

**AGENDA
IRVINE RANCH WATER DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING**

September 8, 2014

PLEDGE OF ALLEGIANCE

CALL TO ORDER 5:00 P.M., Board Room, District Office
15600 Sand Canyon Avenue, Irvine, California

ROLL CALL Directors Matheis, Reinhart, Swan, Withers and President LaMar

NOTICE

If you wish to address the Board on any item, including Consent Calendar items, please file your name with the Secretary. Forms are provided on the lobby table. Remarks are limited to five minutes per speaker on each subject. Consent Calendar items will be acted upon by one motion, without discussion, unless a request is made for specific items to be removed from the Calendar for separate action.

COMMUNICATIONS TO THE BOARD

1. A. Written:

 B. Oral:

2. ITEMS RECEIVED TOO LATE TO BE AGENDIZED

 Recommendation: Determine that the need to discuss and/or take immediate action on item(s) introduced come to the attention of the District subsequent to the agenda being posted.

PRESENTATION

3. ORANGE COUNTY WATER DISTRICT PRESENTATION

 OCWD Director Stephen Sheldon and Executive Director of Planning and Natural Resources Greg Woodside will provide an update on OCWD activities.

CONSENT CALENDAR

Resolution No. 2014-39

Items 4-10

4. MINUTES OF REGULAR BOARD MEETING

 Recommendation: That the minutes of the August 25, 2014 Regular Board meeting be approved as presented.

CONSENT CALENDAR - Continued **Resolution No. 2014-39** **Items 4-10**

5. RATIFY/APPROVE BOARD OF DIRECTORS' ATTENDANCE AT MEETINGS AND EVENTS

Recommendation: That the Board ratify/approve meetings and events for Steven LaMar, Douglas Reinhart, Mary Aileen Matheis, John Withers and Peer Swan.

6. 2014 STATE LEGISLATIVE UPDATE

Recommendation: Receive and file.

7. STOCKDALE INTEGRATED BANKING PROJECT ENVIRONMENTAL COMPLIANCE VARIANCE NO. 3

Recommendation: That the Board approve an increase to the FY 2014-15 Capital Budget in the amount of \$27,300 for Project 11645 (3766) for additional environmental compliance work; approve an Expenditure Authorization for Project 11645 (3766) in the amount of \$27,300 for the additional environmental compliance work; and authorize the General Manager to execute Variance No. 3 with ESA in the amount of \$24,765.

8. REVISED PROCEDURES AND SIGNATURE AUTHORIZATIONS FOR GENERAL DEPOSITORY ACCOUNTS

Recommendation: That the Board adopt a resolution rescinding Resolution Nos. 2005-3 and 2010-17, designating depositories and authorizing signatures, including facsimile signatures, for general accounts, and authorizing funds transfers and electronic payments services.

Reso. No. 2014-

9. REVISED RESOLUTION AUTHORIZING THE DISTRICT SECRETARY TO ACCEPT AND CONSENT TO DEEDS, GRANTS, OR DEDICATIONS

Recommendation: That the Board adopt a resolution rescinding Resolution 1965-36 and 1976-111 and authorizing the Secretary of the District to accept and consent to deeds, grants, or dedications on final maps conveying any interest in or easement upon real estate to the District for public purposes.

Reso. Nos. 2014-

10. AUTHORIZATIONS FOR SETTLEMENT OF SPECIFIC DISTRICT CLAIMS AND WORKERS' COMPENSATION PAYMENTS

Recommendation: That the Board adopt a resolution rescinding Resolution No. 1990-7 and authorizing the processing, allowance, compromise and settlement of certain claims.

Reso. No. 2014-

ACTION CALENDAR

- | | |
|---|-----------------|
| 11. <u>POLICY REVISIONS AND PROPOSED NEW POLICY RELATED TO DISTRICT APPROVALS, AUTHORIZATIONS AND PROCEDURES</u> | Reso. No. 2014- |
| Recommendation: That the Board adopt a resolution rescinding Resolution No. 2002-8 establishing revised policies with respect to authorization of expenditures, competitive bidding and award of contracts, procurement of professional services and approval and authorization of change orders to existing contracts, and establishing policy with respect to acquisition of lands and easements. | |
| 12. <u>REVISIONS TO RULES AND REGULATIONS RELATIVE TO DISPOSITION OF PROPERTY OF THE DISTRICT</u> | Reso. No. 2014- |
| Recommendation: That the Board adopt a resolution rescinding Resolution No. 1972-5 and reestablishing rules and regulations for the disposition of property of the District. | |
| 13. <u>REVISIONS TO DISTRICT GUIDELINES FOR ACCESS TO PUBLIC RECORDS</u> | Reso. No. 2014- |
| Recommendation: That the Board adopt a resolution rescinding Resolution No. 1995-37 and adopting guidelines for access to public records. | |
| 14. <u>REVISED DISTRICT RECORDS RETENTION SCHEDULE</u> | Reso. No. 2014- |
| Recommendation: That the Board adopt a resolution rescinding Resolution No. 2004-57 and adopting a records retention schedule and authorizing destruction of certain District records. | |
| 15. <u>2015 MEDICAL INSURANCE COVERAGE RENEWAL</u> | |
| Recommendation: That the Board authorize staff to continue the District's health care coverage with CalPERS for calendar year 2015 with changes in employee and District contribution levels as recommended in Table A. | |
| 16. <u>DENTAL INSURANCE COVERAGE FOR CALENDAR YEAR 2015</u> | |
| Recommendation: That the Board authorize the General Manager to extend the District's contract with the Association of California Water Agencies' Joint Power Insurance Authority for Delta Preferred Option Plan A with child and adult orthodontic coverage. | |

ACTION CALENDAR - Continued

17. STATEWIDE DROUGHT AND LEVEL ONE WATER SHORTAGE DECLARATION

Recommendation: That the Board declare a Level One Water Shortage and authorize staff to implement the associated measures specified in the Water Shortage Contingency Plan.

18. 2015 COUNTY OF ORANGE LEGISLATIVE PLATFORM REQUEST FOR COMMENTS

Recommendation: That the Board authorize staff to submit comments for consideration in the County of Orange 2015 Legislative Platform by the County of Orange, as deemed appropriate by the Board, before September 26, 2014.

19. ASSOCIATION OF CALIFORNIA WATER AGENCIES 2015 LEGISLATIVE PLANNING

Recommendation: That the Board adopt a "SUPPORT" position on the recycled water concept put forth in the legislative proposal form.

OTHER BUSINESS

Pursuant to Government Code Section 54954.2, members of the Board of Directors or staff may ask questions for clarification, make brief announcements, make brief reports on his/her own activities. The Board or a Board member may provide a reference to staff or other resources for factual information, request staff to report back at a subsequent meeting concerning any matter, or direct staff to place a matter of business on a future agenda. Such matters may be brought up under the General Manager's Report or Directors' Comments.

20. A. General Manager's Report

B. Directors' Comments

C. Adjourn

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Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Irvine Ranch Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection in the District's office, 15600 Sand Canyon Avenue, Irvine, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Secretary of the District Office at the same time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available at the entrance to the Board of Directors Room of the District Office.

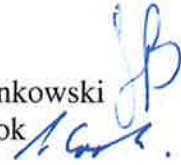
The Irvine Ranch Water District Board Room is wheelchair accessible. If you require any special disability-related accommodations (e.g., access to an amplified sound system, etc.), please contact the District Secretary at (949) 453-5300 during business hours at least seventy-two (72) hours prior to the scheduled meeting. This agenda can be obtained in alternative format upon written request to the District Secretary at least seventy-two (72) hours prior to the scheduled meeting.

September 8, 2014

Prepared and

Submitted by: L. Bonkowski

Approved by: P. Cook



CONSENT CALENDAR

MINUTES OF BOARD MEETING

SUMMARY:

Provided are the minutes of the August 25, 2014 Regular Board Meeting for approval.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

Not applicable.

RECOMMENDATION:

THAT THE MINUTES OF THE AUGUST 25, 2014 REGULAR BOARD MEETING BE APPROVED AS PRESENTED.

LIST OF EXHIBITS:

Exhibit "A" – Minutes of August 25, 2014 Regular Board Meeting

EXHIBIT "A"

MINUTES OF REGULAR MEETING – AUGUST 25, 2014

The regular meeting of the Board of Directors of the Irvine Ranch Water District (IRWD) was called to order at 5:00 p.m. by President LaMar on August 25, 2014 in the District office, 15600 Sand Canyon Avenue, Irvine, California.

Directors Present: Reinhart, Withers, Matheis, LaMar and Swan.

Directors Absent: None.

Also Present: General Manager Cook, Executive Director of Engineering Burton, Executive Director of Finance Clary, Executive Director of Operations Sheilds, Executive Director of Water Policy Weghorst, Director of Treasury and Risk Management Jacobson, Director of Public Affairs Beeman, Director of Human Resources Roney, Legal Counsel Arneson (by teleconference), Secretary Bonkowski, Assistant Secretary Savedra, Ms. Amy McNulty, Ms. Christine Compton, Mr. and Mrs. Chris Kinner, Ms. Lyndy Lewis, Mr. Mike Bray, Mr. Lars Oldewage, Ms. Gina Jackson, Mr. Jim Reed, Mr. Bruce Newell and other members of the public and staff.

WRITTEN COMMUNICATION: None.

ORAL COMMUNICATION

Mrs. Joan Irvine Smith's assistant addressed the Board of Directors with respect to the Dyer Road Wellfield. She said it was her understanding that currently wells 1, 2, 4, 5, 6, 7, C-8, C-9, 10, 12, 14, 15, 17 and 18 will operate in accordance with the District's annual pumping plan. Wells 3, 11, 13, and 16 will be off. This was confirmed by Mr. Cook, General Manager of the District.

ITEMS TOO LATE TO BE AGENDIZED: None.

PRESENTATION

RESOLUTION OF COMMENDATION FOR CHRIS KINNER

On MOTION by Withers, seconded and unanimously carried, THE BOARD ADOPTED THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2014-37

RESOLUTION OF THE BOARD OF DIRECTORS
OF IRVINE RANCH WATER DISTRICT COMMENDING
CHRIS KINNER FOR HIS DEDICATED AND
LOYAL SERVICE TO THE DISTRICT

General Manager Cook presented the commendation to Mr. Kinner. Mr. Kinner said he appreciated his time at the District and also thanked Mr. Cook for his good works at being a most notable General Manager.

CONSENT CALENDAR

On MOTION by Reinhart, seconded and unanimously carried, CONSENT CALENDAR ITEMS 4 THROUGH 8 WERE APPROVED AS FOLLOWS:

4. MINUTES OF REGULAR BOARD MEETING

Recommendation: That the minutes of the August 11, 2014 Regular Board Meeting be approved as presented.

5. RATIFY/APPROVE BOARD OF DIRECTORS' ATTENDANCE AT MEETINGS AND EVENTS

Recommendation: That the Board ratify/approve the meetings and events for Steven LaMar, Mary Aileen Matheis, Douglas Reinhart, Peer Swan and John Withers as described.

6. JULY 2014 TREASURY REPORTS

Recommendation: That the Board receive and file the Treasurer's Investment Summary Report, the Monthly Interest Rate Swap Summary for July 2014, and Disclosure Report of Reimbursements to board members and staff; approve the July 2014 Summary of Payroll Ach payments in the total amount of \$1,487,194 and approve the July 2014 accounts payable disbursement summary of warrants 350335 through 351009, workers' compensation distributions, wire transfers, payroll withholding distributions and voided checks in the total amount of \$30,005,464.

7. UPCOMING PROJECTS STATUS REPORT

Recommendation: Receive and file.

8. EXPENSE POLICY REVISION RESOLUTION

Recommendation: That the Board adopt the following Resolution by title rescinding Resolution No. 2006-29 establishing a revised policy on business expense reimbursement, travel, meeting compensation, and representation.

RESOLUTION NO. 2014- 38

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT, RESCINDING
RESOLUTION NO. 2006-29 AND ESTABLISHING A REVISED POLICY
ON BUSINESS EXPENSE REIMBURSEMENT, TRAVEL,
MEETING COMPENSATION, AND REPRESENTATION

ACTION CALENDAR

BOOSTER PUMP STATION CHECK VALVE REPLACEMENT CONSTRUCTION AWARD

Executive Director of Engineering Burton reported that this project will replace a total of 10 hydraulically-controlled ball check valves with silent check valves at the Foothill Ranch Zone 4-6 and Coastal Zone 4 Booster Pump Stations. Mr. Burton said that the check valves tend to fail in the open or closed position which can lead to damage of the other equipment.

Mr. Burton said that the project was advertised to a select list of 14 contractors. The bid opening was held August 13, 2014 with bids received from GCI Construction, SS Mechanical, and Schuler Engineering Corporation. Schuler is the apparent low bidder with a total bid amount of \$247,252; the engineer's estimate is \$150,000. Mr. Burton said that although Schuler's bid was 65% higher than the engineer's estimate, all three bids are within a 5% range, indicating that the bids represent the fair market value for the work. He said that the higher bids are likely due to the high level of coordination and scheduling required for the contractor to perform the work while still keeping the pump stations in operation. The contractor will have to perform the modifications one pump at a time in order to maintain sufficient pumping capacity at each station throughout the construction period. Staff reviewed Schuler's bid and determined that the bid is fair and responsive.

On MOTION by Matheis, seconded and unanimously carried, THE BOARD AUTHORIZED A BUDGET INCREASE IN THE AMOUNT OF \$77,000 FROM \$267,300 TO \$344,300 FOR PROJECT 11751 (5116); APPROVED AN EXPENDITURE AUTHORIZATION IN THE AMOUNT OF \$344,300 FOR PROJECT 11751 (5116); AND AUTHORIZED THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$247,252 WITH SCHULER ENGINEERING CORPORATION FOR THE BOOSTER PUMP STATION CHECK VALVE REPLACEMENT, PROJECT 11751 (5116).

MICHELSON WATER RECYCLING PLANT BIOSOLIDS AND ENERGY RECOVERY FACILITIES CONTRACT CHANGE ORDER

Construction of the Biosolids project was awarded to Filanc/Balfour-Beatty in March 2013 in the amount of \$163,513,307. The Biosolids project will provide biosolids digestion, dewatering, energy production, and on-site sludge drying. The project includes excavation for subsurface structures, installation of 3,028 foundation piles, three egg-shaped digesters, a state-of-the-art odor control system, a biogas conditioning system and emergency power generation using micro-turbines, a fats, oil and grease receiving station, and new utility services.

Executive Director of Engineering and Planning Burton reported staff performed a review of the project's electrical power requirements and concluded that modifications to electrical Switchgear 16 were necessary. These modifications include: 1) increasing the capacity of incoming transformer T-16 and the corresponding cable feeders to accommodate future load growth; 2) increasing corresponding secondary cable feeders for outgoing transformer T-17 to match that of T-16; 3) increasing Switchgear 16 bus size and main circuit breakers to accommodate future electrical load growth and full output capacity of eight-200 kW microturbines; 4) reducing select feeder breaker sizes and corresponding cable feeders to match more accurate load information

that was not available during design; and 5) deletion of two feeder breakers for future microturbines now that 200 kW microturbine units have been selected. The increased cost of these modifications was included in Contract Change Order (CCO) No. 13, which was previously approved by the Executive Director of Engineering and Water Quality. These modifications also resulted in less electrical conduit and cable installation by the electrical subcontractor, Morrow-Meadows. The credit associated with the reduced electrical work is addressed in CCO No. 17 in the credit amount of <\$106,241.99>

Mr. Burton said that after the start of construction, staff noticed that stormwater was ponding on the roadways on the east side of the project site more significantly than anticipated. Staff and the design engineer reviewed the biosolids site and concluded that modifications were required to the stormwater collection system located on the southeast portion of the Biosolids site. Modifications to the stormwater system include replacing the headwall and drainage V-ditch located south of the Biosolids site with a buried system consisting of piping, manholes, catch basins, and other appurtenances. In addition, modifications include changes to curbs, gutters, grading, and stormwater retention pond piping. CCO No. 18 is in the amount of \$108,087.55.

Director Reinhart reported that this item was reviewed and approved by the Engineering and Operations Committee on August 19, 2014. On MOTION by Reinhart, seconded and unanimously carried, THE BOARD APPROVED CONTRACT CHANGE ORDER NO. 17 IN THE CREDIT AMOUNT OF <\$106,241.99> FOR REDUCED ELECTRICAL SUBCONTRACTOR WORK RELATED TO MODIFICATIONS TO SWITCHGEAR 16, AND CONTRACT CHANGE ORDER NO. 18 IN THE AMOUNT OF \$108,087.55 FOR STORMWATER COLLECTION SYSTEM MODIFICATIONS AND RELATED WORK FOR THE MICHELSON WATER RECYCLING BIOSOLIDS AND ENERGY RECOVERY FACILITIES, PROJECT 21146 (4286).

2014 WATER BOND SUMMARY

Manager of Water Policy Compton provided an update on the 2014 water bond. Ms. Compton said that on August 13, 2014, the Legislature adopted and the Governor signed AB 1471 which replaced the \$11.14 billion water bond with Proposition 1, a smaller water bond. She said that Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014, puts a \$7.545 billion bond before the voters in November. Ms. Compton also said that she has communicated with ACWA and they are preparing educational materials that staff will be reviewing as to uses consistent with legal requirements relating to District-funded communications.

Director Matheis said that she had an opportunity to discuss the bond at the San Bernardino County Water conference and believes the proposition to be a great piece of legislation and is very proud that IRWD staff was able to provide input into this legislation. She further said that it is not prohibited for elected officials to communicate the District's position in favor of this proposition. Staff was asked to provide the Board with a position statement. On MOTION by Matheis, seconded and unanimously carried, THE BOARD ADOPTED A "SUPPORT" POSITION ON PROPOSITION 1, THE WATER QUALITY, SUPPLY, AND INFRASTRUCTURE IMPROVEMENT ACT OF 2014.

PRESENTATION

STAFF UPDATE FROM IRWD POST RETIREMENT BOARD

General Manager Cook reported that at the August 5 IRWD Post Retirement Board, Buck Consultants provided potential strategies to preserve portfolio gains in the Trust. He said that at the meeting, the Board took an action to rebalance its assets. Director of Treasury and Risk Management Jacobson then provided the Board with an update on these actions including moving the Trust's US equity position into money market funds, and buying a put option to hedge 50% of the remaining US equity position providing protection below the index. Director Swan said that this action will provide a cautious approach to protect past gains.

OTHER BUSINESS

GENERAL MANAGER'S COMMENTS

General Manager Cook provided an update on the CC&B implementation and noted that the system is on track with the invoices being processed and that customers are "holding steady". He said that there has been a new level of customer interest in the turf program to save water.

Mr. Cook reported on a Joint Drought Workshop with the City of Tustin scheduled for September 30 at the Clifton Community Center from 4 to 7 p.m.

Mr. Cook noted the September 27th "Replant the Plant" employee event where families will be planting shrubs at the MWRP Expansion project site as well as tour the new facility.

Mr. Cook further noted that on October 16, the District will be hosting the ACC-OC City Leadership reception again this year at the San Joaquin Wildlife Sanctuary.

