item was continued to this meeting.

## **II CONSENT CALENDAR**

1. Approval of Agenda
2. Approval of Minutes
3. Approval of Treasurer's Report

**III PUBLIC COMMENT** The public may be heard before or during the consideration of any agenda item to be considered by the board, subject to reasonable time limitations for each speaker. Members of the public may address matters under the jurisdiction of the Board of Directors, and not on the posted agenda, provided that no action shall be taken by the board unless the matter is deemed urgent by a 2/3 vote.

## **IV INFORMATION/DISCUSSION ITEMS, STAFF AND/OR COMMITTEE REPORTS**

- A. Correspondence
- B. Committee/Member/Business Reports:
  1. Station 71 Chief's report
  2. Station 67 Chief's report
  3. AVFD Auxiliary
  4. PCVFD Auxiliary
  5. Risk Manager/Safety
  6. Board Members/Staff
  7. Standing Committee Reports: Streetlight, Budget, Safety

## **V ACTION ITEMS**

- A. Unfinished Business
- B. New Business

## **VI NEXT MEETING AGENDA ITEMS**

## **VII ANNOUNCEMENTS**

## **VIII ADJOURNMENT**

## **IX EXECUTIVE SESSION WHEN CALLED** Report out any action taken



# Pliocene Ridge Community Services District BYLAWS

## ARTICLE II BOARD MEETINGS CONTINUED

4. **All agenda items** must be received by the Secretary 10 days prior to the scheduled meeting date.
5. **All Board meetings are open to the public** except during executive session, consistent with the requirements of the "Brown Act." All Board actions shall be conducted in open meetings.
6. **Board meeting minutes will be available** on the district website and in the agenda packets. Copies of Board minutes are available at a cost equal to the expense of duplication plus postage. (Refer to Policy #2350).
7. **Notice of meetings** stating the time, place and agenda shall be provided to Board members and posted in accordance with the "Brown Act" requirements; including utilization of the district website.
8. **Special Meetings** may be called by the President, Secretary or any two Board members.
9. **Closed or Executive meetings** may be called by any Board member during the course of any regular or special meeting or for a future regular or special meetings as defined by the "Brown Act."
10. **Rules of Order** except as they conflict with the California Government Code shall be Rosenberg's Rules of Order and shall govern all questions of procedures not otherwise provided in this document.
11. **Quorum** shall be three Board members. If no quorum is present, the attending Board members shall adjourn the meeting to a time that a quorum is obtained.
12. **Notification of absence** shall be made to the Secretary and shall be the individual responsibility of each Board member.
13. **Board Voting** shall be verbal unless a written ballot is requested by one or more Board members. Ayes and nays shall be recorded upon the passage of all motions. The results of all votes shall be recorded in the meeting's minutes. The act of a majority of Board members present at the meeting at which a quorum is present shall constitute an act of the Board. However, if the government Code or state statute should set different requirements on the voting of any matter, the vote required by the code or statute shall prevail.
14. **Suspension of Rules.** To suspend a rule to change the order of business, a two-thirds vote of the members of the board shall be required.





# Pliocene Ridge Community Services District BYLAWS

## ARTICLE II BOARD MEETINGS CONTINUED

15. **Public Comment.** The public may be heard before or during the consideration of any agenda item to be considered by the board, subject to reasonable time limitations for each speaker. Members of the public may address matters under the jurisdiction of the Board of Directors, and not on the posted agenda, provided that no action shall be taken by the board unless the matter is deemed urgent by a 2/3 vote. Board members are prohibited from addressing any items not previously included on the agenda except to provide simple answers to basic questions. The Board may receive testimony and set the matter for a subsequent meetings.

No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under Public Comment.

No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination by the Chairperson of person's privilege to remain within the hearing, meeting, or workshop.

No oral presentation shall include charges or complaints against any District employee, Volunteer, Officer or Board Member regardless of whether or not the person is identified in the presentation by name or by another reference which tends to identify. All complaints shall be directed to the Board in writing. [The board shall establish a complaint procedure with the objective of handling all complaints at the lowest level of management possible]

## ARTICLE III

### RECORDS, CORPORATE SEAL, LOGO, VACANCIES, COMPENSATION

#### RECORDS

The Board recognizes the necessity to keep adequate and appropriate district records to fulfill legal requirements and maintain/develop the proper administrative functions.

All documents of the District shall be in writing and made available to the public per District policy #2350.

The Secretary and Treasurer shall oversee the development and maintenance of an appropriate record keeping system that: **1.** meets all of the requirements of the state and county laws; **2.** provides data required for the audit; **3.** secures all deeds, title, and such other designated documents in a safe deposit box.



# Pliocene Ridge Community Services District BYLAWS

## CORPORATE SEAL & DISTRICT LOGO



### VACANCIES

Should any member of the Board:

a. die; b. resign; c. be declared mentally or physically unable to perform duties by a qualified professional; d. cease to be a legal voter in the district; e. be convicted of any felony offense; f. refuse or neglect to take the oath of office; g. neglect to attend the duties of the office; h. neglect to attend three regular meetings of the Board in a calendar year except by permission of the Board, said office shall be declared vacant by the Board at its next regularly scheduled meeting and shall be filled by appointment of the Sierra County Board of Supervisors. Any person so appointed shall hold office until the expiration of the term of the vacancy.

### COMPENSATION

1. Board members shall serve as unpaid volunteers.
2. Board members may receive reimbursement of expenses incurred representing the District as directed by the Board.

## ARTICLE IV

### ELECTION AND DUTIES OF OFFICERS, COMMITTEE APPOINTMENTS

#### ELECTION OF OFFICERS

1. Election of Officers shall be conducted annually at the January meeting.
2. The Officers shall be: President, Vice President, Secretary & Treasurer.
3. The Term of Office of each elected officer shall be one year and shall begin upon election in January and shall continue through December.
4. A vacancy in any office shall be filled at the next regular meeting by a vote of the Board to fill the unexpired term.



# Pliocene Ridge Community Services District BYLAWS

## DUTIES OF OFFICERS

### **PRESIDENT shall:**

- a. be the chief executive officer of the Board;
- b. preside at all meetings;
- c. sign all contracts and other papers authorized by the Board;
- d. ensure all orders and policies of the Board are executed;
- e. have the right to vote on all matters coming before the Board; and
- f. be responsible for other such duties as may be directed by the Board.

### **VICE PRESIDENT shall:**

- a. assume the duties of the president as may be required; and
- b. be responsible for other such duties as may be directed by the Board.

### **SECRETARY shall:**

- a. Serve as the clerk-of-the board performing all duties incidental to that position. See section \_\_\_ of the personnel policy manual for a detailed job description.

### **TREASURER shall:**

- a. Serve as the fiscal officer for the district, performing all duties incidental to that position. See section \_\_\_ of the personnel policy manual for a detailed job description.
- b. Per Calif. Code Section 61040 a director SHALL NOT also be the treasurer.

## COMMITTEE APPOINTMENTS

1. Following the election of officers, the President shall appoint committees. These committees shall be ratified by a majority vote of the Board.
2. Committees are:
  - A. Standing:
    1. Budget-2. Street Lights 3. Risk Management/Safety 4. Others as needed





# Pliocene Ridge Community Services District BYLAWS

## DUTIES OF APPOINTED OFFICIALS

1. The Board may fix reasonable compensation where they deem appropriate.
- A. Attorney – At the request of the Board, the attorney shall provide guidance in legal matters.
- B. Auditor – The auditor shall audit the District's financial records in accordance with the laws of the State of California using generally accepted auditing practices.