DIRECTORS' COMMENTS

Director Matheis reported on her attendance last Friday at the San Bernardino Water Conference relative to the drought.

Director Withers reported that on Wednesday he will be attending an OCSD Board meeting as well as an OCSD Internal Audit Committee meeting, and on Thursday he and staff will be making a presentation at the Newport Beach Kiwanis Club. He further noted that Mr. Alan Bernstein from the City of Tustin was appointed as the Alternate City member for LAFCO.

Director Reinhart reported on his attendance at the Urban Water Institute and a MWDOC Board meeting.

Director Swan reported on his attendance at an ACWA Board meeting and a Water Management Committee meeting, both in Sacramento, a WACO planning meeting, an ACWA Budget Committee meeting where they are discussing a substantial increase in dues, and a CASA conference in Monterey. He commented on his new invoice with the CC&B system and also noted his concerns with a number

of cities doing drought ordinances. He asked that an item be placed on the next Strategic Planning Workshop agenda to discuss if the District could provide some assistance to the disadvantaged communities in the San Joaquin Valley where the District is conducting water banking activities.

Director LaMar reported on his attendance at the ACWA Regulatory Summit and an NWRI Committee meeting. He said that tomorrow he will be briefing the City of Irvine City Council relative to the drought.

IRWD consultant Bruce Newell commented on IRWD's Silverado pipeline project in Santiago Canyon as well as his involvement with fire prevention plans in this area. IRWD consultant Jim Reed provided the Board an update on the meetings he attended on behalf of the District.

CLOSED SESSION

President LaMar said that a Closed Session would be held with Legal Counsel relative to Existing litigation - Government Code Section 54956.9(d)(1).- Williams vs. IRWD and MWD.

OPEN SESSION

The meeting was reconvened with all Directors present. President LaMar said that there was no action to report from the Closed Session.

ADJOURNMENT

There being no further business, President LaMar adjourned the meeting.

APPROVED and SIGNED this 8th day of September, 2014.

President, IRVINE RANCH WATER DISTRICT

Secretary, IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

Legal Counsel - Bowie, Arneson, Wiles & Giannone

September 8, 2014

Prepared and

Submitted by: N. Savedra

Approved by: P. Cook 

CONSENT CALENDAR

RATIFY/APPROVE BOARD OF DIRECTORS'
ATTENDANCE AT MEETINGS AND EVENTS

SUMMARY:

Pursuant to Resolution 2006-29 adopted on August 28, 2006, approval of attendance of the following events and meetings are required by the Board of Directors.

Events/Meetings

Steven LaMar

9/09/14	ACWA Headwaters Task Force Committee Meeting, Sacramento, CA
9/12/14	IRWD Resident Tour
10/14/14	Santa Ana River Watershed 2014
11/07/14	NWRI Clarke Prize Conference & Awards Ceremony

Mary Aileen Matheis

9/29-10/2/14	CSDA Annual Conference, Palm Springs, CA
10/14/14	Santa Ana River Watershed 2014
10/26-27/14	ACWA Regions 8, 9 & 10 Program and Tour

Douglas Reinhart

10/14/14	Santa Ana River Watershed 2014
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Peer Swan

9/25-26/14	ACWA Board of Directors Meeting, Sacramento, CA
10/02/14	MWDOC Water Policy Forum
11/07/14	NWRI Clarke Prize Conference & Awards Ceremony

John Withers

10/14/14	Santa Ana River Watershed 2014
11/07/14	NWRI Clarke Prize Conference & Awards Ceremony

RECOMMENDATION:

THAT THE BOARD RATIFY/APPROVE THE MEETINGS AND EVENTS FOR STEVEN LAMAR, MARY AILEEN MATHEIS, DOUGLAS REINHART, PEER SWAN, AND JOHN WITHERS AS DESCRIBED.

LIST OF EXHIBITS:

None.

September 8, 2014

Prepared by: C. Compton

Submitted by: P. Weghorst

Approved by: Paul Cook



CONSENT CALENDAR

2014 STATE LEGISLATIVE UPDATE

SUMMARY:

This report provides an update on the 2014 legislative session and IRWD priorities.

BACKGROUND:

August 31, 2014, was the last day of the 2013-2014 legislative session and the last day for the Legislature to act on regular session bills this year. The Governor has until September 30 to sign or veto legislation passed by the Legislature this session. The 2015-2016 Regular Legislative Session will begin December 1, 2014. A copy of the 2014 State Legislative Matrix, as of August 27, 2014, is attached as Exhibit "A".

State Budget:

July's Revenue Numbers

On August 11, 2014, State Controller John Chiang released his monthly report on the State's finances. He announced that the State took in \$5.4 billion during the month of July. This amount was \$231.9 million, or 4.5 percent above budget. July's personal income taxes came in at \$244.9 million and sales taxes came in at \$36 million, both higher than estimates. The State ended the month with \$17.8 billion in borrowable resources.

The State Controller's monthly report stated that "Even though July is usually a weak revenue collection month, the new fiscal year is off to a strong start. While the State plans to borrow operating funds through revenue anticipation notes, the \$2.8 billion needed solely for smoothing out the timing of revenues is at the lowest level since the 2006-07 fiscal year. If we can continue to reduce short- and long-term debts, we can continue to improve our fiscal condition."

Updates on Legislation of Interest to IRWD:

AB 52 (Gatto, D-Los Angeles): Tribal Cultural Resources

AB 52 (Gatto, D-Los Angeles) would mandate consultation with Native American Tribes at various stages of CEQA review and prescribe CEQA processes related to the treatment of tribal cultural resources. The bill was amended on August 22, 2014. The August 22 amendments modify the definition of tribal cultural resources, among other changes. As a result of the amendments, the majority of the agencies and associations opposed to the bill removed their opposition. The bill was approved by the Legislature on August 28, 2014. AB 52 was passed by the Senate on a 35-to-0 vote and by the Assembly on a 78-to-0 vote. It is in the process of being enrolled and sent to the Governor.

AB 543 (Campos, D-San Jose) – CEQA: translation

AB 543 (Campos, D-San Jose) requires the Governor's Office of Planning and Research, on or before July 1, 2016, to prepare and develop recommended amendments to the CEQA guidelines to establish criteria for a lead agency to assess the need for translating CEQA notices into non-English languages. The bill was approved by the Legislature on August 25, 2014. AB 2104 was passed by the Senate on a 31-to-3 vote and by the Assembly on a 56-to-23 vote. The bill is before the Governor.

IRWD originally took an "OPPOSE" position on this bill, but moved to a "WATCH" position after the bill was amended in June. IRWD will also continue to work with its association and industry partners to ensure that the proposed changes to the CEQA guidelines, as a result of this bill, are workable for the District.

AB 2104 (Gonzalez, D-San Diego): Common Interest Developments: Water-Efficient Landscapes

The Davis-Stirling Common Interest Development Act provides that any provision of an HOA's governing documents is void and unenforceable if it prohibits, or has the effect of prohibiting, the use of low water-using plants or compliance with a local water-efficient landscape ordinance or water conservation measure. AB 2104, as amended, would extend this statute to provide that any provision of an HOA's governing documents is void and unenforceable if it prohibits, or has the effect of prohibiting, the replacement of existing turf. AB 2104 was amended on August 12 to address conflicts with AB 2100 (Campos), which was chaptered into the law on July 21, 2014.

AB 2104 was passed by the Senate on a 34-to-0 vote and by the Assembly on a 76-to-2 vote. It was enrolled and sent to the Governor on August 20, 2014. IRWD currently has a "SUPPORT" position on this bill.

AB 2312 (Nestande, R-Hemet): Metal Theft

AB 2312 would require a junk dealer or recycler to request receipt of theft alert notifications regarding the theft of commodity metals in the junk dealer's or recycler's geographic region from the theft alert system maintained by the Institute of Scrap Recycling Industries, Inc. (ISRI). The bill would also encourage local law enforcement agencies to report thefts of commodity metals that have occurred within their jurisdiction to that theft alert system, in order to ensure that people who use the system receive timely and thorough information regarding metal thefts.

AB 2312 was passed by the Senate on a 33-to-1 vote and by the Assembly on a 78-to-0 vote. It was enrolled and sent to the Governor on August 20. IRWD took a "SUPPORT" position on AB 2312 in order to support the scrap recycling industry's attempt to further address the metal theft problems experienced throughout the state.

AB 2434 (Gomez, D-Los Angeles): Income Taxes: Exclusion

AB 2434, as introduced, would have provided an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a local water or energy agency, or by a supplier, for expenses incurred to participate in a water or energy conservation

program. As amended on May 19, the bill would now provide an exclusion from gross income for taxable years 2014 to 2019 for any rebate or other financial incentive issued by a local water agency for participation in a turf removal water conservation program. AB 2312 was passed by the Senate on a 35-to-0 vote and by the Assembly on a 77-to-0 vote. It is in the process of being enrolled and sent to the Governor. IRWD currently has a "SUPPORT" position on this bill.

AB 2712 (Daly, D-Anaheim): Orange County Water District

AB 2712 would require Orange County Water District (OCWD) to take specific actions before undertaking remediation or seeking cost recovery for remediation efforts including to provide notice of its actions to the Regional Water Quality Control Board and the Department of Toxic Substances Control; to meet and confer with any administering agency and responsible parties; and comply with the requirements of the National Contingency Plan. The bill would also state the Legislature's intent that OCWD is to enter into a Memorandum of Understanding with the Department of Toxic Substances Control, the Santa Ana Regional Water Quality Control Board, and the Orange County Health Care Agency to establish a process for reviewing OCWD's proposed groundwater remediation projects. AB 2712 was amended on August 22, 2014. The amendments largely add legislative intent language and remove emergency actions from the scope of the bill. The bill was dropped by the sponsors and left on the Senate Floor at the end of session due to amendments being required by the Senate Environmental Quality consultant. Both the Orange County Business Council and OCWD had taken a "SUPPORT" position on this bill.

SB 26 (Correa, D-Santa Ana): Orange County Water District: Land Use

SB 26, authored by Senator Lou Correa (D, Santa Ana), would prohibit OCWD from entering into a real property lease agreement with a non-governmental entity for purposes not useful or necessary to replenish the underground water basin within the district, or to augment and protect the quality of the common water supplies of the district, unless the agreement is approved by the city council in which the real property is located, if the real property is located within a city. It also requires OCWD to comply with the Government Code provisions which require districts to comply with building and zoning ordinances; require OCWD to provide a notice of intent to develop real property owned by the district to the city in which the property is located at least 30 days in advance of any action of the Board to approve the development; and would require the district to conduct at least one public meeting in a city where a water facility is proposed for development by OCWD but would be exempt from the application of zoning and building ordinances.

SB 26 was passed by the Senate on a 31-to-0 vote and by the Assembly on a 78-to-0 vote. It was enrolled and sent to the Governor on August 28, 2014.

SB 985 (Pavley, D-Calabasas): Stormwater Resource Planning

SB 985, introduced by Senator Fran Pavley (D, Calabasas), would establish requirements for stormwater resource plans, and provide that a stormwater resource plan shall be required to receive grants for stormwater and dry weather runoff capture projects from any bond act approved by the voters after January 1, 2014. The bill was amended on August 18. As amended, SB 985 would also authorize one or more public agency to develop a stormwater resource plan

for submission to any applicable integrated regional water management group. Upon receipt the integrated regional water management group shall incorporate the stormwater resource plan into its integrated regional water management plan. The August 18 amendments also require the State Water Resources Control Board to establish guidance, instead of a policy, by July 1, 2016, to determine compliance with the requirements of SB 985.

IRWD has a “SUPPORT IF AMENDED” position on SB 985. On June 12, IRWD wrote to Senator Pavley seeking specific amendments to the bill. Staff continued to advocate for the amendments proposed by the District throughout the summer. SB 985 was passed by the Senate on a 23-to-11 vote and by the Assembly on a 54-to-22 vote. It is in the process of being enrolled and sent to the Governor.

AB 1739 (Dickinson, D-Sacramento) and SB 1168 (Pavley): Sustainable Groundwater Management Legislation

Earlier this year, the Administration and the Legislature indicated their interest in pursuing legislation related to sustainable groundwater management in California. The Administration put forward its proposal for modifying groundwater management, and reserved SB 868 to enact its proposal. Senator Fran Pavley and Assemblymember Roger Dickinson (D, Sacramento) authored legislation on sustainable groundwater management in SB 1168 and AB 1739, respectively.

After several legislative hearings on groundwater management in California, the Administration, Senator Pavley, and Assemblymember Dickinson hosted a series of meetings as part of the “Groundwater Legislation Stakeholder Process on the Sustainable Groundwater Management Bills” to engage interested parties on the groundwater legislation. IRWD participated in the stakeholder process and sought the inclusion of IRWD’s Groundwater Management Policy Principles in the sustainable groundwater management legislation.

Following the stakeholder process, staff from each author’s office, the Administration, the California Water Foundation and the Association of California Water Agencies (ACWA), collectively known as the Small Group, took the information provided at the stakeholder meetings and worked to craft language for inclusion in the groundwater management legislation.

On July 29, 2014, the Small Group released draft language for inclusion in SB 1168 and AB 1739. Prior to the language’s release, staff had participated in the stakeholder meetings and held discussions with members of the Administration, Assemblymember Dickinson and Senator Pavley’s staff. Although a number of the issues raised with these members of the Small Group were addressed in the draft language, several provisions of the bill were inconsistent with IRWD’s Groundwater Management Policy Principles. IRWD submitted a comment letter on the language seeking specific amendments and listing IRWD’s highest priorities for amendments.

As SB 1168 and AB 1739 continued to be refined, IRWD continued to work to gain amendments to address the District’s highest priority. After a number of discussions with the small group members, amendments were taken to protect IRWD’s water banking programs in Kern County, and to eliminate conflict between the new legislation and OCWD’s principal act. The District,

with President LaMar's concurrence, moved from a "SUPPORT IF AMENDED" position on SB 1168 and AB 1739 to a "SUPPORT" position on August 19.

SB 1168 and AB 1739 were amended on August 18, 19 and 22. The amendments split the groundwater management proposal between the two bills, and addressed a few outstanding concerns that ACWA had raised. A third bill, SB 1319, was gutted and amended to include additional groundwater management provisions that would allow portions of a groundwater basin to be excluded from being placed on probation for failing to be sustainably managed and to clarify surface and groundwater interaction requirements.

AB 1739 was passed by the Senate on a vote of 26 to 11 and by the Assembly on a vote of 47 to 28. SB 1168 was passed by the Senate on a vote of 25 to 10 and by the Assembly on a vote of 47 to 27. SB 1319 was passed by the Senate on a vote of 24 to 10 and by the Assembly on a vote of 48 to 26. All three bills are in the process of being enrolled and set to the Governor.

Proposition 1/Water Bond Update:

On August 25, 2014, the Board of Directors adopted a "SUPPORT" position on Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014. The Legislative Analyst's Office published its analysis of Proposition 1 on August 26, 2014. The analysis is attached as Exhibit "B". Staff has worked to develop a public information plan on the water bond. The draft plan is attached as Exhibit "C".

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on September 4, 2014.

RECOMMENDATION:

RECEIVE AND FILE.

LIST OF EXHIBITS:

- Exhibit "A" – 2014 IRWD Legislative Matrix
- Exhibit "B" – Legislative Analyst's Office Proposition 1 Analysis
- Exhibit "C" – Draft Water Bond 2014- IRWD Public Information Plan

EXHIBIT "A"
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<u>AB 25</u> Campos (D)	Employment: Social Media		Allows law enforcement agencies to access social media of a new hire applicant or lateral transfer applicant, once during the background check for a position as a sworn office under certain requirements. Provide any information shall only be used for screening purposes and shall not be used as a basis for any action against a new hire or 3rd party. Provides for civil penalties for violations regarding the used of social medial information in hiring lateral transfer applicants.	08/22/2014 - In SENATE. Read second time. To third reading.	
<u>AB 52</u> Gatto (D)	Native Americans: California Environmental Quality Act		Amends the California Environmental Quality Act. Specifies a project that may cause substantial adverse change in a tribal cultural resource is a project that may have an environmental effect. Requires the lead agency to begin consultation with a California Native American tribe traditionally and culturally connected with the project's geographic area. Specifies examples of mitigation measures that may be considered. Requires that tribes be provided with lead agencies in their area.	08/25/2014 - In SENATE. Read second time. To third reading.	
<u>AB 69</u> Perea (D)	Global Warming Solutions: Market-Based Compliance		Amends the Global Warming Solutions Act of 2006. Exempts categories of persons or entities that did not have a compliance obligation under the market-based compliance mechanism to achieve greenhouse gas reduction reductions, from being subject to that compliance mechanism for a specified time period. Requires all participating categories of persons or entities to have a compliance obligations beginning on a specified date.	07/03/2014 - Withdrawn from SENATE Committee on AGRICULTURE.;07/03/2014 - Re-referred to SENATE Committee on RULES.	
<u>AB 79</u> Skinner (D)	Budget Act of 2013		Amends the Budget Act of 2013 by revising items of appropriation and making other changes for the purpose of addressing drought conditions in the State.	03/06/2014 - In SENATE. From third reading. To Inactive File.	
<u>AB 80</u> Skinner (D)	Drought Relief		Provides provisions regarding drought relief to include fines for violations of permits and licenses issued by the State Water Resources Control Board, the disbursement of disaster assistance, civil fines for the improper water diversion, emergency regulations regarding the diversion of water and the fines for a related infraction and for groundwater replenishment, rental space for those with economic hardship, the employment training tax, and the providing of funds for water management grants.	03/06/2014 - In SENATE. From third reading. To Inactive File.	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
AB 145 Perea (D)	State Water Resources Control Board: Drinking Water		Transfers to the State Water Resources Control Board the various duties and responsibilities imposed on the State Department of Public Health by the State Safe Drinking Water Act and the Safe Drinking Water State Revolving Fund Law of 1997. Requires the State Environmental Protection Agency to prepare a project initiation document for the transfer of the state drinking water program from the State Department of Public Health to a Division of Drinking Water Quality.	08/30/2013 - In SENATE Committee on APPROPRIATIONS: Held in committee.	
AB 194 Campos (D)	Open Meetings: Public Criticism and Comment		Amends the Ralph M. Brown Act. Requires the agenda for a regular and special meeting to provide an opportunity for the public to directly address the legislative body on any item of interest to the public before and during the legislative body's consideration of the item. Prohibits a reduction in the time allocated for public testimony based on the time used for the questioning or interruption of a speaker by the legislative body or its offers or employees, and the speaker's response to same.	08/26/2014 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence.	
AB 229 Perez J (D)	Infrastructure and Revitalization Financing Districts		Authorizes the creation by a city, county, city and county, and joint powers authority, of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes the creation of a district and the issuance of debt. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases.	08/26/2014 - In ASSEMBLY. From Inactive File. To Unfinished Business Concurrence in SENATE amendments.	
AB 243 Dickinson (D)	Local Government: Infrastructure Financing Districts		Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases if special conditions are met. Authorizes a district to fund various projects, including watershed land used for the collection and treatment of water for urban uses, flood management, open space, habitat restoration and development purposes.	08/07/2014 - In ASSEMBLY. From Inactive File. To third reading.;08/07/2014 - In ASSEMBLY. Ordered returned to SENATE. *****To SENATE.	
AB 371 Salas (D)	Sewage Sludge: Kern County		Requires the State Water Resources Board to require, for pathogens and endotoxins, additional testing on properties in Kern County	08/22/2014 - In SENATE. Read	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			where sludge or other biological solids are applied. Authorizes the Board to identify pathogens, endotoxins, and other hazards for testing based on the potential for contamination and potential to adversely affect human health originating from such sludge and solids. Requires the testing of shallow groundwater of a biological solids application site.	second time. To third reading.	
AB 436 Jones-Sawyer (D)	Inverse Condemnation: Comparative Fault		Applies the doctrine of comparative fault to inverse condemnation actions. Requires a court or arbitrator to reduce the compensation paid to a plaintiff in an inverse condemnation proceeding in direct proportion to his or her percentage of fault, if any, in the damaging of property that constitutes a taking. Provides the circumstances under which the plaintiff shall not recover his or her postoffer costs and shall pay the defendant's postoffer costs, including expert witness costs.	07/02/2013 - In SENATE Committee on JUDICIARY: Not heard.	
AB 515 Dickinson (D)	State Environmental Quality Act: Writ of Mandate		Amends the State Environmental Quality Act that requires a court, if it finds that a public agency has violated the requirements of the Act, to issue an order, in the form of a peremptory writ of mandate. Authorizes the court to require the public agency to prepare and file an initial return of the writ and to issue a determination if the actions taken are adequate to comply with the peremptory writ of mandate within a specified time period of the filing of the return.	06/05/2014 - From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.;06/05/2014 - In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.	
AB 543 Campos (D)	California Environmental Quality Act: Translation	Oppose	Requires the Office of Planning and Research to prepare and develop recommended amendments to the California Environmental Quality Act and for the Secretary of the Natural Resources Agency to certify and adopt those amendments to the guidelines to establish criteria for a lead agency to assess the need for translating those notice into non-English languages.	08/25/2014 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
<u>AB 616</u> Bocanegra (D)	Local Public Employee Organizations: Dispute: Panels		Relates to local public employee organizations. Requires an organization request for submit a dispute to a factfinding panel to be in writing. Provides if either party disputes that a genuine impasse has been reached, the issue of whether the impasse exists may be submitted to the Public Employees Relations Board for resolution before the dispute is submitted to a factfinding panel. Authorizes each party to select a person to serve as its member of the factfinding panels.	08/30/2013 - In SENATE Committee on APPROPRIATIONS: Held in committee.	
<u>AB 687</u> Hernandez R (D)	Electricity		Requires the Public Utilities Commission, when authorizing additional direct transactions for retail nonresidential end-use customers, to provide the highest priority to acquire electric services from other providers to entities treating and remediating groundwater that is identified as contaminated on a site listed as a Superfund site in a disadvantaged or severely disadvantaged community or a public drinking water system of such communities. Requires the treatment and remediation using certain moneys.	02/04/2014 - From SENATE Committee on APPROPRIATIONS with author's amendments.;02/04/2014 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
<u>AB 993</u> Linder (R)	Contractors: Arbitration		Amends the Contractors' State License Law. Provides a party that submits a dispute with contractor to arbitration waives any right to recover attorney's fees or to challenge the arbitrator's award attorney's fees in a related civil action. Relates to the setting of the time, date, and location for a arbitration related hearing. Requires good cause to exclude any person from a hearing. Revises requirements regarding the recording of the hearing. Authorizes the reopening of a hearing prior to any award.	06/17/2013 - From SENATE Committee on BUSINESS, PROFESSIONS & ECON. DEVELOPMENT: Do pass to Committee on JUDICIARY.	
<u>AB 1043</u> Chau (D)	Drinking Water, Quality, Flood, River Protection		Amends the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. Eliminates the requirement to develop and adopt regulations and requires that costs subsequently recovered from a party responsible for a contamination be repaid to the State Water Resources Control Board and deposited in the Groundwater Contamination Cleanup Project	08/25/2014 - In SENATE. Read second time. To third reading.	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			Fund. Provides grant amount limits. Relates to funding certain cleanup projects.		
<u>AB 1080</u> Alejo (D)	Community Revitalization & Investment Authorities		Authorizes certain public entities of a community revitalization and investment area to form a community revitalization plan within a community revitalization and investment authority to carry out the Community Redevelopment Law in a specified manner. Requires the authority to adopt a community revitalization plan for a community revitalization and investment area and authorizes the authority to include in that plan a provision for the receipt of tax increment funds.	08/30/2013 - In SENATE Committee on APPROPRIATIONS: Held in committee.	
<u>AB 1249</u> Salas (D)	Regional Water Management Plans: Contamination		Provides the factors to be considered if an area within the boundaries of an integrated regional water management plan has nitrate, arsenic, perchlorate, or hexavalent chromium contamination. Requires that if a grant application includes those areas, the regional water management group include in the application information on impacts, how a project or projects helps to address the contamination, or an explanation on why the application does not include those projects.	08/25/2014 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.	
<u>AB 1331</u> Rendon (D)	Clean, Safe, and Reliable Drinking Water Act of 2014		Repeals the provisions that would create the Safe, Clean and Reliable Drinking Water Supply Act of 2012. Enacts the Clean, Safe and Reliable Drinking Water Act of 2014, which, if adopted by the voters, would authorize the issuance of bonds in a specified amount pursuant to the State General Obligation Bond Law to finance a clean and safe drinking water program.	06/18/2014 - Withdrawn from SENATE Committee on GOVERNANCE AND FINANCE.;06/18/2014 - Re-referred to SENATE Committee on RULES.	
<u>AB 1434</u> Yamada (D)	Low-Income Water Rate Assistance Program		Requires the Department of Community Services and Development to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program which would include specified elements. Requires the Department to report to the Legislature on its findings regarding the feasibility and desired structure of the program.	08/14/2014 - In SENATE Committee on APPROPRIATIONS: Held in committee.	
<u>AB 1445</u>	Water Infrastructure Act of		Repeals the provisions that would create the Safe, Clean, and	02/14/2014 - To	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
Logue (R)	2014		Reliable Drinking Water Supply Act of 2012. Enacts the State Water Infrastructure Act of 2014. Authorizes the issuance of bonds in a specified amount to finance a public benefit associated with water storage and water quality improvement projects.	ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.;02/14/20 14 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;02/14/2 014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.	
AB 1448 Mullin (D)	Local Government: Part- Time Elected Officials		Prohibits the legislative or governing body of a city, county, city and county, school board, special district, or any other entity of local government from granting lifetime healthcare benefits to an elected official who serves part time. Specifies that these provisions do not prevent the award of, or continuation of, health care benefits that are entirely paid for by the individual.	03/06/2014 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;03/06/2 014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.	
AB 1506	San Joaquin River		Makes a person who violates any of the posted regulations adopted	07/10/2014 - Signed	

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Perea (D)	Conservancy: Regulation Adoption		by the San Joaquin River Conservancy governing lands owned or managed by the conservancy guilty of an infraction punishable by a maximum fine.	by GOVERNOR.;07/10/2014 - Chaptered by Secretary of State. Chapter No. 114	
AB 1522 Gonzalez (D)	Employment: Paid Sick Days		Authorizes an employer to limit an employee's use of paid sick days. Prohibits an employer from discriminating or retaliating against an employee who requests paid sick days. Requires employers to satisfy specified posting and notice and recordkeeping requirements. Authorizes the imposition of fines for violations and the recovery of civil penalties, as well as attorney's fees, costs and interest. Provides that such provisions would not apply to certain categories of employees.	08/25/2014 - In SENATE. Read second time. To third reading.	
AB 1527 Perea (D)	Public Water Systems: Safe Drinking Water Fund		Amends the Safe Drinking Water State Revolving Fund Law of 1997. Requires the State Water Resources Control Board to provide incentives for the consolidation of public water systems based upon a service review development by a local agency formation commission.	08/26/2014 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.	
AB 1600 Gomez (D)	Service Contracts: Outsourcing Alternatives		Establishes, as a condition for a State agency to use personal services contracts, a requirement that the contractor's wages be the higher of the industry's level or the prevailing wage, if applicable.	04/23/2014 - In ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY: Not heard.	
AB 1615 Gatto (D)	Claims Against the State: Payment		Appropriate funds from the State Board of Chiropractic Examiner's Fund in a prescribed amount to settle claims against the State arising from specified legal action and from the General Fund in a prescribed amount to settle claims against the State arising from a separate legal action. Provides that any appropriated funds in excess	07/18/2014 - Signed by GOVERNOR.;07/18/2014 - Chaptered by Secretary of State.	

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			of the amount required to pay those claims revert to the fund from which the proceeds were taken.	Chapter No. 142	
<u>AB 1632</u> Olsen (R)	Water Rights: Appropriation		Makes a technical, nonsubstantive change in provisions regarding the State Water Resources Control Board allowing permits and licenses appropriations for beneficial purposes of unappropriated water under terms and conditions as in its judgment will best develop, conserve, and utilize in the public interest the water sought to be appropriated.	02/10/2014 - INTRODUCED.	
<u>AB 1636</u> Brown (D)	Water Conservation		Prohibits a city or county, during a drought emergency declared by the Governor, from enforcing a law or ordinance requiring a resident to water his or her lawn. Provides that a requirement imposed by a governmental entity or a public utility to limit, restrict, or conserve water during a drought emergency declared by the Governor does not constitute a diminution of rent or value of a premise or property.	04/24/2014 - Re-referred to ASSEMBLY Committee on LOCAL GOVERNMENT.	
<u>AB 1639</u> Grove (R)	Global Warming Solutions Act of 2006:Greenhouse Gas		Relates to the California Global Warming Solutions Act of 2006 and the Greenhouse Gas Reduction Fund. Amends existing law that creates the High-Speed Rail Authority. Provides that cap-and-trade revenues shall not be appropriated from the fund for purposes of the high-speed rail system, and would make legislative findings and declarations in that regard.	05/29/2014 - From ASSEMBLY Committee on NATURAL RESOURCES without further action pursuant to JR 62(a).	
<u>AB 1671</u> Frazier (D)	Sacramento-San Joaquin Delta:Water Conveyance System	Oppose	Prohibits the Department of Water Resources from constructing water facilities as part of a specified water conveyance system unless specifically authorized by the Legislature.	04/08/2014 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.	
<u>AB 1705</u> Williams (D)	Public Contracts: Payment	Oppose	Amends existing law that authorizes the retention proceeds withheld from any payment by an awarding entity from the original contractor, by the original contractor from any subcontractor, and by a subcontractor from any subcontractor, to exceed a specified percentage on projects that are substantially complex. Requires that the bid documents include details explaining the basis for the finding in addition to the actual retention amount. Requires the description	08/20/2014 - Enrolled.	

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			of unique project and why it is unique.		
<u>AB 1707</u> Wilk (R)	Water Quality: Scientific Peer Review		Amends existing law that requires the State Water Resources Control Board and the regional water quality control boards to prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system permit program. Relates to an external scientific peer review. Requires the Board to post on its Internet Web site a copy of the external scientific peer review for proposes rules of the State Board or a regional board.	08/21/2014 - Enrolled.	
<u>AB 1728</u> Garcia (D)	Political Reform Act of 1974		Relates to the Political Reform Act of 1974. Revises the definition of agency to include a local government agency formed pursuant to provision of the Water Code. Revises the definition of license, permit, or other entitlement for use with respect to proceedings before a local government agency formed pursuant to the Water Code to apply to all contracts that are not competitively bid.	08/25/2014 - Enrolled.	
<u>AB 1729</u> Logue (R)	Local Government: Agricultural Land: Payments		Appropriates a specified amount of money from the General Fund to make subvention payments to counties to reimburse the counties for property tax revenues not received as a result of contracts between the counties and owners of agricultural land in which the owners agree, under the Williamson Act, to continue using such property as agricultural for purposes of property taxation.	03/20/2014 - To ASSEMBLY Committee on APPROPRIATIONS. ;03/20/2014 - From ASSEMBLY Committee on APPROPRIATIONS with author's amendments.;03/20/2 014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
<u>AB 1731</u> Perea (D)	Integrated Regional Water Management Plans: Funding		Requires, in each integrated regional water management region, that not less than a specified percentage of any funding for integrated regional water management planning purposes be used to facilitate	06/10/2014 - In SENATE Committee on NATURAL	

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			and support the participation of disadvantaged communities in integrated regional water management planning and for projects that address critical water supply or water quality needs for disadvantaged communities.	RESOURCES AND WATER: Not heard.	
<u>AB 1739</u> Dickinson (D)	Groundwater Management		Provides specific authority to a groundwater sustainability agency to impose certain fees. Authorizes the provision of technical assistance to entities that extract or use groundwater to promote water conservation and protect groundwater resources. Requires the publication on a Web site of sustainable management of groundwater best management practices. Authorizes inspections and related warrants. Designates probationary basins. Establishes groundwater reporting requirements.	08/25/2014 - In SENATE. Read second time. To third reading.	
<u>AB 1741</u> Frazier (D)	Public Works: Prevailing Wage Rates: Assessments		Relates to the issuance by the Labor Commissioner of a civil wage and penalty assessment for violating laws regulating public works contracts, including the payment of prevailing wages. Specifies that a contractor, subcontractor, or surety may deposit the full amount of the assessment or notice with the Department of Industrial Relations in the form of cash or a bond issued by a surety company admitted to do business in the State in a form acceptable to the Department.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 1782</u> Chesbro (D)	Wires: Unlawful Removal		Makes it a crime for any person to unlawfully and maliciously disconnect or cut a line of telegraph, telephone, or cable television, or any line used to conduct electricity, or any part thereof, or appurtenance or apparatus connected therewith. Makes the crime punishable by imprisonment in a county jail, a fine, or both.	08/21/2014 - *****To GOVERNOR.	
<u>AB 1799</u> Gordon (D)	Land Use: Mitigation Lands	Support	Specifies, where a governmental entity or specified district is the transferee of property, that an endowment or other financial mechanism is not required if the entity or district provides evidence to the local or State agency that it possesses an investment-grade credit rating by a nationally recognized rating organization or other equivalent evidence of financial responsibility and enters into a contractual agreement enforcing mitigation requirements. Requires related reporting.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 1849</u> Logue (R)	California Environmental Quality Act: Exemptions		Relates to the California Environmental Quality Act. Exempts from the requirements of CEQA, the maintenance, repair, or replacement	02/27/2014 - To ASSEMBLY	

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			of an existing levee.	Committee on NATURAL RESOURCES.	
<u>AB 1874</u> Gonzalez (D)	Integrated Regional Water Management Plans: Funding		Requires the Department of Water Resources to develop a streamlined application process for certain regional water management groups. Requires, in order to get water management grant funds through the process, the group must file a streamlined application including specified information. Requires awarding funds according to a statutory formula and covers regions. Requires the group to provide a list of projects to be funded and the Department to award the funding within a specified time period.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 1905</u> Alejo (D)	Water Rights: Appropriation: Livestock Stockpond Use		Provides that impoundment for incidental fire protection purposes is included within livestock stockpond use. Relates to small domestic use registration and livestock stockpond use registration permits. Authorizes a livestock stockpond use registration and a small irrigation use registration to be in effect for the same facility.	08/22/2014 - Chapered by Secretary of State. Chapter No. 268	
<u>AB 1933</u> Levine (D)	Local Government: Investments		Authorizes the legislative body of a local agency to invest in United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by certain banks. Requires these investments to be rated AA or better and to not exceed a specified percentage of the agency's moneys that may be invested.	06/25/2014 - Signed by GOVERNOR.;06/25/ 2014 - Chapered by Secretary of State. Chapter No. 59	
<u>AB 1961</u> Eggman (D)	Land Use: Planning: Sustainable Farmland Strategy		Requires each county to develop a sustainable farmland strategy. Requires the sustainable farmland strategy to include, among other things, a map and inventory of all agriculturally zoned land within the county, a description of the goals, strategies, and related policies and ordinances, to retain agriculturally zoned land where practical and mitigate the lose of such land to other uses or zones.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 1970</u> Gordon (D)	Global Warming Solutions Act: Community Investment		Creates the Community Investment and Innovation Program and requires moneys to be available from the Greenhouse Gas Reduction Fund for purposes of awarding grants and other financial assistance to eligible applicants who submit plans to develop and implement integrated community-level greenhouse gas emissions reductions in their region. Requires the Strategic Growth Council to administer the	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	

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<u>AB 1983</u> Gray (D)	Water Meters: Multiunit Structures		program. Authorizes the owner or operator of a building containing residential units to install equipment to determine or use an economic allocation methodology to approximate the quantity of water that is provided to the tenants and used in the common areas of that building and to charge tenants separately for water and wastewater service based on usage as determined through the use of that equipment or allocation methodology if certain requirements are met.	03/03/2014 - To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and WATER, PARKS AND WILDLIFE.	
<u>AB 2040</u> Garcia (D)	Elected Officials Compensation: Reports and Disclosure		Requires a local agency to report to the Controller the annual compensation of its elected officials, officers, and employees. Requires such agency required to report and that maintains an Internet Web site to post that information on the Controller's Government Compensation in California Internet Web site. Requires the Controller to display the financial reports and the public official compensation on that Web site. Requires the entities to consult regarding the reporting requirements for such disclosure.	08/22/2014 - Enrolled.	
<u>AB 2043</u> Bigelow (R)	Safe Clean and Reliable Drinking Water Supply Act		Repeals provisions of the Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Enacts the Safe, Clean, and Reliable Water Supply Act of 2014, which, if adopted by votes, would authorize the issuance of bonds in a specified amount to finance a safe drinking water and water supply reliability program.	08/06/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.	
<u>AB 2045</u> Rendon (D)	Energy Improvements and Financing		Enacts the Non-Residential Real Property Energy Retrofit Financing Act of 2014. Provides financial assistance through the issuance of revenue bonds, to owners of eligible real properties. Requires that the bonds be secured by the recording of an energy remittance repayment agreement lien. Requires the Energy Resources Conservation and Development Commission to collect installment payments from owners of eligible real properties whose applications it has approved.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 2049</u> Dahle (R)	Drinking Water: Point-of-Entry: Point-of-Use Treatment		Limits the use of point-of-entry and point-of-use treatment to water systems with less than 500 service connections.	05/08/2014 - To SENATE Committee on	

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				ENVIRONMENTAL QUALITY.	
<u>AB 2067</u> Weber (D)	Urban Water Management Plans		Requires an urban retail water supplier and an urban wholesale water supplier to provide narratives describing the supplier's water demand management measures. Requires the narrative to address the nature and extent of each water demand management measure implemented to describe the water demand management measures that the supplier plans to implement. Provides the deadline for the 2015 plan submission. Relates to the determination of future water use reductions.	08/21/2014 - Enrolled.	
<u>AB 2071</u> Levine (D)	Recycled Water: Animals		Requires the State Water Resources Control Board to determine whether the use of disinfected tertiary treated recycled water for the purpose of providing water to animals would not pose a significant risk to public and animal health. Requires the establishment of statewide recycling criteria for the use of recycled water for such purposes. Prohibits the use of such water in the water supply for dairy animals that are currently producing dairy products for human consumption.	08/26/2014 - Enrolled.	
<u>AB 2097</u> Morrell (R)	Homeowners Exemption and Renters Credit		Increases the homeowners' property tax exemption. Increases the personal income tax credit for a qualified renter.	03/03/2014 - To ASSEMBLY Committee on REVENUE AND TAXATION.	
<u>AB 2100</u> Campos (D)	Common Interest Developments: Yard Maintenance: Drought		Prohibits a common interest development association from imposing a fine or assessment against a member of a separate interest for reducing or eliminating watering of vegetation or lawns during any period for which the Governor has declared a state of emergency, or a local government has declared a local emergency, due to drought.	07/21/2014 - Signed by GOVERNOR.;07/21/ 2014 - Chaptered by Secretary of State. Chapter No. 164	
<u>AB 2104</u> Gonzalez (D)	Common Interest Developments: Water Efficient Landscapes	Support	Relates to the Davis-Stirling Common Interest Development Act. Provides that a provision of the governing documents or of the architectural or landscaping guidelines or policies shall be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, low water-using plants as a group or as a	08/22/2014 - Enrolled.	