## ARTICLE V

### CONFLICT OF INTEREST CODE

The Political Reform Act, government code Section 87100, *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contain the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the fair Political Practices commission are hereby incorporated by reference and, along with the attached Appendix A in which members of the board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the Conflict of Interest code of the Pliocene Ridge community Services District.

Each action taken by a Board member and/or employee in the course of their duties will be motivated by the District's best interests and will be free of outside influence and self interests. In addition, board members shall not in any way directly or indirectly financially benefit from any aspect of the district's operations.

In accordance with this policy, Board and employees shall comply with the following:

1. Board members must abstain from voting on any action in which they have a financial interest.
2. No board member shall accept any remuneration in money or services from the district, except as allowed for by Government Code Section 61207.
3. Board members and designated employees, as described in Appendix A of the Pliocene Ridge Community Services District's Conflict of Interest Policy and Procedure, shall file a Statement of Economic Interests, Form 700 annually with the Clerk of the County of Sierra who shall retain copies and make the statements available for public inspection and reproduction. (Government Code Section 81008)



# Pliocene Ridge Community Services District BYLAWS

## Appendix A

### CONFLICT OF INTEREST CODE DISCLOSURE CATEGORIES

#### Category 1

Designated employees assigned to this category must report:

- a. Interest in real property located within the jurisdiction including property located within a two-mile radius of any property owned or used by the agency.
- b. Investments, business positions, and income from sources located in or doing business in the jurisdiction.
- c. Investments and business positions in any business entity or income from any source of the business entity or source of income that manufactures sells supplies, machinery or equipment of the type utilized by the district.
- d. Investments and business positions in any business entity or income from any source if the business entity or source of income is a contractor or subcontractor engaged in the performance of work or services of the type utilized by the District.
- e. Investments, business positions, and sources of income of the type, which engage in land development, construction, or the acquisition or sale of real property.
- f. Investments, business positions, and sources of income of the type which manufacture, sell or distribute medical equipment or services of type leased or loaned by the District to ambulance services, medical services such as police, sheriff and fire rescue units, trauma centers and emergency rooms.
- g. Investments, business positions, and sources of income of the type that provides training for persons engaged in medical service programs.

#### DESIGNATED EMPLOYEES

<u>POSITION</u>	<u>DISCLOSURE CATEGORY</u>
Board Members or Candidates	1
District Officers (Treasurer, Secretary)	1
Station Fire Chiefs	1

Code amended by the PRCSD board on 4/18/16 and approved by the Sierra County Board of Supervisors on 5/17/16.



# Pliocene Ridge Community Services District BYLAWS

## ARTICLE VI

### ADOPTION/AMENDMENT OF BYLAWS, POLICES & PROCEDURES

Consideration by the Board to adopt or amend these Bylaws, Polices and Procedures may be initiated by any Board member, Officer or Staff member and must be submitted to the Secretary in writing for agendizing.

A three fifths (3/5) affirmative vote of all members of the Board at a properly posted regular or special meeting shall be required to add or change the policies, procedures and bylaws of the District.

Copies of all Bylaws, Policies & Procedures shall be placed in an Administrative Procedures Manual and distributed to all Board members and Department Heads.





# Pliocene Ridge Community Services District BYLAWS

## ARTICLE VII ORIENTATION OF BOARD MEMBERS & GENERAL CONDUCT

New Board members shall be given selected materials on the duties and responsibilities associated with Board membership, to include the: PRCSD HANDBOOK OF BYLAWS, POLICIES and PROCEDURES

### GENERAL CONDUCT OF BOARD OF DIRECTORS

**In the meeting process, Board members shall strive to:**

- avoid making individual pronouncements and public conjecture outside of official Board meetings about district matters not yet decided by the Board;
- speak or act for the Board only when specifically authorized to do so by action of the Board;
- arrive on time for meetings; stay focused;
- raise concerns about ground rules as soon as possible;
- don't take things personally;
- after the motion and second, encourage discussion and strive for consensus;
- allow for minority point of view;
- not repeat what has been said, be concise;
- be recognized by the chair before speaking;
- come prepared, ready to ask questions and make decisions, do what is agreed upon;
- follow the agenda;
- respect confidentiality of Executive Session;
- accept the principle of board unity or consensus by supporting majority decisions of the Board.

**In personal interactions, Board members shall strive to:**

- disagree without being disagreeable;
- be honest; sensitive, trustworthy,
- use humor,
- be tolerant;
- respect the opinion of others;
- not intentionally cause anyone embarrassment;
- act with integrity and credibility;
- represent the people of the District and
- make decisions based on factual information.

Agenda Item:

**CORRESPONDENCE**

Summary:

**June 14, 2022:**

The following pieces of correspondence are included in the FWD Board Package:

1. NSC Air Pollution Control District – Notice of Public Hearing (Board Clerk emailed to Board 5/12/22)
2. CSDA – Governor’s State Budget Revisions
3. ACWA – AB 2142 Income Taxes: Exclusion-Turf Replacement Water Conservation Program
4. CSDA – Development Impact Fee Legislation Amended to Address CSDA Concerns
5. CSDA – Status on Bills impacting Special Districts

Potential Board Actions:

FWD Board may choose to select any item above and request it be placed on a future Agenda if it is deemed that action is needed by FWD Board.

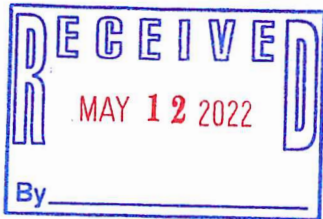
Staff Recommendation: None

Report created by: Dawn Leith, Interim Board Clerk

cc: Jun. 14, 2022  
Board Packet  
ASR "R" Corr. #1

NORTHERN SONOMA COUNTY  
Air Pollution Control District

150 MATHESON STREET HEALDSBURG, CA 95448  
P 707.433.5911 NOSOCO.AIR.ORG



## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the Board of Directors of the Northern Sonoma County Air Pollution Control District (District) has scheduled a public hearing for the presentation and adoption of the District's proposed annual budget for the fiscal year beginning July 1, 2022 pursuant to California Health and Safety Code, Division 26, Section 40131.

In this proposed budget, the District does not propose any new permit fees. Large sources with CPI adjustment in their annual fee schedule pursuant to District Regulation 1 Rules 300 and 310 will receive the applicable CPI adjustment (California-All Urban Consumers).

The hearing for the final adoption of the proposed District budget will be held at 10 a.m. on June 8, 2022 at the District's office in Healdsburg.

The proposed budget summary or fee schedule is available for review by contacting Robert Bamford, Air Pollution Control Officer at (707) 433-5911.

The public is hereby invited to be present at the hearing and to provide comments. Written comments may also be submitted before June 8th, 2022 to the District office at the address listed above or by email at [airquality@sonoma-county.org](mailto:airquality@sonoma-county.org).

***Comments will be received by the District until 4:30 PM PDT, June 7, 2022 and will be reviewed and considered.***

A handwritten signature in blue ink, appearing to read 'R. Bamford'.

Robert Bamford  
Air Pollution Control Officer  
Northern Sonoma County Air Pollution Control District



# Advocacy News

## Governor's May Revision to the State Budget and its Impact on Special Districts

By [Vanessa Gonzales](#) posted 17 hours ago



On Friday, May 13, Governor Gavin Newsom released the May Revision to his 2022-23 State Budget Proposal. The release of the summary coincided with a livestream in which Newsom highlighted priorities of the proposed budget heading into the fiscal year and moving forward. Major highlights of the May Revision include a \$97.5 billion surplus (nearly \$20 billion more than expected in the January Budget proposal), reflecting \$37.1 billion in proposed budget reserves and \$49.2 billion in discretionary funds, considering roughly half of the surplus is required by law to be spent on Proposition 98 school funding.