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			replacement of existing turf, or if the provisions have the effect of prohibiting or restricting compliance with local water conservation measures.		
<u>AB 2114</u> Pan (D)	Taxation: Qualified Heavy Equipment		Imposes a tax on every qualified renter for the privilege of renting qualified heavy equipment. Requires a renter to collect the tax from the qualified rentee at the time of rental. Provides that this tax shall be in lieu of any personal property tax on qualified heavy equipment. Requires the county auditor to increase the total amount of ad valorem property tax revenue and to decrease the amount of ad valorem property tax required to be allocated to the county Educational Revenue Augmentation Fund.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 2126</u> Bonta (D)	Meyers Miliias Brown Act Mediation		Amends the Meyers-Miliias-Brown Act. Permits either party to contract negotiations to request mediation and agree upon a mediator. Authorizes the Public Employee Relations Board to appoint a mediator upon request. Relates to a waiver of such request if the public agency has a impasse procedure. Authorizes certain collective bargaining negotiation differences to apply to these provisions.	08/18/2014 - In SENATE. Read second time. To third reading.	
<u>AB 2189</u> Garcia (D)	Water Replenishment Districts: Replenishment Assessment		Requires a water replenishment district board to make specified findings and determinations before holding a public meeting and to identify water-producing facilities within the district that would be subject to a proposed replenishment assessment and give written notice by mail to owners of those facilities. Authorizes the facility owner to submit a written protection in opposition of the assessment. Provides the condition that would prohibit the imposition of the assessment.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 2211</u> Ting (D)	Counties: Database: Information Regarding Property Tax		Requires each county to make available to taxpayers on its Internet Web site a graph visualization of how general ad valorem property tax revenues are allocated countywide. Requires the Internet Web site to provide taxpayers with certain information about general ad valorem property tax revenues and the types of programs and services funded with general ad valorem property tax revenues, and a link to a final budget document where information about specific programs and services is detailed.	08/26/2014 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence.	

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<u>AB 2231</u> Gordon (D)	State Controller: Property Tax Postponement		Relates to claims for postponement under the Senior Citizens and Disabled Citizens Property Tax Postponement Law to include filing a claim, excluding mobilehomes and houseboats, surviving spouse procedures, a related fund, an increase in the related implementation fee, the lien for postponed property taxes and recording thereof, the equity requirement for program participation, the updating of repayment of the postponed taxes, tax-default sales, nonresidential commercial property, and eligibility.	08/25/2014 - In SENATE. Read third time, urgency clause adopted. Passed SENATE. *****To ASSEMBLY for concurrence.	
<u>AB 2257</u> Cooley (D)	Tax-Defaulted Property: Excess Proceeds from Sale		Eliminates the requirement that any excess proceeds from the sale of tax-defaulted property not claimed be distributed among taxing agencies. Authorizes any excess proceeds to be transferred to the county general fund at the expiration of a specified time period. Relates to the distribution and claim process of any excess proceeds from the sale.	08/25/2014 - Enrolled.	
<u>AB 2259</u> Ridley-Thomas S (D)	Water Replenishment: Assessments		Requires that a judicial action or proceeding to attack, review, set aside, void, or annul a resolution or motion levying a water replenishment assessment by a water replenishment district pursuant to certain provisions to be connected within a certain number of days of the adoption of the resolution or motion. Requires that an action regarding the replenishment assessment be brought pursuant to specified provisions regarding civil proceedings.	08/22/2014 - Enrolled.	
<u>AB 2282</u> Gatto (D)	Building Standards: Recycled Water Systems		Requires the Department of Housing and Community Development to conduct research to assist in the development of and to submit for adoption by the State Building Standards Commission of mandatory building standards for the installation of recycled water systems for newly constructed single-family and multifamily residential buildings. Limits the mandate to install recycled water systems to certain areas within a local jurisdiction. Regards recycled water and green building standards.	08/26/2014 - Enrolled.	
<u>AB 2312</u> Nestande (R)	Metal Theft	Support	Relates to the theft of wire, cable, copper, lead, solder, mercury, iron, or brass. Requires a junk dealer or recycler to request to receive theft alert notifications regarding the theft of commodity metals in the junk dealer's or recycler's geographic region from the theft alert system maintained by the Institute of Scrap Recycling Industries,	08/21/2014 - Enrolled.	

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			Inc. Requires a junk dealer or recycler who is an applicant for a new weighmaster license or renewal to also include a statement on theft alert notifications.		
<u>AB 2353</u> Waldron (R)	Environmental Quality: Water Storage Facilities		Exempts a project to expand the storage capacity of an existing surface water storage facility, or to replace an existing surface water storage facility, that is owned and operated by a public entity if that public entity adopts, by resolution, findings and declarations that the project meets specified criteria from the requirements of the California Environmental Quality Act.	05/29/2014 - From ASSEMBLY Committee on NATURAL RESOURCES without further action pursuant to JR 62(a).	
<u>AB 2403</u> Rendon (D)	Local Government: Assessments, fees, and charges		States that provisions of the State Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provisions of written notice and the holding of a public hearing. Modifies the definition of water to mean water from any source.	06/28/2014 - Signed by GOVERNOR.;06/28/2014 - Chaptered by Secretary of State. Chapter No. 78	
<u>AB 2417</u> Nazarian (D)	California Environmental Quality Act: Recycled Water		Amends the California Environmental Quality Act, which exempt specified pipeline projects from certain requirements. Exempts from the Act, a project for the construction and installation of a new pipeline or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing pipeline, not exceeding a specified length, for the distribution of recycled water within a public street, highway, or right-of-way. Requires the filing of a notice of exemption.	06/18/2014 - In SENATE Committee on ENVIRONMENTAL QUALITY: Not heard.	
<u>AB 2420</u> Nazarian (D)	Well Stimulation Treatments: Local Prohibition		Authorizes a city or county to adopt and enforce a local ordinance prohibiting well stimulation treatments.	04/30/2014 - In ASSEMBLY Committee on LOCAL GOVERNMENT: Failed passage.;04/30/2014 - In ASSEMBLY Committee on LOCAL	

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				GOVERNMENT: Reconsideration granted.	
<u>AB 2434</u> Gomez (D)	Income Taxes: Exclusion	Support	Provides, under the Personal Income Tax and Corporation Tax laws, an exclusion from gross income for any amount received as a rebate, or financial incentive issued by a local water agency or or supplier for participation in a turf removal water conservation program.	08/18/2014 - In SENATE. Read second time. To third reading.	
<u>AB 2442</u> Gordon (D)	Porter Cologne Water Quality Control Act		Prohibits the State Water Resources Control Board, a regional board, or a board employee, from being held civilly liable in a civil proceeding for trespass or any other act necessary to carry out an investigation, cleanup, abatement, or other remedial work. Prohibits those entities from incurring any obligation to undertake those actions. Applies to a related claim or cause of action.	08/25/2014 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence.	
<u>AB 2443</u> Rendon (D)	Water Recycling Act: Mutual Water Companies: Service		Authorizes a recycled water producer or wholesaler to request a retail water supplier to enter into an agreement to provide recycled water to a potential customer under the Water Recycling Act. Makes inapplicable the provision that a mutual water company is a private utility entitled to just compensation for a taking in a territory it services at the time of the taking when a political subdivision constructs facilities to provide or extend recycled water service to the territory of the mutual water company.	08/25/2014 - In SENATE. Read second time. To third reading.	
<u>AB 2446</u> Waldron (R)	San Luis Rey Municipal Water District		Prohibits a standby assessment or availability charge levied for the San Luis Rey Municipal Water District from exceeding a specified amount per acre for land on which the charge is levied or a specified amount per year for a parcel less that a specified size. Requires the proceeds from the assessment or charge to be used for the purposes of management of local water supply and its quality.	08/20/2014 - Enrolled.	
<u>AB 2463</u> Dickinson (D)	Water: Plans		Requires the Department of Water Resources to partner with the Regional Water Authority, water suppliers in El Dorado, Placer, Sacramento, and Placer counties, and other interested agencies to develop a plan for investing in water supplies and other facilities in order to contribute to the reliability of water supplies for the Sacramento region's communities and environmental resources while also generating statewide benefits.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	

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AB 2471 Frazier (D)	Public Contracts: Change Orders		Requires a public entity, when authorized to order changes or additions in the work in a public works contract awarded to the lowest bidder, to issue a change order promptly and not later than a specified time period. Requires if this requirement is not met, the entity to be liable to the original contractor for the completed work. Requires prejudgment interest to accrue. Provides procedural requirements for the submission of change orders by subcontractors.	08/04/2014 - From SENATE Committee on APPROPRIATIONS with author's amendments.;08/04/2014 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.;08/04/2014 - In SENATE Committee on APPROPRIATIONS: Not heard.	
AB 2492 Jones-Sawyer (D)	Controlled Substances: Sentencing		Amends existing law prohibits a person from using or being under the influence of certain controlled substances. Deletes the requirement that a person convicted under this provision serve at least a certain number of days in a county jail, and would delete the requirement that, as a condition of granting probation, the person serve time in a county jail.	08/25/2014 - Enrolled.	
AB 2507 Bocanegra (D)	Public Records Act: Exemptions		Provides that outside attorney billing records, when they are prepared in connection with a pending civil action in which a public agency is the defendant, are exempt from the State Public Records Act disclosure provisions during the pendency of the litigation.	04/22/2014 - In ASSEMBLY Committee on JUDICIARY: Not heard.	
AB 2516 Gordon (D)	Sea Level Rise Planning: Database		Requires the Natural Resources Agency to post on its Internet Web site a Planning for Sea Level Rise Database describing steps being taken throughout the state to prepare for, and adapt to, sea level rise. Requires public and private entities to provide input. Requires the Agency to determine the information for database, and to organize the database by geographic area and to provide an entry for each city, county, and city and county within the coastal zone and San	08/25/2014 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence.	

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			Francisco Bay area.		
<u>AB 2554</u> Rendon (D)	Clean, Safe, and Reliable Drinking Water Act of 2014		Repeals the Safe, Clean, and Reliable Drinking Water Act of 2012 that would authorize the issuance of bonds to finance a safe drinking water and water supply reliability program via a bond act if passed by the voters at a statewide general election. Enacts the Clean, Safe, and Reliable Drinking Water Act of 2014 to authorize bonds in a specified amount to finance a clean, safe, and reliable drinking water program if passed by the voters at a statewide general election.	04/29/2014 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.	
<u>AB 2619</u> Gaines B (R)	Dams: Fish: Critically Dry Year		Amends existing law which requires a dam owner to allow sufficient water to pass through a fishway or over, around, or through the dam and which authorizes the Department of Fish and Game to grant permission to the dam owner to allow sufficient water to pass through a culvert, waste gate, or over or around the dam, to keep in good condition any fish that may be planted or exist below the dam. Prohibits such provisions from applying during a critically dry year.	03/28/2014 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.;03/28/2014 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/28/2014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.	
<u>AB 2636</u> Gatto (D)	CalConserve Water Use Efficiency Revolving Fund		Transfers to the CalConserve Water Use Efficiency Revolving Fund from the Costa-Machado Water Act of 2000 specified bond proceeds issued and available for agricultural water projects. Requires the Department of Water Resources to use these moneys for loans and grants to local agencies to acquire and construct agricultural water	08/26/2014 - Enrolled.	

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			conservation projects consistent with the bond act.		
<u>AB 2676</u> Rendon (D)	Controller Reports		Changes the definition of a special district included in the reporting requirements of the Controller to include a public entity, agency, or board provided for by a joint powers agreement that is separate from the parties to the agreement and is responsible for the administration of the agreement. Relates to auditing local redevelopment agencies. Relates to forfeiture requirements local agency officers that fail or refuse to file a financial report to the Controller.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 2680</u> Nazarian (D)	Water Quality		Makes technical, nonsubstantive changes to the legislative findings and declarations in The Porter-Cologne Water Quality Control Act.	02/21/2014 - INTRODUCED.	
<u>AB 2686</u> Perea (D)	Clean, Safe, and Reliable Water Supply Act of 2014		Repeals the Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Enacts the Clean, Safe, and Reliable Water Supply Act of 2014, which, if adopted by the voters, would authorize the issuance of bonds in an unspecified amount, to finance a clean, safe, and reliable water supply program. Provides for the submission of the bond act to the voters at a statewide general election.	08/06/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.	
<u>AB 2701</u> Gonzalez (D)	Groundwater Basins: Investigation and Report		Makes a technical, nonsubstantive change to existing law that requires the Department of Water Resources, in conjunction with other public agencies, to conduct an investigation of the state's groundwater basins and to report its findings to the Governor and the Legislature.	02/21/2014 - INTRODUCED.	
<u>AB 2712</u> Daly (D)	Hazardous Materials: Orange County Water District		Requires the Orange County Water District when cleaning up or containing contamination, abating the effects of contamination or pollution, or taking other removal or remedial action to provide prior notice of the action to the regional water quality control board and the Department of Toxic Substances Control, to meet and confer with agencies and any responsible party, and to comply with the National Contingency Plan.	08/25/2014 - In SENATE. Read second time. To third reading.	
<u>AB 2725</u> Brown (D)	Urban Waterway Restoration		Requires the Department of Water Resources to release assumptions and estimates relating to water use for urban waterway restoration. Includes urban waterway restoration that increases water supplies for any beneficial use, as a regional project or program. Includes an urban waterway restoration project as an eligible project for the grant	03/17/2014 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.	

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			program under the Environmental Water Fund.		
<u>AB 2738</u> Alejo (D)	Contamination		Relates to notification of an action on a business that discharged a specified chemical. Requires the notice of special compliance procedure and proof of compliance form to be provided to the alleged violator at the time the notice of the alleged violation is served. Requires that the notice allege that the alleged violator failed to provide clear and reasonable warning regarding specified exposures.	08/21/2014 - *****To GOVERNOR.	
<u>ACA 8</u> Blumenfield (D)	Local Government Financing: Voter Approval		Proposes an amendment to the Constitution to create an additional exception to the 1% limit for an ad valorem tax rate imposed by a city, county, city and county, or special district, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district.	06/27/2013 - To SENATE Committees on GOVERNANCE AND FINANCE and ELECTIONS AND CONSTITUTIONAL AMENDMENTS.	
<u>HR 29</u> Gomez (D)	Outsourcing Public Services	Oppose	Opposes outsourcing of public services and assets, which harms transparency, accountability, shared prosperity, and competition, and supports processes that give public service workers the opportunity to develop their own plan on how to delivery cost-effective, high-quality services.	04/03/2014 - In ASSEMBLY. Read third time and amended. To third reading.;04/03/2014 - In ASSEMBLY. Read third time. Adopted by ASSEMBLY.	
<u>SB 1</u> Steinberg (D)	Sustainable Communities Investment Authority		Authorizes certain public entities of a Sustainable Communities Investment Area to form a Sustainable Communities Investment Authority to carry out the Community Redevelopment Law. Provides for tax increment funding receipt under certain economic development and planning criteria. Establishes prequalification requirements for receipt of funding. Requires monitoring and enforcement of prevailing wage requirements within the area. Excludes certain types of farmland.	09/12/2013 - In SENATE. To Inactive File.	
<u>SB 26</u>	Orange County Water	Watch	Requires the Orange County Water District to comply with	08/25/2014 -	

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Correa (D)	District: Land Use		provisions of existing law relating to building and zoning ordinances. Requires the District to provide notice of intent to develop real property owned by the District that is located within the boundaries of a city to the planning agency of that city in advance of any District Board approval. Requires the conduction of a public meeting in a city where a water facility exempt from building and zoning ordinances would be located or constructed.	Enrolled.	
SB 33 Wolk (D)	Local Taxation: County of Sonoma: Transactions Tax		Authorize the County of Sonoma or any city within the county to impose a transactions and use tax for general purposes, and the county, any city within the county, or the Sonoma County Transportation Authority to impose a transactions and use tax for specific purposes, which may include the support of transportation and road maintenance programs and library services, that would, in combination with other specified taxes, exceed the combined rate limit if certain requirements are met.	08/22/2014 - In ASSEMBLY. From Inactive File. To third reading.;08/22/2014 - In ASSEMBLY. Assembly Rule 78 suspended.;08/22/2014 - In ASSEMBLY. Assembly Rule 63 suspended.;08/22/2014 - In ASSEMBLY. Read third time and amended. To third reading.;08/22/2014 - Re-referred to ASSEMBLY Committee on RULES.	
SB 64 Corbett (D)	Global Warming Solutions: Clean Technology Investment		Creates the Clean Technology Innovation Account within the Greenhouse Gas Reduction Fund. Requires appropriations of moneys in the fund or other funds to the account in the Budget Act. Makes such funds available for evaluating the efficacy of a new technology or product to potentially reduce greenhouse gas emission, provide grants for technologists and products that have been confirmed to have greenhouse gas emission reduction potential. Requires providing programmatic and technical expertise.	08/14/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	

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SB 103 Budget and Fiscal Review Cmt	Budget Act of 2013		Amends the Budget Act of 2013 by revising items of appropriation and making other changes for the purpose of addressing drought conditions in the State.	03/01/2014 - Signed by GOVERNOR.;03/01/2014 - Chaptered by Secretary of State. Chapter No. 2	
SB 104 Budget and Fiscal Review Cmt	Drought Relief		Provides provisions regarding drought relief to include fines for violations of permits and licenses issued by the State Water Resources Control Board, the disbursement of disaster assistance, civil fines for the improper water diversion, emergency regulations regarding the diversion of water and the fines for a related infraction and for groundwater replenishment, rental space for those with economic hardship, the employment training tax, and the providing of funds for water management grants.	03/01/2014 - Signed by GOVERNOR.;03/01/2014 - Chaptered by Secretary of State. Chapter No. 3	
SB 176 Galgiani (D)	Administrative Procedures		Requires the Office of Administrative Law to allow electronic submission to the Office by a state agency of notices required to be published and information required to be submitted pursuant to specified provisions of existing law. Expands the public discussion required described in existing law to require a state agency proposing to adopt regulations, prior to publication of a notice of proposed adoption, amendment, or repeal, to involve parties that would be subject to the regulations in such discussions.	08/30/2013 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspend File.;08/30/2013 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
SB 193 Monning (D)	Hazard Evaluation System and Information Service		Relates to the repository of data on toxic materials and harmful physical agents in places of employment. Requires chemical manufacturers, formulators, suppliers, distributors, importers, and their agents to provide Hazard Evaluation System and Information Service the names and addresses of their customers who have purchased specified chemicals or commercial products containing those chemicals, and certain other information upon a request from the Service. Exempts the names and address from disclosure.	08/26/2014 - In SENATE. SENATE concurred in ASSEMBLY amendments. To enrollment.	
SB 266 Lieu (D)	Prevailing Wages		Requires the body awarding a contract for public work to furnish a copy of the valid notice of completion for the public work or a	08/26/2014 - In ASSEMBLY. Read	

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			document evidencing the awarding body's acceptance of the public work on a particular date, whichever occurs later. Requires that body to notify the Labor Commissioner if there has been no valid notice of completion filed, and no document evidencing the acceptance of the public work on a particular date. Requires civil wage assessments until an applicable document is received.	third time. Passed ASSEMBLY. *****To SENATE for concurrence.	
SB 536 Berryhill T (R)	Alarm Companies: Electronic Transactions		Provides that contracts for services or other activities authorized by the Alarm Company Act may be conducted by electronic means. Provides the provisions of the Uniform Electronic Transactions Act (UETA) would apply to transactions of persons licensed, certified, or registered pursuant to the Alarm Company Act. Excludes contracts and services or other activities authorized by the Alarm Company Act from the home solicitation contract definition. Requires contracts to comply with specified requirements.	08/07/2014 - Re-referred to ASSEMBLY Committee on RULES.	
SB 556 Padilla (D)	Providers of Health and Safety Labor or Services		Relates to third person contracts and ostensible agencies. Prohibits a person, a nongovernmental person, firm, corporation, or association that contracts to perform labor or services relating to public health and safety labor or services for a public agency from displaying on a vehicle or uniform a logo that reasonably could be interpreted as implying the labor or services are being performed by employees of a public agency, unless certain conditions are met. Prohibits mandating such activity.	08/26/2014 - Re-referred to SENATE Committee on RULES.;08/26/2014 - Re-referred to SENATE Committee on JUDICIARY.	
SB 605 Lara (D)	Short-Lived Climate Pollutants		Requires the State Air Resources Board to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the State.	08/25/2014 - From SENATE Committee on ENVIRONMENTAL QUALITY: Recommend concurrence in ASSEMBLY amendments.	
SB 628 Beall (D)	Health Care Coverage: Mental Health Parity: Surveys		Requires the Department of Managed Health Care to conduct medical surveys of health care service plans chosen by the Department's Director in order to evaluate those plans' compliance	08/26/2014 - In ASSEMBLY. Action rescinded whereby	

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			with requirements in existing law. Provides the minimum number of years for the conduction of the surveys. Requires the Department to hire personnel to implement these provisions, funded by the Managed Care Fund. Requires the costs to be paid from annual assessments imposed on health care service plans.	bill was re-referred to Committee on RULES. To third reading.;08/26/2014 - Re-referred to ASSEMBLY Committee on LOCAL GOVERNMENT.;08/26/2014 - In ASSEMBLY. Joint Rule 62(a) suspended.;08/26/2014 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;08/26/2014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.	
SB 633 Pavley (D)	State Parks		Requires the Department of Parks and Recreation to make a report to the Legislature addressing the Department's energy costs, projects that could reduce those costs, and potential energy-related infrastructure projects. Requires the Department to establish a pilot program for mobile food and beverage services and to report on the suitability, increase in visitation, and visitor satisfaction. Relates to the sales of park passes through vendors. Allows a taxpayer to make	08/25/2014 - Enrolled.	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
SB 731 Steinberg (D)	Environment: California Environmental Quality Act		a parks related donation. Relates to the State Environmental Quality Act. Provides that certain impacts of a residential, mixed-use, or employment center project within a transit priority area shall not be considered significant impacts. Requires guidelines for thresholds of significance for noise and transportation impacts to be made available. Requires preparation of environmental impact reports. Extends the tolling of time for judicial actions and mitigation measures. Relates to sustainable communities planning and grants.	09/11/2013 - From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass as amended.	
SB 735 Wolk (D)	Sacramento-San Joaquin Delta Reform Act		Amends existing law that establishes the Delta Stewardship Council to create a Delta management plan. Authorizes prescribed local entities to enter into a memorandum of understanding or other written agreement with the council and the Department of Fish and Wildlife regarding multispecies conservation plans that describes how the parties would ensure that multispecies conservation plans that have been adopted or are under development are consistent with the Delta Plan.	08/13/2013 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.	
SB 750 Wolk (D)	Building Standards: Water Meters: Multiunits		Requires a water purveyor providing water service to new multiunit residential or mixed use structures to require water measurement to each unit and to permit measurement to be by water meters or submeters. Requires submeters to comply with existing laws and regulations. Prohibits purveyor fees for submeters installed by the owner. Imposes certain requirements on landlords in related to the submetered water service. Relates to separate charge notification to tenant. Authorizes damages for violations.	08/13/2013 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Failed passage.;08/13/2013 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Reconsideration granted.	
SB 757 Berryhill T (R)	Groundwater Management		Prohibits a new groundwater management plan from being adopted or an existing groundwater management plan from being renewed, except for high- or medium-priority basins that are not in a condition of long-term overdraft and low- or very low priority basins. Requires	08/25/2014 - Re-referred to ASSEMBLY Committee on	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			a groundwater management plan for such basins. Requires a groundwater extraction facility be measured with a water-measuring device or methodology, to regulate groundwater pumping, and to impose fees. Promotes water conservation.	RULES.	
SB 785 Wolk (D)	Design-Build		Repeals certain authorizations and enacts provisions that would authorize the Department of General Services, the Department of Corrections and Rehabilitation, and certain local agencies to use the design-build procurement process for specified public works. Authorizes the use of such process by the Marin Healthcare District when contracting for building and improvements construction to a hospital or health facility at the Marin General Hospital. Includes the San Diego Unified Port District.	08/26/2014 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE for concurrence.	
SB 848 Wolk (D)	Safe Drinking Water, Water Quality, and Water Supply		Repeals the provisions of existing law that created the Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Enacts the Safe Drinking Water, Water Quality, and Flood Protection Act of 2014 which would authorize the issuance of bonds pursuant to the State General Obligation Bond Law to finance a safe drinking water, water quality and water supply program. Provides for the submission of the bond act to the voters.	08/18/2014 - In SENATE. From third reading. To Inactive File.	
SB 927 Cannella (R)	Safe, Clean, and Reliable Drinking Water Supply Act		Renames the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 as the Safe, Clean, and Reliable Drinking Water Supply Act of 2014 and makes conforming changes. Authorizes the issuance of bonds in a specified amount by reducing the amount available for projects related to drought relief and water supply reliability.	04/22/2014 - In SENATE Committee on NATURAL RESOURCES AND WATER: Failed passage.;04/22/2014 - In SENATE Committee on NATURAL RESOURCES AND WATER: Reconsideration granted.	
SB 938 Galgiani (D)	Water Rights: Reconsideration of a		Makes a technical, nonsubstantive change to existing law that specifies procedures under which a person may be subject to	02/20/2014 - To SENATE Committee	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
	Decision or Order		administrative civil liability for unauthorized diversion or use of water, specifies procedures under which the State Water Resources Control Board is authorized to order a reconsideration of all or part of its decision or order.	on RULES.	
SB 946 Huff (R)	Community Facilities: Orange County Sanitation District		Revises the governing body of the Orange County Sanitation District to include one member of the city council of each city, except the City of Yorba Linda, and one member of the governing body of the Yorba Linda Water District.	07/21/2014 - Signed by GOVERNOR.;07/21/2014 - Chaptered by Secretary of State. Chapter No. 171	
SB 985 Pavley (D)	Stormwater Resource Planning	Support_Amend	Authorizes the development of a stormwater resource plan. Requires such plan to identify and prioritize the use of lands or easements in public ownership for stormwater and dry weather runoff on- of off-site projects. Eliminates the requirement such a plan be consistent with any applicable integrated regional water management plan. Requires an entity developing a plan to identify opportunities to use existing publicly owned lands and easements to capture, clean, store, and use stormwater and runoff.	08/19/2014 - In ASSEMBLY. Read second time. To third reading.	
SB 992 Nielsen (R)	Common Interest Developments: Property and Maintenance		Amends an existing which law prohibits an association from imposing a fine or assessment on separate interest owners for reducing or eliminating watering of vegetation or lawns during a state of emergency due to drought. Exempts from those prohibitions an association that uses recycled water for landscape irrigation. Provides that a provision of governing documents is void and enforceable if it requires certain pressure washing during a drought emergency.	08/26/2014 - In ASSEMBLY. Read third time, urgency clause adopted. Passed ASSEMBLY. *****To SENATE for concurrence.	
SB 1014 Jackson (D)	Pharmaceutical Waste: Home Generated: Collection		Requires the State Board of Pharmacy, upon enactment of federal regulations, to adopt regulations to implement State drug takeback programs for the collection and destruction of home-generated pharmaceutical waste. Provides that the regulations adopted pursuant to these provisions only apply to licensees of the Board.	08/13/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.	
SB 1036 Pavley (D)	Urban Water Management Plans		Authorizes an urban water supplier to include within an urban water management plan certain energy-related information, including, but not limited to, an estimate of the amount of energy used to extract or	08/20/2014 - *****To GOVERNOR.	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			divert water supplies. Requires the Department of Water Resources to include in its guidance for the preparation of such plans, a methodology for the voluntary calculation or estimation of the energy intensity of urban water systems.		
SB 1049 Pavley (D)	Integrated Regional Water Management Plans		Amends the Integrated Regional Water Management Planning Act. Includes projects or programs that reduce energy used to acquire, transport, treat, or distribute water, or that develop and and maintain computer models and analytic tools to model regional water management strategies as a regional project or program. Requires a regional water management group to include all water suppliers that are within a watershed area, the area over a groundwater basin or subbasin, or the area within a county's boundaries.	05/23/2014 - In SENATE Committee on APPROPRIATIONS: Held in committee.	
SB 1080 Fuller (R)	Safe, Clean, and Reliable Drinking Water Supply Act		Relates to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, which, if approved by the voters, would authorize the issuance of bonds in a specified amount. Declares the intent of the Legislature to enact legislation to reduce the bond amount.	02/27/2014 - To SENATE Committee on RULES.	
SB 1113 Knight (R)	Property Taxation: Disabled Veterans Exemption: Refunds		Relates to veterans with disabilities. Provides that if a claim for a refund is filed for a disabled veterans' property tax exemption on or after a specified date, the period of time for which a refund is required to be made shall be extended.	08/25/2014 - *****To GOVERNOR.	
SB 1144 Galgiani (D)	Common Interest Developments		Prohibits an association from imposing a fine or assessment on separate interest owners for yard maintenance issues related to under watered plants and lawns during any period for which the governor has declared a state of emergency due to drought. Prohibits a city, county, or city and county from imposing a fine or assessment on separate interest owners for yard maintenance issues.	03/06/2014 - To SENATE Committee on TRANSPORTATIO N AND HOUSING.	
SB 1168 Pavley (D)	Groundwater Management		Relates to groundwater management. Requires the development of prioritization criteria for identifying groundwater basins and subbasins that should be prioritized based on impacts to habitat and surface water resources. Prohibits the adoption of groundwater management plans by local agencies after a specified date. Provides for sustainability plans and for the authority of local agencies that elect to become groundwater sustainability agencies. Provides for inspections and warrants.	08/22/2014 - In ASSEMBLY. Assembly Rule 69 suspended.;08/22/2014 - In ASSEMBLY. Read third time and amended. To third reading.	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
<u>SB 1214</u> Anderson (R)	State Controller and Property Tax Postponement		Amends the Senior Citizens and Disabled Citizens Property Tax Postponement Law. Extends the prohibition against a person filing a claim for postponement and the Controller from accepting application for postponement under the program. Creates a related fund. Increases the equity interest requirement. Provides additional procedures regarding the filing of a related claim. Regards procedures relating to tax defaulted property. Requires notification of all tax defaulted properties.	05/23/2014 - In SENATE Committee on APPROPRIATIONS: Held in committee.	
<u>SB 1216</u> Morrell (R)	Homeowners' Exemption and Renter's Credit		Increases the homeowners' property tax exemption to a specified amount of the full value of a dwelling. Requires the County Assessor to adjust the amount of the homeowners' exemption. Provides for an increase in the renter's tax credit based on a specified adjusted gross income amount.	04/22/2014 - Re-referred to SENATE Committee on GOVERNANCE AND FINANCE.	
<u>SB 1250</u> Hueso (D)	Safe, Clean and Reliable Drinking Water Supply Act		Repeals the Safe, Clean and Reliable Drinking Water Supply Act of 2012 that would authorize the issuance of bonds to finance a safe drinking water and water supply reliability program. Enacts the Safe, Clean, and Reliable Drinking Water Supply Act of 2014, which, if adopted by voters would authorize the issuance of State General Obligation Bonds in a specified amount to finance a safe drinking water and water supply program.	05/13/2014 - In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.	
<u>SB 1281</u> Pavley (D)	Oil and Gas Production: Water Use: Reporting		Requires the statement by a well owner to the State Oil and Gas Supervisor to include the source and volume of any water reported, including water used in the composition of any injected fluid or gas. Requires quarterly reporting. Requires information of the the treatment of water and the use of treated or recycled water in oil and gas field activities. Requires use of a standardized form. Provides for online reporting.	08/22/2014 - In ASSEMBLY. Read third time and amended. To third reading.	
<u>SB 1292</u> Hueso (D)	Safe Drinking water State Revolving Fund		Relates to the Safe Drinking Water State Revolving Fund. Increases the maximum amount of a construction grant award for a water system serving severely disadvantaged communities.	08/19/2014 - In ASSEMBLY. Read second time. To third reading.	
<u>SB 1323</u> Lieu (D)	Pet Lover's License Plate Program		Appropriates the moneys in the Specialized License Plate Fund derived from the issuance, renewal, transfer, and substitution of a specialist license plate issued under the Pet Lover's License Plate	08/22/2014 - In ASSEMBLY. Assembly Rule 69	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			Program sponsored by the Veterinary Medical Board prior to the operative date of this bill to the Board for the sole and exclusive purpose of funding grants to providers of no-cost or low-cost animal sterilization services.	suspended.;08/22/2014 - In ASSEMBLY. Read third time and amended. To third reading.	
SB 1362 Correa (D)	Hazardous Waste: Disposal: Exemption		Excludes from the definition of the term disposal from existing law that regulates the disposal of hazardous waste, the onsite movement of soil at an active outdoor sport shooting range, if the movement is done to facilitate the removal and recycling of spent ammunition materials existing on the site as a result of the normal use of the range and the residual soil is replaced within the are from which it was originally removed.	04/21/2014 - From SENATE Committee on RULES with author's amendments.;04/21/2014 - In SENATE. Read second time and amended. Re-referred to Committee on RULES.	
SB 1370 Galgiani (D)	Reliable Water Supply Bond Act of 2014		Repeals the Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Enacts the Reliable Water Supply Bond Act of 2014 to finance surface water storage projects.	04/08/2014 - In SENATE Committee on NATURAL RESOURCES AND WATER: Heard, remains in Committee.	
SB 1390 Correa (D)	Santa Ana River Conservancy Program		Establishes the Santa Ana River Conservancy Program to acquire interests and options in real property and would prescribe the management, powers, and duties of the conservancy. Creates the Santa Ana River Conservancy Program Account in the State Coastal Conservancy Fund. Requires a report.	08/26/2014 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE for concurrence.	
SB 1420 Wolk (D)	Urban Water Management Plans		Requires an urban water management plan to quantify and report on distribution system water loss. Authorizes water use projections to display and account for the water savings estimated to result from adopted codes, standards, ordinances, or transportation and land use plans, when the information is available and applicable to the supplier. Requires the plan, or amendments to be submitted	08/25/2014 - *****To GOVERNOR.	

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			electronically to the Department of Water Resources and include department forms, tables, or displays.		
<u>SB 1451</u> Hill (D)	Environmental Quality: Judicial Review: Standing		Relates to the California Environmental Quality Act. Requires that the alleged grounds for Act noncompliance shall have been presented to a public agency prior to the close of a public hearing on the project under certain conditions. Limits the standing of a person objecting to the project prior to the close of the hearing before the filing of notice of determination for which no public comment period was provided by the Act. Extends related preclusion provisions.	05/06/2014 - In SENATE Committee on JUDICIARY: Not heard.	
<u>SB 1462</u> Wolk (D)	Local Government: Omnibus Bill		Relates to fictitious business name statements. Authorizes the Sacramento County Board of Supervisors to designate, by resolution, another county officer to perform certain duties. Relates to leasing of certain property, the Law Library Fund, bonds, property tax revenue, securitization of limited obligation notes, noise elements of planning and zoning laws, assessments under the Property and Business Improvement District Law, public hearings, and owners' associations under contract with a local entity.	08/15/2014 - Signed by GOVERNOR.;08/15/2014 - Chaptered by Secretary of State. Chapter No. 201	
<u>SCA 11</u> Hancock (D)	Local Government: Special Taxes: Voter Approval		Proposes an amendment to the Constitution to condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition, if the proposition proposing the tax contains specified requirements.	06/27/2013 - Re-referred to SENATE Committee on APPROPRIATIONS.	

EXHIBIT B

Legislative Analyst's Office
8/22/2014 2:45 PM
FINAL

Proposition 1 Water Quality, Supply, and Infrastructure Improvement Act of 2014. AB 1471 (Chapter 188, Statutes of 2014), Rendon. Bond Measure.

Yes/No Statement

A **YES** vote on this measure means: The state could sell \$7.1 billion in additional general obligation bonds—as well as redirect \$425 million in unsold general obligation bonds that were previously approved by voters for resource-related uses—to fund various water-related programs.

A **NO** vote on this measure means: The state could not sell \$7.1 billion in additional general obligation bonds to fund various water-related programs. In addition, \$425 million in unsold general obligation bonds would continue to be available for resource-related uses as previously approved by voters.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact

- Increased state bond repayment costs averaging \$360 million annually over the next 40 years.
- Savings to local governments related to water projects, likely averaging a couple hundred million dollars annually over the next few decades.

State Bond Cost Estimates	
Authorized new borrowing	\$7.1 billion
Average annual cost to pay off bonds	\$360 million
Likely repayment period	40 years
Source of repayment	General tax revenues

Ballot Label

Fiscal Impact: Increased state bond costs averaging \$360 million annually over 40 years.

Local government savings for water-related projects, likely averaging a couple hundred million dollars annually over the next few decades.

BACKGROUND

Sources of Water in California. A majority of the state's water comes from rivers, much of it from Northern California and from snow in the Sierra Nevada Mountains. Water available underground (referred to as "groundwater") makes up roughly a third of the state's water use and is more heavily relied on in dry years. A small share of the state's water also comes from other sources, such as capturing rainwater, reusing wastewater (water recycling), and removing the salt from ocean water (desalination).