At the annual Special Districts Legislative Days conference in Sacramento today, special district leaders advocated for a number of [key budget requests](#), including payment of \$870 million in State mandated debt owed to local governments. CSDA, in partnership with other local government organizations, will continue fighting for these budget requests through the Legislature's June 15 Constitutional deadline to pass a balanced budget.

Below are highlights of the released May Revision:

### **Healthcare**

The May Revision reflects \$933 million to provide retention payments for certain workers in hospitals, psychiatric hospitals, and skilled nursing facilities. If employers commit to fully matching, the state will provide a baseline payment and will increase the payment up to \$1,500. In addition, the May Revision includes a two-year, \$50 million grant program providing technical assistance to small or under-resourced providers to, among others, small physician practices, rural hospitals, and community-based organizations in addition

to education and technical assistance for any entities new to the health information exchange.

The May Revision includes \$280 million (\$132.7 million General Fund) for the Workforce and Quality Incentive Program for payments to skilled nursing facilities that make substantial improvements and meet quality benchmarks building on the average four percent annual increase initially proposed. Furthermore, the May Revision proposes \$100 million (\$50 million General Fund) to support early childhood-focused efforts with the inclusion of grants focusing on encouraging health care provider integration with other early-childhood-specific programs. Lastly in the healthcare space, the May Revision proposes \$100 million for medical surge staffing this fiscal year to allow the California Department of Public Health to support upfront staffing costs until facilities can be invoiced and reimburse the state for costs. The May Revision also includes \$40 million in resources for vaccine staff for the release of vaccines to children under five, continued boosters for eligible groups, and increased staffing at pediatric sites.

### ***Workforce Development***

To expand campus infrastructure to support the need for a highly skilled, STEM-trained workforce, expand access to a CSU education, and to create a California-based collaborative solutions to climate change, the May Revision includes investments in the San Diego State University, Brawley Center, and the CSU Fullerton Engineering and Computer Science innovation Hub.

Targeting older adults and veterans at California's local libraries and building upon the Governor's Budget investment of \$8.8 million to support two additional years of free online job training and workforce development programs available through public libraries, the May Revision includes a \$1.4 million one-time General Fund. Lastly, the May Revision describes an allocation of \$17 million from the 2021 Budget Act to address extreme heat and High Road workforce development in addition to building upon California's climate-smart workforce through apprenticeships and training partnerships in job and careers that address extreme heat.

### ***Pensions***

To further reduce the unfunded liabilities of the CalPERS state plans, the May Revision includes an estimated \$2.9 billion in one-time Proposition 2 debt repayment funding in 2022-23. Unknown is the impact that this may have on the total funded status of the CalPERS fund.

### ***Public Works***

In providing match funding to supplemental grants that certain projects receive from the federal government and non-profit foundations, the May Revision includes \$100 million to support carbon removal projects.

### ***Public Safety***

The May Revision proposes \$50 million one-time General Fund to fund grants intended to improve the health and well-being of general officers, decrease stress and trauma, improve community trust and relations, and build resiliency. This reflects an initial \$5 million one-time General Fund included in the Governor's Budget for the Commission on

Peace Officer Standards and Training to develop a Law Enforcement Wellness Program with grants to be distributed by the Board of State and Community Corrections.

### ***California Arrearage Payment Program***

The California Arrearage Payment Program (CAPP), established in the 2021 Budget, directed \$1 billion in federal American Rescue Plan Act funding to financial assistance to reduce or eliminate past due energy bill balances accrued by customers impacted by the COVID-19 pandemic. Administered by the Department of Community Services and Development, 1.5 million accounts received CAPP benefits. The May Revision includes \$1.2 billion in funding to relieve California households by addressing energy arrearages. In addition, the May Revision includes \$200 million for residential wastewater and water arrearages for the Low-Income Household Water Assistance Program (LIHWAP), also administered by the Department of Community Services and Development.

### ***Climate Innovation and Commitment***

The May Revision converts two green tax credits proposed in the Governor's Budget – the innovation Headquarters Credit and Credit for Green Energy Technologies – into a single Climate Innovation Grant program administered by the California Energy Commission. Focusing on research activities that help California reach its climate goals, the grant would be funded at \$1.05 billion over four fiscal years - \$100 million in 2022-23, \$325 million in 2023-24 and 2024-25, and \$300 million in 2025-26.

The May Revision includes an additional \$9.5 billion over four years for a total \$32 billion to continue to advance the state's Climate and Opportunity Budget, support energy reliability, protect communities, and provide equitable climate solutions. In addition, the May Revision includes an additional \$1.3 billion General Fund for drought resilience and response to better assist communities and fish and wildlife in avoiding immediate negative impacts caused by extreme drought. With a commitment to climate innovation and commitment, the May Revision focuses on these specific issue areas:

- **Drought:** To continue the state's drought response, the May Revision includes an additional \$1.6 billion with \$250 million set aside as a contingency in the Governor's Budget. Furthermore, the May Revision includes \$75 million to support grants up to \$50,000 to farming and related businesses that have been negatively impacted by the drought. The May Revision also includes an investment of \$553 million to provide grants to urban water districts and smaller community water suppliers for drought-relief projects. Additionally, the May Revision includes \$280 million to address biodiversity impacts associated with drought and climate change and build water resilience projects to support the implementation of voluntary agreements with water suppliers.
- **Wildfires:** The May Revision builds on the efforts to enhance and continue building forest and wildfire resilience with additional funding to support expanded fire crews and air attack operations. The Administration plans to continue to work with firefighter associations on additional proposals that would appropriately staff CalFire.
- **Extreme Heat:** To address extreme heat, the May Revision includes \$800 million General Fund over two years including \$300 million to support the implementation of

the state's updated Extreme Heat Action Plan. This includes \$220 million to support cooling of communities at schools and through resilience centers over two years, \$43 million to protect vulnerable populations and ecosystems, \$20 million to increase understanding of the risks posed by extreme heat, and \$17 million to invest in the alignment of the state's response to extreme heat and High Road development and California's climate-smart workforce.

- **Water Resiliency:** Within the \$32 billion investment, the May Revision includes \$530 million to support water recycling and groundwater cleanup, advance drinking water and clean water projects that leverage federal infrastructure funds, and continue adequate solar pilots. Also, the May Revision proposes \$187 million to support agricultural water conservation practices by incentivizing farmers to install more efficient irrigation equipment, provide on-farm technical assistance, and support additional water conservation projects. The May Revision also includes \$500 million General Fund in three years to serve as a multi-year commitment to promote strategic water storage projects that benefit water supply reliability and the environment.
- **Pathways to 30x30 Strategy:** The 2021 Budget Act committed \$1.4 billion General Fund over three years including \$768 million General Fund over two years to support the implementation of the state's Natural and Working Lands Climate Smart Strategy and the Pathways to 30x30 Strategy to accelerate California's pledge to expand access to nature, tackle climate change, and protect biodiversity. More information about the project can be found [here](#).

### ***Energy***

The May Revision proposes to allocate \$8 billion over five years to provide consumers with relief from rising electricity rates and increase the state's energy system reliability. This proposed allocation is in addition to the \$2 billion allocated in the Governor's Budget to provide incentives for industrial grid support and decarbonization projects, renewable hydrogen, and long-duration storage projects. These investments focus on accelerating clean energy projects and innovation, provide relief for taxpayers, and create strategic energy reserves to maintain liability.