Meeting the State's Water Needs. Providing clean water throughout California while protecting the environment presents several key challenges. First, water is not always available where it is needed. For example, water from Northern California is delivered to other parts of the state, such as farmland in the Central Valley and population centers in the San Francisco Bay Area and Southern California. Second, the amount of water available can change widely from year to year. So, when less water is available in dry years, it can be difficult to provide all of the water that people want throughout the state. This can include providing enough water to maintain natural habitats—such as wetlands—for endangered species as is required under state and federal laws. However, in very wet years the state can sometimes experience floods, particularly in the Central Valley. Third, water is sometimes polluted, making it unsuitable for drinking, irrigating

crops, or fish habitat. Fourth, parts of the state's water system have affected natural habitats. For example, providing more water for drinking and irrigation has reduced the water available for fish.

In order to address these challenges, California has built various projects. Some projects use natural rivers—as well as pipelines, pumping stations, and canals—to deliver water used for drinking or farming throughout the state. These projects also include dams and other types of water storage to hold water for when it is needed. Other projects to meet the state's water challenges include water treatment plants to remove pollutants from drinking water and wastewater, systems to clean up runoff from storms, and levees to prevent floods.

Environment and Water System Are Linked. The state's water system and the environment are linked in several ways. As noted above, the use of water for irrigation and drinking water affects natural habitats used by fish and wildlife. These effects on natural habitats are made worse by pollution, which harms water quality for fish, wildlife, and people. The state has taken a variety of actions to improve natural habitats and water quality. These include restoring watersheds (an area of land that drains into a body of water) by reintroducing native plants and animals. The state has also provided water to rivers when needed by fish species.

Roles of Various Governments in Water System. The state, federal, and local governments play important roles in providing clean and reliable water supplies. Most spending on water programs in the state is done at the local level, such as by water districts, cities, and counties. In recent years, local governments have spent about \$26 billion per year to supply water and to treat wastewater. About 80 percent of this spending is paid for by individuals as ratepayers of water and sewer bills. In addition, local governments pay for projects using other sources, including

state funds, federal funds, and local taxes. While most people get their water from these public water agencies, about one-sixth of Californians get their water from private water companies.

The state runs programs to (1) conserve, store, and transport water around the state; (2) protect water quality; (3) provide flood control; and (4) protect fish and wildlife habitat. The state provides support for these programs through direct spending, as well as grants and loans to local governments, nonprofit organizations, and privately owned water companies. (The federal government runs similar programs.) Funding for these state programs usually comes from bonds and fees. Since 2000, voters have approved about \$20 billion in bonds for various environmental purposes, including water. Currently, about \$900 million (5 percent) of these bonds remain available for new projects.

PROPOSAL

This measure provides a total of \$7.5 billion in general obligation bonds for various water-related programs. First, the measure allows the state to sell \$7.1 billion in additional bonds. Second, the measure redirects \$425 million in unsold bonds that voters previously approved for water and other environmental uses. The state repays these bonds, with interest, using the state's General Fund. (The General Fund is the state's main operating account, which pays for education, prisons, health care, and other services.)

Uses of Funds

As shown in Figure 1 and described below, the bond measure provides funding to (1) increase water supplies, (2) protect and restore watersheds, (3) improve water quality, and (4) increase flood protection. The bond money would be available to state agencies for various projects and programs, as well as for loans and grants to local governments, private water

companies, mutual water companies (where water users own the company), Indian tribes, and nonprofit organizations.

Figure 1	
Uses of Proposition 1 Bond Funds	
<i>(In Millions)</i>	
Water Supply	\$4,235
• Dams and groundwater storage—cost share associated with public benefits.	\$2,700
• Regional projects to achieve multiple water-related improvements (includes conservation and capturing rainwater).	810
• Water recycling, including desalination.	725
Watershed Protection and Restoration	\$1,495
• Watershed restoration and habitat protection in designated areas around the state.	\$515
• Certain state commitments for environmental restorations.	475
• Restoration programs available to applicants statewide.	305
• Projects to increase water flowing in rivers and streams.	200
Improvements to Groundwater and Surface Water Quality	\$1,420
• Prevention and cleanup of groundwater pollution.	\$800
• Drinking water projects for disadvantaged communities.	260
• Wastewater treatment in small communities.	260
• Local plans and projects to manage groundwater.	100
Flood Protection	\$395
• Repairs and improvements to levees in the Delta.	\$295
• Flood protection around the state.	100
Total	\$7,545

Funds for Water Supplies (\$4.2 Billion). About \$4.2 billion would fund projects intended to improve water supplies, in order to make more water available for use. Specifically, the bond includes:

- ***\$2.7 Billion for New Water Storage.*** The bond includes \$2.7 billion to pay up to half of the cost of new water storage projects, including dams and projects that replenish groundwater. This funding could only be used to cover costs related to the “public

benefits” associated with water storage projects, including restoring habitats, improving water quality, reducing damage from floods, responding to emergencies, and improving recreation. Local governments and other entities that rely on the water storage project would be responsible for paying the remaining project costs. These costs would generally be associated with private benefits (such as water provided to their customers).

- ***\$810 Million for Regional Water Projects.*** The bond also provides \$810 million for regional projects that are included in specific plans developed by local communities. These projects are intended to improve water supplies, as well as provide other benefits, such as habitat for fish and flood protection. The amount provided includes \$510 million for allocations to specific regions throughout the state and \$300 million for specific types of water supplies, including projects and plans to manage runoff from storms in urban areas and water conservation projects and programs.
- ***\$725 Million for Water Recycling.*** The bond includes \$725 million for projects that treat wastewater or saltwater so that it can be used later. For example, the funds could be used to test new treatment technology, build a desalination plant, and build pipes to deliver recycled water.

Funds to Protect and Restore Watersheds (\$1.5 Billion). These monies would fund projects intended to protect and restore watersheds and other habitat throughout the state. This funding could be used to restore bodies of water that support native, threatened, or endangered species of fish and wildlife; purchase land for conservation purposes; reduce the risk of wildfires in watersheds; and purchase water to support wildlife. These funds include \$515 million to restore

watersheds in designated regions around the state (including \$140 million specifically for projects in the Sacramento-San Joaquin Delta [Delta]) and \$475 million to pay for certain state commitments to fund environmental restorations. The remaining funding would be available to applicants statewide for programs that restore habitat and watersheds (\$305 million) and increase the amount of water flowing in rivers and streams, for example by buying water (\$200 million).

Funds to Improve Groundwater and Surface Water Quality (\$1.4 Billion). The bond includes over \$1.4 billion to improve groundwater and surface water quality. More than half of this funding (\$800 million) would be used for projects to clean up and prevent polluted groundwater that is, or has been, a source of drinking water. The remaining funds would be available to (1) improve access to clean drinking water (\$260 million), (2) help small communities pay for wastewater treatment (\$260 million), and (3) provide grants to local governments to develop and implement plans to manage their groundwater supply and quality (\$100 million).

Funds for Flood Protection (\$395 Million). The bond provides \$395 million for projects that both protect the state from floods and improve fish and wildlife habitat. While \$100 million of this funding could be spent on flood control projects anywhere in the state, \$295 million is set aside to improve levees or respond to flood emergencies in the Delta.

Requirements for Allocating and Spending Funds

How Projects Would Be Selected. The measure includes several provisions that would affect how specific projects are chosen to receive bond funds. The California Water Commission—an existing state planning and regulatory agency—would choose which water storage projects would be funded with the \$2.7 billion provided in the bond for that use. The Commission would

not have to go through the state budget process to spend these funds. For all other funding provided in the measure, the Legislature generally would allocate money annually to state agencies in the state budget process. While the Legislature could provide state agencies with some direction on what types of projects or programs could be chosen, the measure states that the Legislature cannot allocate funding to specific projects. Instead, state agencies would choose the projects. In addition, none of the funding in the measure can be used to build a canal or tunnel to move water around the Delta.

Requirements for Matching Funds. Of the \$7.5 billion in funds made available by the measure, \$5.7 billion is available only if recipients—mostly local governments—provide funding to support the projects. This matching requirement only applies to the water supply and water quality projects funded by the measure. The required share of matching funds is generally at least 50 percent of the total cost of the project, although this can be waived or reduced in some cases.

FISCAL EFFECTS

Fiscal Effects on State Government. This measure would allow the state to borrow up to \$7.1 billion by selling additional general obligation bonds to investors, who would be repaid with interest using the state's general tax revenues. We assume that (1) the interest rate for the bonds would average just over 5 percent, (2) they would be sold over the next ten years, and (3) they would be repaid over a 30-year period. Based on these assumptions, the cost to taxpayers to repay the bonds would **average about \$360 million annually over the next 40 years**. This amount is about one-third of a percent of the state's current General Fund budget. We assume that redirecting \$425 million in unsold bonds from previously approved measures would not increase the state's anticipated debt payments. This is because, without this measure, these bonds

likely would have been sold in the future to support other projects. (For more information on the state's use of bonds and the impact of this proposed bond measure on the state's budget, see "Overview of State Bond Debt" later in this guide.)

Fiscal Effects on Local Governments. The availability of state bond funds for local water projects would affect how much local governments, primarily water agencies, spend on water projects. In many cases, the availability of state bonds could reduce local spending. For example, this would occur in cases where state bond funds replaced monies that local governments would have spent on projects anyway. Local savings would also occur in cases where the availability of state bond funds allowed local governments to build projects that reduced operating costs, such as by increasing efficiency or using a new water source that allows them to purchase less water.

However, in some cases, state bond funds could increase spending on water projects by local governments. For example, the availability of bond funds might encourage some local governments to build additional or substantially larger projects than they would otherwise. These projects could also be more expensive to operate.

On balance, we estimate that this measure would result in savings to local governments on water-related projects. These savings would likely average a couple hundred million dollars annually over the next few decades.

An individual local government might use these savings in various ways. For example, it might use the savings to build other new facilities or for maintenance and repair of existing facilities. In other cases, a government might use the savings to keep water rates lower than they otherwise would be by delaying or reducing future rate increases. Since the amount of statewide

savings in any given year is likely to be small relative to the overall amount spent by local governments on water, any effect on rates would likely be small for most ratepayers.

EXHIBIT "C"

DRAFT Water Bond 2014 – IRWD Public Information Plan

ACWA has developed a tool kit of information that water agencies can share with their customers regarding the 2014 Water Bond. IRWD's legal counsel is reviewing the materials to ensure that they comply with State prohibitions on advocacy. If necessary, staff will adapt these materials to comply with the legal requirements relating to District-funded communications. Once reviewed, IRWD will use the information to provide balanced information to our customers during the months of September and October, 2014. What follows is an outline of the public information plan as of September 1, 2014. New opportunities for disseminating information will be added to this plan as they become available.

1) **Customer and Community Outreach:** Informational fact sheets will be made available to the public at IRWD community outreach events. The following events are already scheduled to be held during September and October:

- IRWD Landscape Workshops - September 17 and 25
- IRWD Home Depot Garden Sale - September 20
- UC ANR Landscape & Gardening Education Expo – September 27
- Tustin Water Symposium & Open House – September 30
- IRWD Business Outreach Lunch – October 1
- Customer Outreach Event – Do One More Thing To Save Water – October 11

2) **Speakers Bureau:** Several powerpoint slides that provide factual information on the water bond will be included in Speakers Bureau presentations. Bond fact sheets will also be made available.

3) **IRWD Website:** A separate website page dedicated to providing educational and balanced information on the water bond will be added to IRWD's website. There will be links to outside sources from this page as well as a downloadable fact sheet.

4) **Liquid News:** A news story will be posted on the IRWD website in the Liquid News section announcing that the IRWD Board of Directors has taken a position on the water bond. A sample article was included in ACWA's outreach materials.

5) **IRWD Lobby:** Water bond fact sheets will be made available to the public by placing them in the IRWD Sand Canyon Lobby.

6) **Outreach with Cities & County of Orange:** IRWD will reach out to cities and the County to provide them factual information on the water bond. IRWD will:

- Write to city and County officials providing them information on the water bond, informing them of the position that the IRWD Board of Directors has taken, offering to provide informational presentations on the bond, and asking them to

take a position on the measure although IRWD can not advocate that a specific position be taken.

- Offer to make informational fact sheets available to cities and the County for distribution at their community events and forums as well as their lobby.
- The communications will be accompanied with a caution that in accordance with laws regulating the expenditure of public funds to communicate with the voters in regard to a state proposition, IRWD, while indicating the position it has taken, does not and is not urging a specific vote on the measure; other public agencies may also be required to refrain from doing so and should consult their legal counsel for advice in this regard.

7) Outreach to Community Leaders and Stakeholders: IRWD will reach out to community leaders and key stakeholders to provide them factual information on the Water Bond. IRWD will:

- Write to key stakeholders providing them information on the water bond, informing them of the position that the IRWD Board of Directors has taken, offering to provide informational presentations on the bond, and asking them to take a position on the measure although IRWD can not advocate that a specific position be taken.
- Offer to make informational fact sheets available to ACC-OC, OCBC, and local chambers of commerce.
- The communications will be accompanied with a caution that in accordance with laws regulating the expenditure of public funds to communicate with the voters in regard to a state proposition, IRWD, while indicating the position it has taken, does not and is not urging a specific vote on the measure; other public agencies may also be required to refrain from doing so and should consult their legal counsel for advice in this regard.

September 8, 2014
Prepared By: K. Welch
Submitted By: F. Sanchez/P. Weghorst
Approved By: Paul Cook

CONSENT CALENDAR

STOCKDALE INTEGRATED BANKING PROJECT ENVIRONMENTAL COMPLIANCE VARIANCE NO. 3

SUMMARY:

On March 26, 2012, the Board authorized a Professional Services Agreement in the amount of \$135,675 with Environmental Science Associates (ESA) to prepare an Environmental Impact Report (EIR) for the Stockdale Integrated Banking Project. Additional environmental compliance work is needed beyond the original budgeted scope of work to incorporate changes into the EIR that are required in response to comments received from local stakeholders and to ensure compliance with a recently secured federal grant. To accommodate this additional work, ESA has requested a variance to the Professional Services Agreement. Staff recommends that the Board:

- Approve an increase to the FY 2014-15 Capital Budget in the amount of \$27,300 for Project 11645 (3766) for the additional environmental compliance work;
- Approve an Expenditure Authorization for Project 11645 (3766) in the amount of \$27,300 for the additional environmental compliance work; and
- Authorize the General Manager to execute Variance No. 3 in the amount of \$24,765 with ESA.

BACKGROUND:

Staff has been working with Rosedale-Rio Bravo Water Storage District (Rosedale) in preparing to develop the Stockdale Integrated Banking Project that would utilize IRWD's Stockdale West Ranch and Rosedale's Stockdale East property located directly east of the Strand Ranch. A location map of these properties is provided as Exhibit "A". On March 26, 2012, the Board authorized a Professional Services Agreement in the amount of \$135,675 with ESA to prepare an EIR for the project. The existing Development Agreement between Rosedale and IRWD for the project was also approved by the Board on March 26, 2012. This agreement calls for IRWD and Rosedale to equally share the cost of the preparation of the EIR and related technical studies, including hydrogeologic evaluations. IRWD agreed to initially fund the cost of the EIR and Rosedale agreed to initially fund the cost of the hydrogeologic evaluations. The overall costs will be reconciled and shared once all of the work has been completed.

Two prior variances to ESA's Professional Services Agreement have been approved as follows:

- In May 2012, the Board approved Variance No. 1 in the amount of \$29,174, to include the programmatic level analysis of a potential third water banking property; and

- In February 2014, the General Manager approved Variance No. 2 in the amount of \$3,020 to include a Central Intake Canal in the project description and analyses.

Staff requests a third variance to cover additional work that was not included in ESA’s original scope of work. Following is a description of additional work to be accomplished through Variance No. 3.

Variance No. 3 Work Items:

To date, ESA has completed two iterations of a Screencheck Draft EIR. Rosedale provided the second Screencheck Draft to the Kern Water Bank Authority (KWBA) and the Kern County Water Agency (KCWA), two important stakeholders, in advance of a public review to get preliminary comments. Based on the comments received from these two agencies, a third and final Screencheck Draft EIR needs to be prepared prior to release for public review. ESA’s original scope of work did not include time and resources associated with addressing the KWBA and KCWA’s comments. Variance No. 3 will provide for this additional work.

In June 2014, the design and construction of the Stockdale West recovery facilities was selected for grant funding by the Bureau of Reclamation (Reclamation) under the WaterSMART Program. The federal grant requires project compliance with National Environmental Policy Act (NEPA) which was not considered in ESA’s original scope of work. Variance No. 3 revises the scope of work and budget to include the NEPA compliance work. Since Rosedale will not share in the benefits of the federal grant, it will not be required to cost share in the NEPA compliance work.

Staff has reviewed ESA’s request for additional budget in the amount of \$24,765 and recommends approval of Variance No. 3. The request includes budget for completion of the third Screencheck Draft EIR, additional project management time and time for working with Reclamation on NEPA compliance activities. ESA’s variance request, budget and revised schedule are attached as Exhibit “B”. The EIR is expected to be presented to the Board of Directors for approval in December 2014.

FISCAL IMPACTS:

Project 11645 (3766), Stockdale Integrated Banking Project, is included in the FY 2014-15 Capital Budget. IRWD and Rosedale will equally share in the costs associated with the preparation of the EIR except for the NEPA compliance work in the amount of \$5,520. The overall costs will be reconciled and shared after all work has been completed. The cost for ESA to perform the additional work under Variance No. 3 is \$24,765. Staff requests an increase to the FY 2014/15 Capital Budget in the amount of \$27,300 for Project 11645 (3766), including contingency, and requests approval of an Expenditure Authorization in the amount of \$27,300 as shown below and in Exhibit “C”.

Project No.	Current Budget	Addition <Reduction>	Total Budget	Existing EA	This EA Request	Total EA Request
11645 (3766)	\$2,743,400	\$27,300	\$2,770,700	\$620,400	\$27,300	\$647,700

ENVIRONMENTAL COMPLIANCE:

The preparation of an EIR is necessary for the implementation of the proposed Stockdale Integrated Banking Project in compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended), codified at California Public Resources Code Sections 21000 et. seq., and the State CEQA Guidelines in the Code of Regulations, Title 14, Division 6, Chapter 3. Environmental compliance in accordance with the National Environmental Policy Act is required to receive federal grant funding for the project from the U. S. Bureau of Reclamation under the WaterSMART Program.

COMMITTEE STATUS:

This item was reviewed by the Water Banking Committee on August 26, 2014.