### ***Emergency Response***

The May Revision reflects a \$183.4 million proposal and 50 positions to address the more frequent, complicated, and often simultaneous emergencies and disasters occurring across the state. This proposal includes \$29.5 million General Fund one-time to continue COVID-19 testing efforts and provide resources to activate the state's mutual aid system should future outbreaks happen.

### ***Judicial Council***

The May Revision includes \$1.2 million General Fund for the Judicial Council to address climate, environmental, and water-related legal disputes in addition to \$75 million one-time General Fund to support the California Small Agricultural Business Drought Relief Program to aid eligible agricultural-related businesses effected by severe drought. Some of this funding in this specific package in addition to some of the funding proposed for



nature-based solutions will provide habitat restoration supporting voluntary agreements with water users and to improve the health of Northern California Rivers.

### ***Developing Lithium Valley***

To support the development of geothermal and lithium extraction facilities in the Salton Sea region and support the economic supply chain hub that includes in-region lithium and battery production, the May Revision proposes to provide \$5 million to support these efforts. In addition, the May Revision proposes to provide for local governments and residents to benefit from the development and extraction of lithium by establishing a tax per ton of lithium extraction placing reporting and fee requirements on these activities while providing funding to contribute to the maintenance, restoration, and operations of Salton Sea, and grants to support disadvantaged communities in the region.

### ***Electricity Rates Revisions and the Public Utilities Commission***

The May Revision proposes statutory revisions to allow the Public Utilities Commission to adjust electricity rates to predetermined fixed charges with an emphasis on low-income customers. This rate reform effort will reduce charges attached to energy consumed, enable the creation of better price signals to enhance widespread electrification efforts, and help control rate volatility.

### ***Property Tax***

Preliminary data suggest that statewide property tax revenues increased around 3.7 percent in 2021-22, which is 2.5 percent points lower than anticipated in the Governor's Budget. These tax revenues are expected to grow 5.9 percent in 2022-23 due to home price growth slowing and data that shows a much lower rate of property transfers in 2021 compared to recent years. Approximately 42 percent (\$39.6 billion) of property tax revenues this fiscal year will go to K-14 schools. This includes \$2.8 billion that schools are expected to receive in 2022-23 pursuant to the dissolution of redevelopment agencies.

### ***State Appropriations Limit Calculation***

The 2022-23 limit is estimated to be \$135.6 billion pursuant to Article XIII B of the California Constitution. The revised 2022-23 limit is \$4.3 billion above the \$131.4 billion estimated in January and is a result of applying the growth factor of 7.9 percent to the prior year limit.

### ***Libraries***

The May Revision includes an increase of \$335,000 ongoing General Fund to expand public outreach and education to local libraries in the state and patrons in under-served and multilingual communities. In addition, the May Revision includes \$13.5 million one-time General Fund to expand the California State Library Partnership pilot program to provide state park passes for check out at local libraries.

CSDA will continue its advocacy efforts as the Legislature continues its various budget committee and budget subcommittee meetings to present the Governor with a finalized budget by the June 15 deadline. Should you have any questions regarding the May Revision, feel free to reach out to Cole Query at [coleg@csda.net](mailto:coleg@csda.net)



# ACWA ADVISORY

LEGISLATIVE | WATER USE EFFICIENCY  
**May 19, 2022**

## **ACWA-Sponsored AB 2142 Advances to Assembly Floor**

ACWA-sponsored AB 2142 passed the Assembly Appropriations Committee Suspense File today and is headed to the Assembly floor.

AB 2142 is co-sponsored by the California Water Efficiency Partnership and WaterNow Alliance and authored by Assemblymember Jesse Gabriel (D-Woodland Hills). The bill would reinstate the California personal income tax exemption for turf replacement rebates to help incentivize participation in water efficiency programs.

AB 2142 is supported by a broad coalition of organizations including water agencies, cities, and environmental groups, with more than 60 different entities signed onto the effort.

The Assembly will vote on the bill next week. If approved, it will next go to the Senate for consideration. The bill so far has received broad bi-partisan support throughout the process.

### **Background**

AB 2142 is a reintroduction of AB 533 by Assemblymember Chris Holden (D-Pasadena) in 2019. That bill was co-sponsored by Metropolitan Water District of Southern California, the California Water Efficiency Partnership, and WaterNow Alliance. ACWA and its members were supportive of that bill, but it was ultimately held in the Assembly Appropriations Committee on the suspense file.

### **Questions**

For questions about AB 2142, contact ACWA Senior Legislative Advocate Julia Hall at (530) 902-9746.





## California Special Districts Association

*Districts Stronger Together*

cc: Jun. 14, 2022  
Board Packet  
ASR "R" Corr. #4

# Development Impact Fee Legislation Amended to Address CSDA Concerns

By [Vanessa Gonzales](#)

CSDA is pleased to report that Assemblymember Tim Grayson amended two bills related to development impact fees to address concerns raised by CSDA. Development impact fees fund the infrastructure necessary to serve new housing developments and represent critical funding for many special districts to meet the needs of new residents. As originally introduced, AB 2186 (Grayson) and AB 2536 (Grayson) could have stymied the fire protection, parks, water, wastewater, and other public infrastructure needed to properly support growing communities.



CSDA thanks Assemblymember Grayson and the Assembly Local Government Committee for collaborating to address our concerns so that our state can promote needed housing development without underfunding the infrastructure future residents living in that housing will depend upon.

### **AB 2186 (Grayson) Housing Cost Reduction Incentive Program**

AB 2186 would establish the Housing Cost Reduction Incentive Program for the purpose of reimbursing cities and counties, which have land-use authority, for development impact fee reductions provided to qualified housing developments. Upon appropriation, AB 2186 would require the California Department of Housing and Community Development to provide grants to applicants in an amount equal to 50 percent of the amount of a development impact fee reduced for a qualified housing development and grants to applicants in an amount equal to the accrued interest on a deferred development impact fee.

CSDA worked closely with the author's office and the sponsors of the bill (California Housing Partnership) to secure amendments to the bill that ensure grant funds are used for the purposes for which the development impact fee would have been used. Furthermore, applicants must now secure the written consent of affected independent special districts for any grant

application involving the reduction or deferral of fees related to that district's services. The amendments ensure collaboration between the land-use authorities and special districts.

AB 2186 has cleared policy committees in the Assembly and awaits consideration in the Assembly Committee on Appropriations.

### **[AB 2536 \(Grayson\) Development Fees: Impact Fee Nexus Studies: Connection Fees and Capacity Charges](#)**

The Mitigation Fee Act regulates a variety of development impact fees, particularly fees supporting fire protection and park infrastructure. However, connection fees and capacity charges for water and wastewater infrastructure are governed by a different body of law. Most special districts undertake a significant evaluation process to determine the lawful and appropriate amount to impose for connection fees and capacity charges. As amended, AB 2536 intends to codify fundamental parameters for such a process.

CSDA met early on with the author's staff to raise our concerns with the version of the bill introduced February 17, 2022, as it would have imposed undue mandates on special districts that would have increased costs and liability associated with charges necessary for critical infrastructure. After convening meetings with a working group of CSDA members for feedback, CSDA was ultimately able to get behind amendments drafted by the Association of California Water Agencies (ACWA) to resolve our collective concerns. ACWA and CSDA negotiated with Assembly Member Grayson's office to amend the bill to the version now in print.