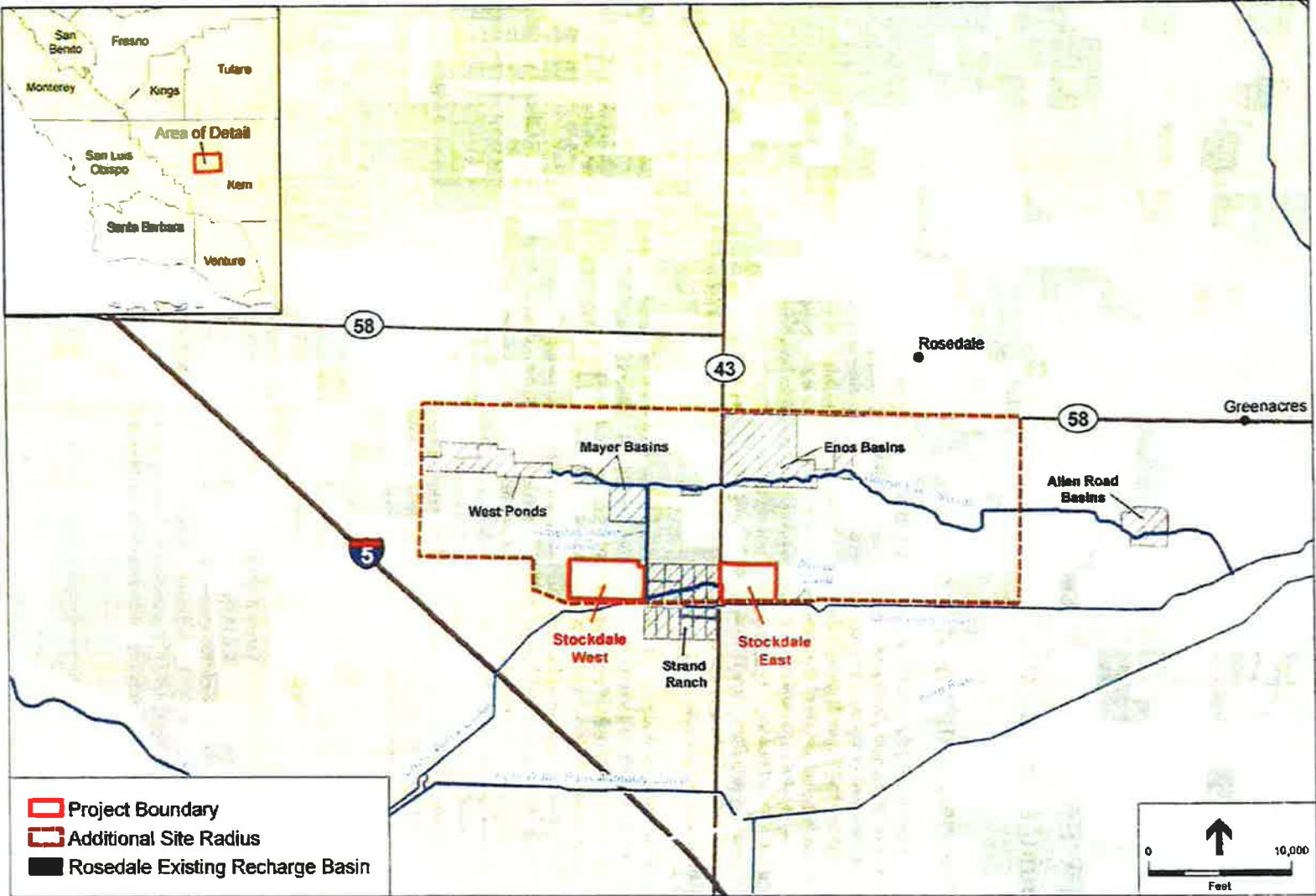
RECOMMENDATION:

THAT THE BOARD APPROVE AN INCREASE TO THE FY 2014-15 CAPITAL BUDGET IN THE AMOUNT OF \$27,300 FOR PROJECT 11645 (3766) FOR ADDITIONAL ENVIRONMENTAL COMPLIANCE WORK; APPROVE AN EXPENDITURE AUTHORIZATION FOR PROJECT 11645 (3766) IN THE AMOUNT OF \$27,300 FOR THE ADDITIONAL ENVIRONMENTAL COMPLIANCE WORK; AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE VARIANCE NO. 3 WITH ESA IN THE AMOUNT OF \$24,765.

EXHIBITS:

- Exhibit "A" – Location Map: Stockdale Integrated Banking Project
- Exhibit "B" – ESA Scope of Work, Budget, and Schedule for Variance No. 3
- Exhibit "C" – Expenditure Authorization for Project 11645 (3766)

EXHIBIT "A"



SOURCE: ESRI 2013

Stockdale Integrated Banking Project . 211181
Figure 2-1
Project Location

EXHIBIT "B"



626 Wilshire Boulevard
Suite 1100
Los Angeles, CA 90017
213.599.4300 phone
213.599.4301 fax

www.esassoc.com

July 31, 2014

Paul Weghorst
Irvine Ranch Water District
15600 Sand Canyon Ave
Irvine, CA 92618-3102

Subject: Request for Variance No. 3 to the Scope of Work for the Stockdale Integrated Banking Project

Dear Paul:

ESA is currently preparing the environmental documentation for the Stockdale Integrated Banking Project for Rosedale-Rio Bravo Water Storage District (Rosedale) and Irvine Ranch Water District (IRWD). The Project includes development of Stockdale East, Stockdale West, and a third Stockdale project site with groundwater banking facilities for integration with Rosedale's Conjunctive Use Program in Kern County. To-date, two iterations of the Screencheck Draft Environmental Impact Report (EIR) have been completed (No. 1 and No. 2). Rosedale and IRWD provided Screencheck No. 2 to the Kern Water Bank Authority and Kern County Water Agency in advance of the Draft EIR public review. Based on comment letters received from these two agencies, a third and final Screencheck Draft EIR (No. 3) needs to be prepared prior to public release.

In addition, IRWD has received a WaterSMART Grant through the U.S. Bureau of Reclamation for their portion of the Project on Stockdale West, primarily the proposed groundwater production wells. Use of federal funding for the Project will require compliance with the National Environmental Policy Act (NEPA). ESA has already participated in one coordination phone call with the Bureau. It is not expected that the environmental compliance document will need to be altered. The Bureau has indicated that it will most likely utilize the existing CEQA document to fulfill its requirements for NEPA. At this time, IRWD is requesting ESA's assistance with Bureau coordination to ensure NEPA compliance, as described below.

The following scope of work outlines the tasks required in addition to the previously approved scope of work (as amended by Professional Service Variances No. 1 and No. 2) for the successful completion of the CEQA process for the Project, as well as the NEPA process for IRWD's WaterSMART Grant. ESA is requesting approval of the proposed scope of work and associated cost estimate, which is included as **Table 1**.

Additional Scope of Work

Task 1. Project Management

The original scope of work assumed approximately eight (8) hours per month would be required for purposes of project management. Under Variance No. 1, the schedule for the CEQA process was extended through September 2013. The current projected schedule for the Project, as attached, estimates that certification of the Final EIR is expected in December 2014. Therefore, we request additional funds for purposes of project management since September 2013 and through December 2014.

Task 6. Screencheck Draft EIR

ESA will prepare Screencheck Draft EIR No. 3 for final review by Rosedale and IRWD. The changes to be incorporated into this iteration of the Draft EIR will be in response to preliminary comments by KWBA and KCWA. Rosedale, IRWD, and ESA have discussed the main issues to be addressed, as listed below.

Paul Weghorst
July 31, 2014
Page 2

- Provide clarity regarding the analysis of the third Stockdale site at a program level. ESA will add language describing the nature and purpose of programmatic assessments and will include statements that suggest additional, subsequent environmental review will be required prior to implementation of any facilities on a third Stockdale site.
- Provide clarity regarding Rosedale's use of its Memoranda of Understanding (MOUs) as mitigation for groundwater recovery. The MOUs are part of the project description and should not be characterized as mitigation.
- Provide an explanation of the environmental baseline used to assess impacts to groundwater, which is different from other environmental resources in the Draft EIR, and which is not the condition at the time of publication of the Notice of Preparation. Also, provide current water level information to show existing conditions (as of NOP publication) are captured within the range of variability used for the baseline.
- Update the project description to include a range of anticipated recovery at Stockdale East and Stockdale West, including a maximum annual recovery amount based on pumping for 12 months (365 days) per year. This requires additional analysis by Thomas Harder & Associates (THA), which is the consultant that has prepared the technical analysis of project impacts to groundwater. ESA will coordinate with THA and revised the EIR project description accordingly, along with any updates throughout the document, including revisions to the impact analysis in the Hydrology and Water Quality chapter and Cumulative Impacts chapter.
- Review language in the project description regarding reciprocal use to ensure there is no commitment to operate as a two-for-one program.
- Cross-reference discussion of State regulations related to pesticide use within recharge basins in the Agriculture and Hydrology chapters to address concerns related to water quality impacts associated with agricultural practices within recharge basins, such as farming and grazing and the use of fertilizers.

In addition, ESA will review the comment letters to determine if any other edits or outstanding issues remain. ESA also will coordinate with Thomas Harder & Associates to discuss comments relevant to the technical analysis and report.

Task 12. NEPA Compliance Coordination

ESA will assist with coordination of the NEPA process through the U.S. Bureau of Reclamation, to ensure requirements associated with IRWD's WaterSMART Grant are met. At this time, no additional analysis or documentation is being requested by the Bureau. ESA will participate in up to five (5) conference calls to facilitate review and use of the CEQA documentation by the Bureau. ESA also will assist with preparation of the expected Findings of No Significant Impact (FONSI) if requested by the Bureau.



Paul Weghorst
 July 31, 2014
 Page 3

Cost Estimate and Schedule

Table 1 shows the assumed level of effort corresponding to the additional scope of work described above. ESA is requesting approval for an increase in the Project budget by **\$24,765**, for a total contract ceiling of **\$192,634**.

**Table 1. COST PROPOSAL
 Stockdale Integrated Banking Project - Variance No. 3**

Task Number / Description	J. Jacobus	S. Spano	J. Nielsen	G. JaFolla	Total Hours	Total Labor Price
	Sr MA/TA II	Assoc 3	Graphics	Production		
Hourly Billing Rate	\$175	\$110	\$ 105	\$ 100		
Task 1						
Project Management	56				56	\$ 9,800
Task 6						
Screencheck Draft EIR No. 3	24	40	4	4	72	\$ 9,420
Task 12						
NEPA Compliance Coordination	24	12			36	\$ 5,520
Total Hours	104	52	4	4	164	
Subtotal - Labor Costs	\$ 18,200	\$ 5,720	\$ 420	\$ 400		\$ 24,740

Non-Labor Costs

Increase in CDFG CEQA Filing Fees for 2014 \$ 25

TOTAL - Variance No. 3 **\$ 24,765**

Previously-approved Budget Ceiling **\$ 167,869**

TOTAL REVISED PROJECT PRICE **\$ 192,634**

In addition, a revised schedule is also attached. The schedule incorporates time for preparation of additional analysis by THA and reflects an expected certification date of December 2014 for the Final EIR. Please take a look at our level of effort and scope assumptions, which we are happy to discuss any time.

Sincerely,

Tom Barnes
 Vice President and Director
 ESA Southern California Water Practice

Jennifer Jacobus
 Senior Managing Associate
 ESA Southern California Water Practice

IRVINE RANCH WATER DISTRICT PROFESSIONAL SERVICES VARIANCE

Project Title: IRWD Stockdale Integrated Banking Project Environmental Impact Report

Project No.: 11645 (3766) (Task 1020.2)

Date: 7/31/14

Purchase Order No.: 508021

Variance No.: 3

Originator: IRWD ENGINEER/CONSULTANT Other (Explain) _____

Description of Variance (*attach any back-up material*):

See attached

Engineering & Management Cost Impact:

Classification	Manhours	Billing Rate	Labor \$	Direct Costs	Subcon. \$	Total \$
Modify tasks (see attached scope of work, cost estimate) to include preparation of a third Screencheck Draft EIR and assistance with the NEPA process	--	--	\$24,765	--	--	\$24,765
Total \$ =						\$24,765

Schedule Impact: None.

Task No.	Task Description	Original Schedule	Schedule Variance	New Schedule
--	See attached schedule--	--	--	--

Required Approval Determination:

Total Original Contract	<u>\$135,675</u>	<input type="checkbox"/> General Manager: Single Variance less than or equal to \$30,000. <input type="checkbox"/> Committee: Single Variance greater than \$30,000, and less than or equal to \$60,000. <input type="checkbox"/> Board: Single Variance greater than \$60,000. <input type="checkbox"/> Board: Cumulative total of Variances greater than \$60,000, or 30% of the original contract, whichever is higher.
Previous Variances	<u>\$32,194</u>	
This Variance	<u>\$24,765</u>	
Total Sum of Variances	<u>\$ 56,959</u>	
New Contract Amount	<u>\$192,634</u>	
Percentage of Total Variances to Original Contract	<u>42.0 %</u>	

ENGINEER/CONSULTANT: ESA
Company Name

IRVINE RANCH WATER DISTRICT

Project Engineer/Manager

Date

Department Director

Date

Engineer's/Consultant's Management

Date

General Manager/Comm./Board

Date

IRVINE RANCH WATER DISTRICT

PROFESSIONAL SERVICES VARIANCE REGISTER

Project Title: : <u>IRWD Stockdale Integrated Banking Project Environmental Impact Report</u>				
Project No.: <u>11645 (3766)</u> Project Manager: <u>Kellie Welch</u>				
Variance No.	Description	Dates		Variance Amount
		Initiated	Approved	
1	Modify tasks to analyze additional property at a programmatic level to achieve CEQA compliance.	3/25/13		\$29,174
2	Modify project description and EIR analysis to include Central Intake Canal.	2/13/14		\$3,020
3	Modify tasks to include preparation of a third Screencheck Draft EIR and assistance with the NEPA process	7/31/14		\$24,765

Rosedale/IRWD Stockdale Integrated Banking Project EIR
CEQA Documentation Schedule

ID	Task Name	Duration	Start	Finish	2014											
					Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
1	CEQA Environmental Review Process	321 days	Tue 9/24/13	Tue 12/16/14												
2	ESA Prepares a Notice of Preparation and Notice of Completion	22 days	Tue 9/24/13	Thu 10/24/13												
3	NOP Publication	0 days	Tue 9/24/13	Tue 9/24/13												
4	Circulation of NOP for 30 days	30 edays	Tue 9/24/13	Thu 10/24/13												
5	Conduct Public Scoping Meeting	17 days	Tue 9/24/13	Wed 10/16/13												
6	ESA Prepares Meeting Presentation/Materials	2 wks	Tue 9/24/13	Mon 10/7/13												
7	IRWD/Rosedale Reviews Meeting Presentation/Materials	7 days	Tue 10/8/13	Wed 10/16/13												
8	Scoping Meeting	0 days	Wed 10/16/13	Wed 10/16/13												
9	ESA Prepares Administrative Draft EIR	90.5 days	Thu 10/24/13	Thu 2/27/14												
10	ESA Prepares Administrative Draft EIR	42 days	Thu 10/24/13	Fri 12/20/13												
11	Submit ADEIR for Review	0 days	Mon 12/23/13	Mon 12/23/13												
12	IRWD/Rosedale provides comments on Administrative Draft EIR	20 days	Tue 12/24/13	Mon 1/20/14												
13	ESA Prepares Admin Draft EIR NO. 2	2 wks	Tue 1/21/14	Mon 2/3/14												
14	IRWD/Rosedale provides comments on Administrative Draft EIR	3.5 wks	Tue 2/4/14	Thu 2/27/14												
15	ESA Prepares Screencheck Draft EIR	142.5 days	Thu 2/27/14	Mon 9/15/14												
16	ESA Prepares Screencheck Draft EIR	13 days	Thu 2/27/14	Tue 3/18/14												
17	IRWD/Rosedale Review Screencheck Draft EIR	13 days	Tue 3/18/14	Fri 4/4/14												
18	ESA resubmits Screencheck No. 2	1 wk	Fri 4/4/14	Fri 4/11/14												
19	Screencheck Draft EIR No. 2 available for KWBA/KCWA	0 days	Fri 4/11/14	Fri 4/11/14												
20	Meeting with KWBA/KCWA (one week after receipt)	0 days	Wed 5/14/14	Wed 5/14/14												
21	Receive comment letters from KWBA/KCWA	5 wks	Wed 5/14/14	Tue 6/17/14												
22	Follow-up mtg to discuss comments on Screencheck Draft EIR	0 days	Mon 6/23/14	Mon 6/23/14												
23	Tom Harder prepare additional analysis and revise report	8 wks	Tue 6/24/14	Mon 8/18/14												
24	ESA revises and resubmits Screencheck No. 3	10 wks	Tue 6/24/14	Mon 9/1/14												
25	IRWD/Rosedale final review	2 wks	Tue 9/2/14	Mon 9/15/14												
26	ESA Prepares Public Draft EIR, Notice of Availability, Notice of Completion	39 days	Tue 9/16/14	Sat 11/8/14												
27	ESA Finalizes Public Draft EIR	1 wk	Tue 9/16/14	Mon 9/22/14												
28	Notice, Printing, Mailing	2 days	Tue 9/23/14	Wed 9/24/14												
29	Public Draft EIR Publication	0 days	Wed 9/24/14	Wed 9/24/14												
30	45-Day Comment Period	45 edays	Wed 9/24/14	Sat 11/8/14												
31	Conduct Public Meeting for Draft EIR	18 days	Thu 9/25/14	Mon 10/20/14												
32	ESA Prepares Meeting Presentation/Materials	1 wk	Thu 9/25/14	Wed 10/1/14												
33	IRWD/Rosedale Reviews Meeting Presentation/Materials	1 wk	Thu 10/2/14	Wed 10/8/14												
34	ESA Finalizes and Prints Presentation/Materials	1 wk	Thu 10/9/14	Wed 10/15/14												
35	Public Meeting	0 days	Mon 10/20/14	Mon 10/20/14												
36	ESA Prepares Final EIR and Response to Comments	20 days	Mon 11/10/14	Fri 12/5/14												
37	ESA Prepares Final EIR and Response to Comments	2 wks	Mon 11/10/14	Fri 11/21/14												
38	IRWD/Rosedale Reviews Final EIR and Response to Comments	1 wk	Mon 11/24/14	Fri 11/28/14												
39	ESA Finalizes Final EIR and Response to Comments	1 wk	Mon 12/1/14	Fri 12/5/14												
40	Mailout Final EIR	0 days	Fri 12/5/14	Fri 12/5/14												
41	ESA Prepares MMRP, Findings, SOC, and NOD	17 days	Mon 11/24/14	Tue 12/16/14												
42	ESA Prepares MMRP, Findings, SOC, and NOD	1 wk	Mon 11/24/14	Fri 11/28/14												
43	IRWD/Rosedale Review MMRP, Findings, SOC, and NOD	1 wk	Mon 12/1/14	Fri 12/5/14												
44	ESA Finalizes MMRP, Findings, SOC, and NOD	2 days	Mon 12/8/14	Tue 12/9/14												
45	Final Certification by Rosedale and IRWD Boards	1 wk	Wed 12/10/14	Tue 12/16/14												

B-6

Date: Fri 8/1/14

Task		Milestone		External Tasks	
Split		Summary		External Milestone	
Progress		Project Summary		Deadline	

EXHIBIT "C"