AB 2536 was heard and passed by the Assembly Committee on Local Government on May 4, 2022 and awaits consideration on the Assembly Floor.

If you have any questions or concerns regarding these bills, contact Cole Query at [coleg@csla.net](mailto:coleg@csla.net) or by phone at (916) 442-7887.



**California Special  
Districts Association**  
*Districts Stronger Together*

## A Report of Status of Bills Impacting Special Districts

By [Kristin Withrow](#) posted 21 hours ago

### Bills Impacting Special Districts are Officially Halfway Through the Legislative Process

May has been a busy month in the State Legislature; legislators returned from Spring recess and worked to clear policy and fiscal committee deadlines as Governor Gavin Newsom released his [May Revision](#). May 27 marked the official deadline for bills introduced this session to pass their "house of origin" with May 23-27 dedicated to only floor sessions. This means, all Assembly Bills introduced in 2022 needed to have passed out of the Assembly, and conversely, any Senate Bills introduced in 2022 needed to pass the State Senate or they are presumed dead for failure to meet the deadline.

At this point, the legislative process has hit what some might consider the "halfway" point. Legislators now have until August 31 to pass their bills through the second house. Any bills amended in the second house must also return to the first house for concurrence prior to that deadline.

We posted the status of these bills last week. **Our most recent updates appear below in red.**

**Below are some of significance to special districts that have cleared the house of origin deadline, including legislation related to climate adaptation, prevailing wage, surplus land, cybersecurity, and pensions.**

**[Assembly Bill 1640](#)** (Ward) - *Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans*

Authorizes eligible entities, including special districts, to establish and participate in a "regional climate network", which shall develop a regional climate adaptation and resilience action plan and submit the plan to the Office of Planning and Research for review, comments, and certification. A regional climate network may receive state and federal grants and engage in activities.

**This bill passed the Assembly on May 26 with zero 'no' votes.**

**[Assembly Bill 1681](#)** (Daly) - *Insurance: fraud prevention and detection*

Pursuant to Section 1879.1 of the Insurance Code, existing law empowers the Insurance Commissioner to convene investigative meetings with insurance companies to discuss specific information concerning suspected, anticipated, or completed acts of insurance fraud, as specified. This bill would allow district attorneys to be invited to such meetings, and also allow district attorneys to convene meetings with representatives of insurance companies and representatives of self-insured employers to discuss specific information concerning suspected, anticipated, or completed acts of insurance fraud, as specified, provided a specified representative of the Insurance Commissioner is present. Such information shared in those meetings will not make a

person subject to civil liability for libel, slander, or any other relevant cause of action, provided specified conditions are met (Insurance Commissioner's representative advises participants of guidelines to ensure compliance with federal and state antitrust laws, and no fraud or malice on the part of participants, as specified). This bill contains provisions for uses and sharing of information that comes out of such meetings.

**This bill passed the Assembly on May 25 with zero 'no' votes.**

**Assembly Bill 1707** (Boerner Horvath) - Property tax postponement: Senior Citizens and Disabled Citizens Property Tax Postponement Fund

This bill perpetually "tops off" the Senior Citizens and Disabled Citizens Property Tax Postponement Fund at \$15 million using General Fund dollars. Introduced on January 26, 2022, this bill has successfully moved through the Assembly Committee on Revenue and Taxation and through Appropriations with no opposition.

**Assembly Bill 1707 passed out of the Assembly on May 23 with no opposition.**

**Assembly Bill 1717** (Aguiar-Curry) - *Public works: definition*

Assembly Bill 1717 adds fuel reduction work paid for in whole or in part out of public funds performed as part of a fire mitigation project, including, but not limited to, residential chipping, rural road fuel breaks, fire breaks, and vegetation management, to the definition of public works. This will require payment of prevailing wage for these activities. This bill was amended on May 19 to clarify that the work it applies to must be done under contract.

**This bill passed the Assembly on May 26 with 58 'aye' votes, 11 'no' votes, and 9 abstentions.**

**Assembly Bill 1721** (Rodriguez) - *Seismic retrofitting: soft story multifamily housing*

Assembly Bill 1721 establishes a funding program through The California Governor's Office of Emergency Services (CalOES) to provide grant opportunities for local fire departments, including special districts, in responding to surges in demand for emergency medical services and provide effective mutual aid during disasters. This bill was amended on May 19 to retain only the seismic retrofit program.

**This bill passed the Assembly on May 26 with zero 'no' votes.**

**Assembly Bill 1751** (Daly) - *Workers' compensation: COVID-19: critical workers*

This bill is a workers' compensation presumption bill related to COVID-19. Under existing law, pursuant to SB 1159 (2020), there is a COVID-19 workplace injury presumption, as specified below, until January 1, 2023. This bill extends applicable sunsets until January 1, 2025.

**This bill passed the Assembly on May 26 with 58 'aye' votes, 10 'no' votes, and 10 abstentions.**

**Assembly Bill 1776** (Gallagher) - *Resource conservation districts: California Prompt Payment Act*

Existing law generally provides that a state agency that acquires property or services pursuant to a contract with certain entities but fails to make payment to the person or business on the date required by the contract, shall be subject to a late payment penalty. This bill would include resource conservation districts within the list of entities entitled to the late payment penalty.

**This bill passed the Assembly on May 25 with zero opposition.**

**Assembly Bill 1851** (R. Rivas) - *Public works: prevailing wage: hauling*

This bill expands the definition of public works to include on hauling of materials used for paving, grading, and fill onto a public works site. Relevant existing law defines public works to include the hauling of refuse from a public works site to an outside disposal location. As applicable to off hauling, "hauling of refuse" is defined as including, but not limited to, hauling soil, sand, gravel, rocks, concrete, asphalt, excavation materials, and construction debris, and excluding the hauling of recyclable metals such as copper, steel, and aluminum that have been separated from other materials at the jobsite prior to transportation and that are to be sold at fair market value to a bona fide purchaser.

**This bill passed the Assembly on May 26 with 58 'aye' votes, 13 'no' votes, and 7 abstentions.**

**Assembly Bill 1883** (Quirk-Silva) - *Public restrooms*

This bill would require library districts (as defined) and park districts (as defined) to complete an inventory of their "accessible, permanent public restrooms, including single-occupancy restrooms" available to the general population in its jurisdiction. These districts - along with cities and counties - would have to provide this completed inventory of bathrooms to the State Department of Public Health not later than July 1, 2023, and quarterly thereafter, for purposes of the development of the Department's online database of public restrooms.

**This bill passed the Assembly on May 26 with 56 'aye' votes, 15 'no' votes, and 4 abstentions.**

**Assembly Bill 1931** (L. Rivas) – *Community water systems: lead pipes*

Existing state and federal law and regulations have established a comprehensive structure for addressing lead in water distribution systems. These efforts exist for both the water system and customer side and amended to ensure that federal infrastructure funding can be used for replacements on the customer-owned portion of the lead service line. This bill is duplicative of some of those efforts and adds uncertainty.

**This bill passed the Assembly on May 26 with 52 'aye' votes, 15 'no' votes, and 11 abstentions.**

**Assembly Bill 2188** (Quirk) - *Discrimination in employment: use of cannabis*

This bill would afford employees protection from employer practices related to the hiring, termination, or any term or condition of employment, or otherwise penalize a person, if based upon any of the following:

- 1) The person's use of cannabis off the job and away from the workplace.
- 2) An employer-required drug screening test that has found the person to have nonpsychoactive cannabis metabolites in their urine, hair, or bodily fluids.

Nothing in this section permits an employee to be impaired by, or to use, cannabis on the job, or affects the rights or obligations of an employer to maintain a drug and alcohol-free workplace, as specified in Section 11362.45 of the Health and Safety Code. This bill does not apply to employees in the building and construction trades and states that it does not preempt state or federal laws requiring employees to be tested for controlled substances, including laws requiring employees to be tested as a condition of receiving federal funding or federal licensing-related benefits.

**This bill passed the Assembly on May 26 with 42 'aye' votes, 23 'no' votes, and 13 abstentions.**



**Assembly Bill 2243** (E. Garcia) - *Occupational safety and health standards: heat illness: wildfire smoke*

This bill requires the Cal/OSHA standards board to:

1) Consider revising the heat illness standard to include an ultrahigh heat standard for employees in outdoor places of employment for heat in excess of 105 degrees, which will include additional mandatory paid rest and recover breaks every hour, more accessible cool water, and increased employer monitoring of employees for symptoms of heat-related illnesses in addition to other protections, and require employers to distribute a copy of the Heat Illness Prevention Plan to all new employees upon hire, when temperatures first exceed 80 degrees and to all employees on an annual basis.

2) Consider revising existing wildfire smoke standards to reduce the AQI threshold for PM2.5 at which control by respiratory protective equipment becomes mandatory to, at a maximum, an AQI of 301. For an AQI above 301 but below 500, the employer need not implement fit testing and medical evaluations or otherwise implement requirements under Section 5144 of Title 8 of the California Code of Regulations.

This bill also requires the Division of Occupational Safety and Health to consider developing or revising regulations related to:

1) Additional protections related to acclimatization to higher temperatures, especially following an absence of a week or more from working in ultrahigh heat settings, including after an illness.

2) Linguistically appropriate training programs for outdoor employees in directly administering first aid related to extreme heat-related illnesses, particularly in rural areas.

**This bill passed the Assembly on May 25 with 47 'aye' votes, 19 'no' votes, and 12 abstentions.**

**Assembly Bill 2247** (Bloom) - *Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible reporting platform*

This bill, co-sponsored by CASA in conjunction with Clean Water Action and the Environmental Working Group, would require manufacturers to register, on a publicly available reporting platform, products containing PFAS that are sold, distributed, offered as promotions, and/or imported into the state. This platform must be established no later than January 1, 2024, by the Department of Toxic Substances Control. This bill was amended May 19 to limit the reporting requirements to products with "intentionally added" PFAS and extend the implementation and reporting deadlines by one year (2025).

**This bill passed the Assembly on May 26 with 43 'aye' votes, 19 'no' votes, and 16 abstentions.**

**Assembly Bill 2357** (Ting) - *Surplus land*

This bill makes several changes to the Surplus Lands Act (SLA) and is a follow-up to Assembly Bill 1486 (Ting, Chaptered 2019). Specifically, Assembly Bill 2357 authorizes local agencies to administratively declare specific types of "exempt surplus land" with 30 days public notice and requires local agencies to notify the Department of Housing and Community Development (HCD) 30 days prior to disposing of exempt surplus land. In addition, Assembly Bill 2357 amends the penalty provisions associated with violations of disposed surplus land making local agencies liable for a penalty that is a specified percentage of an independently appraised fair market value on the surplus land being disposed of.

**This bill passed the Assembly on May 25 with 54 'aye' votes, 19 'no' votes, and 5 abstentions.**



**Assembly Bill 2419** (Bryan) - *Environmental justice: federal Infrastructure Investment and Jobs Act: Justice40 Advisory Committee*

This bill would make the Biden Administration goal a mandate in California by codifying the establishment of a state commission to allocate to disadvantaged communities at least 40 percent of the Infrastructure Investment and Jobs Act's funding for climate, energy, transit, and water/wastewater infrastructure.

**This bill passed the Assembly on May 25 with 55 'aye' votes, 17 'no' votes, and 6 abstentions.**

**Assembly Bill 2421** (Rubio) - *Water: unlicensed cannabis cultivation*

This bill is another attempt to address the issue of illegal water diversion by cannabis growing operations. It provides additional legal authority for local authorities to prosecute crimes relating to water pollution and water theft relating to unpermitted cannabis cultivation. The bill was amended on April 20 to reflect notification requirements for the city attorney or county counsel when an action is taking place.

**Assembly Bill 2421 passed the Assembly on May 25 with no opposition.**

**Assembly Bill 2677** (Gabriel) - *Information Practices Act of 1977*

This bill's intent was to apply a comprehensive data privacy law to local agencies by amending the Information Practices Act of 1977 to apply its provisions to local agencies. The bill also made some changes to the definition of "personal information" to expand to include genetic information, IP address, online browsing history, and more.

The bill was amended on May 19 to remove local agencies from the language (and requirements) of Assembly Bill 2677, while also adding intent language articulating the Legislature's desire to work on a comprehensive data privacy law applicable to local agencies.

**This bill passed out of the Assembly without any opposition on May 25.**

**Assembly Bill 2953** (Salas) - *Department of Transportation and local agencies: streets and highways: recycled materials*

Assembly Bill 2953 would require a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method. Further, the bill would require a local agency that has jurisdiction over a street or highway, beginning January 1, 2024, apply standard specifications that allow for the use of recycled materials in streets and highways to the extent feasible and cost effective. "A local agency that has jurisdiction over a street or highway" is a phrase expressly defined in the bill to only exclude any city whose revenue is equal to or less than 0.02 percent of the total of all California city revenues, or any county whose revenue is equal to or less than 0.10 percent of the total of all California county revenues, as posted for the most recent fiscal year on the Local Government Annual Financial Data internet website or a successor internet website. By expressly defining "a local agency that has jurisdiction over a street or highway" in this manner, special districts would be required to observe these requirements and would not qualify for the exemption provided within the bill.

**Assembly Bill 2953 passed out of the Assembly on May 23 with zero 'no' votes.**

**Senate Bill 892** (Hurtado) - *Cybersecurity preparedness: food and agriculture sector and water and wastewater systems sector*

This bill requires:

- 1) The Office of Emergency Services (CalOES) to develop and enact optional reporting guidelines and content, with specified considerations, as specified, applicable to companies and cooperatives in the food and agriculture industry, and entities in the water and wastewater management systems industry, for when they identify verified significant cyber threats or active cyberattacks. This bill suggests reporting within 30 days of discovery and suggests agencies to which the report should be made.
- 2) CalOES to direct the California Cybersecurity Integration Center (CCIC) to prepare a strategic, multiyear outreach plan focusing on ways to assist the food and agriculture sector and the water and wastewater sector in efforts to improve cyber security, as specified. This bill requires sharing the plan with the Legislature by January 1, 2024.
- 3) CalOES to direct CCIC to evaluate options for providing entities in the food and agriculture sector or the water and wastewater sector with grants or alternative forms of funding to improve cybersecurity preparedness, and provide a report to the Legislature by January 1, 2024, including a summary of CCIC's evaluation, specific grants and other forms of funding for improved cybersecurity preparedness (current and potential funding), and potential voluntary actions that do not require funding and assist the food and agriculture sector and the water and wastewater sector in their efforts to improve cybersecurity preparedness.

The bill specifies that its provisions do not require the water and wastewater sector to submit vulnerability assessments, emergency response plans, or other related documents to the state.

**This bill passed the Assembly on May 24 with 25 'aye' votes, 7 'no' votes, and 8 abstentions.**

**Senate Bill 931** (Leyva) - *Deterring union membership: violations*

Senate Bill 931 would permit an employee organization subject to the jurisdiction of the Public Employment Relations Board (PERB) to bring a claim before PERB alleging a violation of Section 3550. Upon a finding by PERB that the public employer violated Section 3550, the employer will be subject to a civil penalty of up to \$1,000 per each affected employee, not to exceed \$100,000 in total. This bill provides for the awarding of attorney's fees and costs to a prevailing employee organization only, from the inception of administrative proceedings, unless the board finds the claim was frivolous, unreasonable, or groundless when brought, or the employee organization continued to litigate after it clearly became so; but such attorney's fees will not be awarded for proceedings to challenge the dismissal of an unfair practice charge by PERB's Office of the General Counsel.

This bill was amended to have the contemplated penalties paid to the State General Fund, instead of to PERB.

**This bill passed the Assembly on May 24 with 25 'aye' votes, 9 'no' votes, and 6 abstentions.**

**Senate Bill 1044** (Durazo) - *Employers: state of emergency or emergency condition: retaliation*

Senate Bill 1044 will require that in a state of emergency or an emergency condition, an employer shall not take or threaten adverse action against any employee for refusing to report to, or leaving, a workplace within the affected area because the employee feels unsafe; or, prevent any employee from accessing the employee's mobile device or other communications device for

seeking emergency assistance, assessing the safety of the situation, or communicating with a person to verify their safety.

This bill was amended to reduce its scope, including to exclude employees defined as Disaster Service Workers in Section 3101 of the Government Code, first responders as defined in Section 8562 of the Government Code, and certain private sector employees.

**This bill passed the Assembly on May 25 with 24 'aye' votes, 10 'no' votes, and 6 abstentions.**

**Senate Bill 1109** (Caballero) – *California Renewables Portfolio Standard Program: bioenergy projects*

This bill would extend the electrical corporations' obligation to procure their proportionate share of 125 megawatts of cumulative rated generating capacity from bioenergy projects collectively and extend these requirements until December 31, 2023. This bill was amended on May 19 to strike the language requiring standard contract terms and conditions.

**This bill passed out of the Senate on May 26 with zero 'no' votes.**

**Senate Bill 1124** (Archuleta) - *Public health goal: primary drinking water standard: manganese*

This bill would require Office of Environmental Health Hazard Assessment (OEHHA) to prepare a public health goal for manganese, as provided. The bill would require the state board, after OEHHA publishes a public health goal for manganese, to adopt a primary drinking water standard for manganese and to establish monitoring requirements for manganese on or before July 1, 2023.

**This bill passed the Senate on May 25 with 31 'aye' votes, 5 'no' votes, and 4 abstentions.**

**Senate Bill 1127** (Atkins) - *Workers' compensation: liability presumptions*

Senate Bill 1127 would do the following things:

- 1) Adds firefighter and peace officer cancers, as specified in Labor Code Section 3212.1, to the list of conditions for which aggregate disability payments for a single injury occurring on or after January 1, 2023, causing temporary disability, shall not extend for more than 240 compensable weeks.
- 2) Reduces the period of time that employers are allowed to investigate a claim for benefits prior to making a coverage decision. For most claims the investigation period is reduced from 90 to 60 days. For claims covered by legal presumptions, as specified, the investigation period is reduced even further to 30 days.
- 3) Expands penalties on employers which may result in significant benefit expansions for workers covered by certain legal presumptions. Specifically, when liability has been unreasonably rejected for claims of injury or illness covered by certain legal presumptions, as specified, the amount of the penalty will be five times the amount of the benefits unreasonably delayed due to the rejection of liability, capped at \$100,000. This provision is applied retroactively.

**This bill passed the Assembly on May 24 with 28 'aye' votes, 9 'no' votes, and 3 abstentions.**

**Senate Bill 1173** (Gonzalez) – *Public retirement systems: fossil fuels: divestment*

This bill requires CalPERS and CalSTRS to not make additional or new investments or renew existing investments of public employee retirement funds in a fossil fuel company, as defined, and to liquidate investments in fossil fuel companies on or before July 1, 2030. Through January 1,

2035, this requirement shall be suspended upon a good faith determination by the board that an act of God, war, or other unforeseeable event creates conditions that materially impact normal market mechanisms for pricing assets and shall only be reinstated, as specified, upon a subsequent good faith finding of the board that market conditions have substantially returned to normal ex-ante.

The bill does not require the boards of the respective retirement systems to take action as described in the bill unless the boards determine in good faith that the action is consistent with the fiduciary responsibilities of the boards described in the California Constitution. Beginning February 1, 2024, and annually thereafter, each of the boards shall create reports, and provide them to the Legislature and the Governor, and post them to their websites, that include the following: a list of fossil fuel companies of which the board has liquidated its investments as required; a list of fossil fuel companies with which the board still has not liquidated its investments; a list of fossil fuel companies of which the board has not liquidated its investments as a result of a determination that a sale or transfer of investments is inconsistent with the fiduciary responsibilities of the board described in the California Constitution, and the board's findings adopted in support of that determination; and an analysis of methods and opportunities to rapidly and effectively reduce dependence on fossil fuels and transition to alternative energy sources in a realistic timeframe that avoids negatively contributing to economic conditions particularly damaging to public employee retirement funds and to overall net employment earnings of the state's workforce.

**This bill passed the Assembly on May 25 with 21 'aye' votes, 10 'no' votes, and 9 abstentions.**

If there are additional bill that you would like to know the status of, visit the Bill Tracking section of the "[Advocate](#)" tab of CSDA's website at [www.csda.net](http://www.csda.net) where you can search through legislation by bill number or keyword.

Permalink

<https://www.csda.net/blogs/kristin-withrow1/2022/05/31/what-is-the-status-of-special-district-bills>

Agenda Item:

**CUSTOMER REQUEST FOR ADDITIONAL REDUCTION ON LEAK ADJUSTMENT**

Summary:

**June 14, 2022:**

The FWD customer will be at the meeting to discuss his request and has provided a letter for the Board to review.

Copy of the customer's letter included.

Potential Board Actions:

FWD Board may either:

1. Vote to approve request
2. Vote to deny request
3. Direct Staff with further instructions

Staff Recommendation: None

Report created by: Dawn Leith, Board Clerk

This is a difficult letter to write. I am happy, even proud, to be a member of the Forestville water district. I love this community and the public institutions that serve it. This letter is not to disparage the agency or any member of it. The purpose of this letter is to request that the board consider accepting some financial responsibility for a leakage on my property that likely happened or at least continued to happen because of the district's negligence in addressing a larger leak (smaller hole, much longer period of time) happening on the district's side.

Here is a simple timeline. I've tried to be accurate. I didn't keep a record so some of the dates may be a week or so off in either direction.

**August 2021** I noticed a pool of water uphill from my water meter. I immediately notify the district

**October 2021** I've been away for a month, when I return the pool is still there. I notify the district again

**November 2021** I am a bit irritated so I ask to speak with somebody at the district. I can't remember who it was, but I am told that the water is pooling because of natural seepage running down my driveway.

**January 2022** The pool of water is now large enough that my meter is completely submerged in several feet of water. My stack of wood 30 feet away is sinking into the ground. There is a noticeable run off heading toward my creek. I complain again.

**End of January 2022** The district comes and takes a look, and agrees it's a leak, probably on their side. After a long discussion Tony and I agree that the district will fix the problem by moving my meter to a better location and will run a new line to my house. I agree with the solution.

**Feb** Nothing happens, my meter is completely submerged, water is running toward my creek

**March** Nothing happens, my meter is completely submerged, water is running toward my creek

**End of April** Nothing happens, my meter is completely submerged, water is running toward my creek

I find a leak on my side, a pipe down by my creek (directly downhill from the district leak) has cracked. There are no tree roots in the hole. The break is a threaded coupler where the threads are cracked on top. I receive a huge water bill

**May** Tony and I agree that the bill will be put on hold pending a deeper look into the district's leak. Near the end of May, Tony gets Doug Wood to agree to come first of June to fix the district's leak.

**June** The districts leak, which has been flooding my property since August, is fixed



## Summary

The district had a significant leak on their side of the meter (enough to cause a surface pool of water and submerge my meter 30 feet away). They were notified immediately. The leak continued for 9 to 10 months. After 8-9 months a pipe downstream from the district's leak breaks. It appears to break because pressure from the top was pushing down on it without being supported from the bottom (Doug Woods' employee agreed that it appeared this way).

Why I am asking for the district to accept some of the financial responsibility of this leak. I believe there are 3 undeniable facts. 1) There is some probability that the district's leak eroded the soil under my irrigation pipes. The soil under the pipe that broke was very wet and has since dried significantly since the district fixed their leak. Also, the way the pipe was cracked looked like pressure was being applied to an unsupported pipe. This would be consistent with the theory that a stream of water had been flowing under the pipes for 9 months, eroding away the base. Particularly the softer material that was most likely under the junction that broke.

2) Because I have had many small leaks (all from tree roots) in the past. I've become accustomed to checking my meter periodically. For the 9 months that the district was flooding my property, it was not practical to check my own meter as it was under several feet of water. It is very possible I would have caught the leak sooner, had I been able to check my meter.

3) My meter was under water, thus an inaccurate read on the prior month's water bill could have been made. If this is the case, the leak on my side was able to continue much longer than necessary. I believe this is the least likely scenario, however it is still very possible.

Considering each of these facts could have led to the costly leak on my side (we will never know exactly what happened), I am asking the district to share in the cost of the lost water. If we knew for certain the pipe had broken because of the district's negligence I would ask for 100 percent of the cost to be covered. Likewise, if I were checking my meter every day but could not because of the district's negligence I would ask for 100 percent.

Because we can't know for sure how much the fault was because of the district's failure to fix their own leak, I am simply asking the board to accept half of the responsibility. I would like to take the true cost of the water (wholesale rate) and divide it by two. I will pay half and the district pays half. Of course I would also accept the district taking a larger share of the responsibility!

This is not the first leak on my property. I've never asked the district to cover the costs because the leaks were clearly not the fault of the district. In this case, it is clear to me that the district was negligent in allowing a significant break to flood my property for 9 months. If this negligence contributed to the damage that caused a threaded coupler to break on my property, the district should accept responsibility.

Thank you for considering this request.  
Hillel Posner

Agenda Item:

**General Manager Lopes Water and Sewer Operations Report for May 2022**

Summary:

**June 14, 2022:**

## Water Operations:

USA Checks: 17

Water Work Orders: 16

Our district had all 3 of the customer service connections fail and repaired in the last 2 years off the same water main on Clark Lane. We recently have experienced a leak that could be ours or the customers but needed to explore to confirm. We hired our contractor to locate this blow off and perform the work. We determined that the blow off was under a concrete driveway on the customer property. We cut into the main and installed a wharf hydrant that will serve as the blow off that now can't be buried and relocated the water meter off the customer property.

Our staff just concluded the fire hydrant flushing for 2022. We now have 106 fire hydrants and 5 wharf hydrants.

You may have noticed already that we are in the process of painting the hydrants with the El Molino carnival red on the white.

These 5 wharf hydrants were installed in the last year and were transformed from blow off valves.

36 of the 37 blow off valves were flushed also, with only 1 that has not been located in the Heights. All attempts have been made to locate this remaining valve and we may need to perform the same type of project.

Valve exercising just started this week.

Had 3 new water connection fees officially paid this month, and connections will be concluded shortly.

We currently have only 2 locked off water meters, as 1 of the properties that had a lien was sold and is now in service with new owners.

We had a water customer attempt to do a home repair and broke our side of the water meter on a weekend. Our on-call operator crimped the water line, and the final repair was completed by us. The customer has been charged for the overtime and regular hours that occurred along with the materials.

Our Anderson building valve program to the Young water tanks malfunctioned so the technician came out to troubleshoot and calibrate. Our operator took copious notes on the work completed and a SOP will be included into our system to perform these duties in house next time it arises. Program was lowered to shut off at 16' instead of 16.5'. The State CCR and EAR water reports were completed and uploaded.

Our operations staff did a tour of the Sonoma Water Wohler and Mirabel facilities on 5/17.

Our water purchase rates from Sonoma water were raised by 5.8%. In the previous 4 years, FWD is now -2.1% behind on cumulative total.

## Recycled Water:

Our discharge season to the creek officially passed on 5/15 with a total of 3.98 MG for a 3-year total of 13.9 MG. That recycled water resale value is \$ 45,396 at today's rates.

Spoke with a potable water customer, (Food for Thought) about the guidelines to have a contractor connect them to our recycled water line.

## Sewer Operations:

Working on the culvert that runs in front of our sewer facility with the neighbor to repair the road that is decaying due to the rainstorms.

Aerators and recycled pond equipment have had regularly scheduled maintenance.

Several SWRCB directors, (at their request), will be out on 6/9 to do a tour of our wastewater facility and the recycled water system.

Created and sent a will serve letter to a customer for a sewer and water ADU design plan currently awaiting approval from PRMD.

I had received a request from Sonoma County to confirm that FWD had a resolution regarding placing the GM as official treasurer for the district. That would be resolution 408, all is confirmed.

District Staff:

I met with Counsel Hirsch on 6/2 to discuss the on-call wording for the employee handbook and FWD response to staff regarding the on-call guidelines. These will be made available for the Board to discuss in July.

I will also be discussing an in lieu of benefits policy to the Board.

We have continued our regular safety meetings and staff luncheon.

I will be attending the CSDA General Manager summit in San Diego 6/19-6/21.

I want to take this opportunity to congratulate Ricky Wheeler on successfully passing his Grade 3 Wastewater certification. Well done.

Potential Board Actions:

No FWD Board action needed: for informational purposes only.

Staff Recommendation:

None

Report created by: Tony Lopes, General Manager

Agenda Item:

**GRATON CSD & FORESTVILLE WATER DISTRICT  
STANDING SUB-COMMITTEE WITH FWD**

Summary:

**June 14, 2022:**

The Sub-committee will brief the Board of any new updates.

**HISTORICAL:**

**May 10, 2022:**

Director McDermott will be meeting with Graton's new Board President in the coming weeks. No action taken by the Board.

**March 8, 2022:**

The Subcommittee will update the Board.

**January 11, 2022**

The Subcommittee will need to select future meeting date.

**December 14, 2021:**

December 2's GCSD/FWD Sub-committee meeting was cancelled and has not yet been rescheduled to a future date.

**November 9, 2021:**

Next scheduled meeting will be December 2, 2021, at 5:30 p.m. via Zoom.

\*\*\* SEE ASR FROM OCTOBER 12, 2021 BOARD MEETING FOR PRIOR HISTORICAL DATA RELATED TO THIS AGENDA ITEM \*\*\*

Potential Board Actions: For informational purposes only

Staff Recommendation: None

Report created by: Dawn Leith, Interim Board Clerk