IRVINE RANCH WATER DISTRICT

Expenditure Authorization

Project Name: STOCKDALE WEST RANCH JOINT BANKING PROJECT

EPMS Project No: 11645 **EA No:** 6

ID Split: Regional Water Split with LAWD (11/08)

Oracle Project No: 3766

Improvement District (ID) Allocations

Project Manager: WEGHORST, PAUL

ID No.	Allocation %	Source of Funds
112	3.6	BONDS YET TO BE SOLD**
113	4.4	BONDS YET TO BE SOLD**
115	6.2	CAPITAL FUND
121	12.8	BONDS YET TO BE SOLD**
130	10.0	BONDS YET TO BE SOLD**
135	16.2	PREVIOUSLY SOLD BONDS
140	3.5	BONDS YET TO BE SOLD**
150	26.1	BONDS YET TO BE SOLD**
153	2.9	BONDS YET TO BE SOLD**
154	1.2	BONDS YET TO BE SOLD**
161	6.7	BONDS YET TO BE SOLD**
182	2.5	BONDS YET TO BE SOLD**
184	2.3	BONDS YET TO BE SOLD**
186	.8	BONDS YET TO BE SOLD**
188	.8	BONDS YET TO BE SOLD**
Total	100.0%	

Project Engineer: WELCH, KELLY

Request Date: August 11, 2014

Summary of Direct Cost Authorizations

Previously Approved EA Requests:	\$620,400
This Request:	\$27,300
Total EA Requests:	\$647,700
Previously Approved Budget:	\$2,743,400
Budget Adjustment Requested this EA:	\$27,300
Updated Budget:	\$2,770,700
Budget Remaining After This EA	\$2,123,000

Comments:

Phase	This EA Request	Previous EA Requests	EA Requests to Date	This Budget Request	Previous Budget	Updated Budget	Start	Finish
ENGINEERING - PLANNING IRWD	0	60,000	60,000	0	60,000	60,000	6/13	8/15
ENGINEERING - PLANNING OUTSIDE	0	33,000	33,000	0	33,000	33,000	3/12	6/14
ENGINEERING DESIGN - IRWD	0	25,000	25,000	0	100,000	100,000	7/13	6/16
ENGINEERING DESIGN - OUTSIDE	0	250,000	250,000	0	305,000	305,000	7/13	6/16
ENGINEERING - CA&I IRWD	0	0	0	0	75,000	75,000	3/14	6/16
ENGINEERING - CA&I OUTSIDE	0	0	0	0	225,000	225,000	3/14	6/16
CONSTRUCTION	0	0	0	0	1,500,000	1,500,000	3/14	6/17
LEGAL	0	30,000	30,000	0	30,000	30,000	3/12	6/16
ENGINEERING ENVIRONMENTAL-OUTS	24,800	166,000	190,800	24,800	166,000	190,800	3/12	6/14
Contingency - 10.00% Subtotal	\$2,500	\$56,400	\$58,900	\$2,500	\$249,400	\$251,900		
Subtotal (Direct Costs)	\$27,300	\$620,400	\$647,700	\$27,300	\$2,743,400	\$2,770,700		
Estimated G/A - 185.00% of direct labor*	\$12,800	\$144,500	\$157,300	\$0	\$434,800	\$434,800		
Total	\$40,100	\$764,900	\$805,000	\$27,300	\$3,178,200	\$3,205,500		
Direct Labor	\$0	\$85,000	\$85,000	\$0	\$235,000	\$235,000		

*EA includes estimated G&A. Actual G&A will be applied based on the current ratio of direct labor to general and administrative costs.

EA Originator: _____


Department Director: _____


Finance: _____

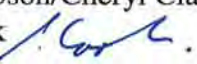
Board/General Manager: _____

** IRWD hereby declares that it reasonably expects those expenditures marked with two asterisks to be reimbursed with proceeds of future debt to be incurred by IRWD in a maximum principal amount of \$3,270,000. The above-captioned project is further described in the attached staff report and additional documents, if any, which are hereby incorporated by reference. This declaration of official intent to reimburse costs of the above-captioned project is made under Treasury Regulation Section 1.150-2.

September 8, 2014

Prepared by: Alex Aguilar 

Submitted by: Rob Jacobson/Cheryl Clary 

Approved by: Paul Cook 

CONSENT CALENDAR

REVISED PROCEDURES AND SIGNATURE AUTHORIZATIONS FOR GENERAL DEPOSITORY ACCOUNTS

SUMMARY:

District Resolutions 2005-3 and 2010-17 were adopted to establish Authorized Signers and procedures for operating, opening and closing depository accounts with Bank of America National Trust Savings Association (BoFA) and U.S. Bank (US Bank), respectively, as depositories. Staff is recommending adoption of a revised resolution to consolidate the District's previous bank resolutions creating a common set of authorizations, limitations and procedures for bank account operations. The revised format will allow flexibility to change depositories when required in the District's best interest.

BACKGROUND:

Resolutions 2005-3 and 2010-17 designate Authorized Signers for District bank accounts, Authorized Officers for electronic payments, and further provide signature requirements for check issuance based on the check issuance amount. Authorized Signers include District Board members, the General Manager, Treasurer and Assistant Treasurer(s).

Current District requirements provide that for checks under \$5,000, any of the Authorized Signers, acting singly, may sign checks. For all checks over \$5,000, two signatures are required, with a maximum of one facsimile signature allowed.

Staff recommends approval of a revised resolution, a copy of which is attached as Exhibit "A", increasing the single authorization limit from \$5,000 to \$10,000 in order to improve check issuance and approval efficiency while maintaining prudent controls. The increased authorization level is consistent with similar agencies and the authorization limit covers 14% of total District check volume issued and 85% of total dollars spent. A stratification of District check issuance activity and comparative agency signature authority information are attached as Exhibit "B".

Additionally, current bank account resolutions provide that one Authorized Signer shall be required to open and/or close depository accounts. Staff is recommending that two Authorized Signers be required to open and/or close District depository accounts for increased control purposes. Finally, the new resolution clarifies the approval process for non-repetitive wire payments initiated by the District requiring approvals consistent with a payment being made by check.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act (CEQA), Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee at its meeting on July 1, 2014.

RECOMMENDATION:

THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2014-___

RESOLUTION OF THE BOARD OF DIRECTORS
OF IRVINE RANCH WATER DISTRICT, RESCINDING
RESOLUTION NOS. 2005-3 AND 2010-17, DESIGNATING
DEPOSITORIES AND AUTHORIZING SIGNATURES, INCLUDING
FACSIMILE SIGNATURES, FOR GENERAL ACCOUNTS, AND
AUTHORIZING FUNDS TRANSFERS AND ELECTRONIC PAYMENTS SERVICES

LIST OF EXHIBITS:

Exhibit "A" – Resolution

Exhibit "B" – Agency Benchmark and Check Issuance Stratification

Exhibit "A"

RESOLUTION NO. 2014

RESOLUTION OF THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT, RESCINDING RESOLUTION NOS. 2005-3 AND 2010-17, DESIGNATING DEPOSITORIES AND AUTHORIZING SIGNATURES, INCLUDING FACSIMILE SIGNATURES, FOR GENERAL ACCOUNTS, AND AUTHORIZING FUNDS TRANSFERS AND ELECTRONIC PAYMENTS SERVICES

WHEREAS, the Irvine Ranch Water District is a California Water District (the "District") organized and existing under Section 34000 et. seq. of the Water Code of the State of California; and

WHEREAS, the Board of Directors of the District desires to rescind its previous Resolution Nos. 2005-3 and 2010-17 with respect to the general accounts and payroll account of the District and authorization of signatures, including facsimile signatures, and to adopt a new resolution in order to consolidate and redesignate the authorization of signatures conferred for such accounts.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of Irvine Ranch Water District:

Section 1. Resolution Nos. 2005-3 and 2010-17 are rescinded in their entirety.

Section 2. That one or more banks to be designated by the Treasurer from time to time as depository(ies) for general account(s) of the District (each, a "Bank"), be and each of them is hereby designated as a depository for a general account of Irvine Ranch Water District; and that each of said accounts of the District shall be governed by the rules and regulations, bylaws and practices of the respective Bank, including interest, service charges, and all other matters. The signatures of any two (2) of the Authorized Signers (defined below) shall be required to establish or close a general account of the District.

Section 3. That each member of the Board of Directors, the General Manager, the Treasurer, and the Assistant Treasurer is designated as an authorized signer (each, an "Authorized Signer" and collectively, the "Authorized Signers").

Section 4.

A. That with respect to all checks under \$10,000, any of the Authorized Signers, acting singly, be, and they are hereby authorized to withdraw said funds from a Bank on the checks of the District, signed as aforesaid, and the Bank is authorized to honor and pay any such check so signed and presented to it for payment, including any such check drawn to the individual order of any officer or other person authorized to sign it.

B. That with respect to all checks \$10,000 or greater, that signatures of any two (2) of the Authorized Signers shall be required on any such check, and they are hereby authorized to

withdraw said funds from a Bank on the checks of the District, signed as aforesaid, and the Bank is authorized to honor and pay any such check so signed and presented to it for payment, including any such check drawn to the individual order of any officer or other person authorized to sign it.

Section 5. That only one (1) of the signatures of any Authorized Signers on any checks pursuant to Section 4 may be a facsimile of such signature, and such facsimile signature may constitute the signature required by Section 4(A) and either of the signatures required by Section 4(B), regardless of by whom or by what means the actual or purported facsimile signature may have been affixed, if such facsimile signature resembles the facsimile specimen from time to time filed with the Bank.

Section 6. That with respect to funds transfers and electronic payment services:

A. That any of the persons holding the positions of General Manager, Treasurer and Assistant Treasurer (each an "Authorized Officer") is hereby authorized to execute and deliver to each Bank on behalf of the District such agreements as the Bank may require, and any renewals or amendments thereof, for funds transfers and electronic payments services relating to transfers and/or payments from or to the District's account (s) maintained with the Bank (each an "Agreement"); each Agreement may contain such provisions as an Authorized Officer approves (including but not limited to provisions relating to security procedures and indemnities), and the execution of any Agreement by an Authorized Officer shall be conclusive evidence of the officer's approval of the provisions contained in such Agreement.

B. That the District authorizes each Authorized Officer in connection with any Agreement (a) to initiate, amend, cancel, confirm or verify the authenticity of instructions to each Bank for funds transfers and electronic payments, whether given orally, electronically or by facsimile instructions; and (b) to designate one or more persons authorized to perform any of the foregoing and to revoke any authorization granted to any such person, as he or she deems appropriate.

C. That the District authorizes each Authorized Officer in connection with any Agreement to delegate any of the authorities granted to him or her under this resolution to one or more persons and to revoke any authorization granted to any such person, as he or she deems appropriate.

D. That the District authorizes each Authorized Officer to take such further action and to execute and deliver such instruments, certificates or other documents on behalf of the District as he or she deems necessary or appropriate in connection with any Agreement or the consummation of the transactions contemplated by this resolution.

E. That the District ratifies and confirms for all purposes the execution and delivery of any agreements with each Bank for funds transfers and electronic payments services, any delegations of authority and related designations and any revocations of authorization, any funds transfers and electronic payments, and all other actions taken in the name of the District under any such agreements prior to the date of this resolution.

Section 7. That said authority hereby conferred shall remain in full force with respect to each Bank until written notice of the revocation thereof by the Board of Directors of this District shall have been received by such Bank, and that the Secretary be and is hereby authorized and directed to deliver to the Bank a certified copy of the Resolution and to certify to the Bank the true and correct signatures of the above-named officers of the District. The Bank is authorized to act and rely on this resolution until it actually receives written notice of its amendment or revocation.

ADOPTED, SIGNED and APPROVED the ____ day of September, 2014.

President, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

Secretary, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

APPROVED AS TO FORM:
BOWIE, ARNESON, WILES AND GIANNONE
Legal Counsel

s:authorizing signatures

Exhibit "B"

IRWD
AP Checks Issued from February 1, 2012 thru January 31, 2013

Check Amount Range	Month																								Totals		Cumulative %	Total Checks Require 2nd Signature per Year	Total Checks Require 2nd Signature per month
	Jan		Feb		Mar		Apr		May		Jun		Jul		Aug		Sept		Oct		Nov		Dec		Total Checks Count	Total Check Amount			
	Ck Count	Ck Amt	Ck Count	Ck Amt	Ck Count	Ck Amt	Ck Count	Ck Amt	Ck Count	Ck Amt	Ck Count	Ck Amt	Ck Count	Ck Amt	Ck Count	Ck Amt	Ck Count	Ck Amt	Ck Count	Ck Amt	Ck Count	Ck Amt	Ck Count	Ck Amt					
\$0 - \$2,500	605	444,901	536	343,410	555	385,763	558	345,472	569	359,402	644	337,634	388	314,027	675	319,397	428	264,824	591	394,944	513	353,659	373	218,427	6,435	4,081,860	67.45%		
\$2,501 - \$5,000	84	489,710	66	207,098	93	348,386	76	324,013	85	424,477	64	372,921	52	231,939	95	445,049	73	297,338	71	214,437	88	430,367	58	216,374	905	4,002,109	76.93%		
\$5,001 - \$7,500	49	473,997	64	464,941	62	716,561	37	502,409	49	121,696	46	687,445	49	751,579	43	369,737	31	740,347	45		46	628,883	32	687,188	553	6,144,783	82.73%	2201	183
\$7,501 - \$10,000	22	326,247	21	237,548	38	307,865	28	351,935	28	218,383	25	318,076	24	192,328	36	383,016	29	306,840	30	267,379	28	160,659	25	191,134	334	3,261,410	86.23%	1648	137
\$10,001 - \$15,000	40	548,028	18	1,211,156	28	344,705	27	370,450	36	689,107	31	499,869	20	385,248	38	173,921	25	1,042,813	17	379,673	35	709,177	18	737,745	333	7,091,891	89.72%	1314	110
\$15,001 - \$20,000	19	300,830	13	238,550	18	327,281	20	278,616	12	297,736	18	230,270	11	188,231	22	330,233	18	255,902	15	255,097	9	322,563	11	204,327	186	3,229,636	91.67%	981	82
\$20,001 - \$25,000	17	389,087	11	232,721	13	291,222	14	312,318	15	337,184	23	508,706	10	233,313	14	314,961	5	112,616	13	293,800	12	273,366	10	225,546	157	3,524,841	93.31%	795	66
\$25,001 - \$50,000	28	1,837,888	24	2,563,532	28	2,687,869	19	2,299,946	25	2,850,664	26	1,775,375	18	982,079	27	1,911,543	33	1,180,645	23	1,902,576	27	2,103,057	22	888,256	300	22,983,431	96.46%	638	53
\$50,001 - \$75,000	7	900,216	9	813,039	4	966,055	9	661,835	8	830,046	6	851,298	7	612,694	7	937,336	6	1,115,848	8	799,877	6	933,831	7	769,623	84	10,191,696	97.34%	338	28
\$75,001 - \$100,000	3	299,390	6	397,200	8	385,459	2	235,529	3	307,641	7	292,181	5	304,499	4	266,458	4	194,409	8	275,813	3	285,990	4	202,923	57	3,447,492	97.94%	254	21
\$100,001 - \$150,000	4	425,715	4	584,580	6	236,976	4	565,179	1	499,432	5	364,783	6	443,781	3	431,176	6	393,122		455,318	5	378,770	6	390,953	50	5,169,787	97.94%	197	16
\$150,001 - \$200,000	3	193,004	7	182,604	2	331,807	2	243,954	4	242,437	3	221,110	2	208,492	1	311,332	6	252,718	2	261,976	4	245,519	4	217,461	40	2,912,414	98.88%	147	12
\$200,001 - \$500,000	6	258,470	8	522,020	9	741,353	7	184,038	9	274,199	6	626,808	3	447,820	5	344,945	4	338,148	6	693,007	7	263,990	3	355,514	73	5,050,313	99.64%	107	9
> \$500,000	1	787,309	2	1,633,018	4	5,445,064	4	3,285,772	4	4,597,863	2	1,462,683	4	6,300,266	6	5,203,473	1	508,445	2	1,485,292	2	1,256,063	2	3,070,246	34	35,035,494	100.00%	34	3
Total	888	7,674,792	789	9,631,417	868	13,516,365	807	9,961,465	848	12,060,268	906	8,549,159	599	11,596,296	976	11,742,577	669	7,004,916	831	7,679,189	785	8,345,893	575	8,375,710	9541	116,127,156			

SECTION 9 -Award and Execution of Contracts


Check Register

IRWD

Approver	Current	Proposed
General Manager	\$5,000	\$10,000 (GM Facsimile)
Treasurer / Asst Treasurer(s)		\$10,000 (Wet Signature)
Board President Facsimile	\$5,000	

- Benchmark of EMWD and OCSD showed General Manager does not sign check register
- Remove General Manager wet signature and Board President facsimile from Check Register
- Add Treasurer / Assistant Treasurer wet signature with General Manager facsimile signature
- Increase wet signature limit from \$5,000 to \$10,000.
- Proposed change based on 2012/13 fiscal year:
 - No check wet signature on 8,227 checks equals 15% of dollars spent.
 - Wet signature on 1,314 checks which covers 85% of total dollars spent.

Eastern Municipal Water District			
Amount	General Manager/ Assistant General Manager Facsimile Signature	Controller Wet Signature	
\$5,000+	X	X	
Orange County Sanitation District			
Amount	CFO Facsimile	Controller Wet Signature	
\$25,000+	X	X	

September 8, 2014
Prepared by: Alex Aguilar
Submitted by: Rob Jacobson/Cheryl Clary
Approved by: Paul Cook 

CONSENT CALENDAR

REVISED RESOLUTION AUTHORIZING THE DISTRICT SECRETARY TO ACCEPT AND CONSENT TO DEEDS, GRANTS, OR DEDICATIONS

SUMMARY:

District Resolution Nos. 1965-36 and 1976-111 authorize the District Secretary to accept and consent to deeds, grants, and dedications conveying any interest in, or easement upon, real estate to the District for public purposes on behalf of the Board. Staff recommends the Board adopt a revised resolution consolidating the authorities provided in Resolution Nos. 1965-36 and 1976-111.

BACKGROUND:

In October 1965, the Board adopted Resolution 1965-36 authorizing the District Secretary to accept and consent to deeds or grants conveying any interest in, or easement upon, real estate to the District for public purposes. In November 1976, the Board adopted Resolution 1976-111 further authorizing the Secretary to accept and consent to dedications shown on a final tract map of any interest in or easement upon real estate made to the District for public purposes. The proposed resolution, which is attached as Exhibit "A", will consolidate the two previous resolutions.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act (CEQA), Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee on July 1, 2014.

RECOMMENDATION:

THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2014-___

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IRVINE RANCH WATER DISTRICT
RESCINDING RESOLUTION
NOS. 1965-36 AND 1976-111 AND AUTHORIZING THE
SECRETARY OF THE DISTRICT TO ACCEPT AND CONSENT
TO DEEDS, GRANTS, OR DEDICATIONS ON FINAL MAPS
CONVEYING ANY INTEREST IN OR EASEMENT UPON
REAL ESTATE TO THE DISTRICT FOR PUBLIC PURPOSES

LIST OF EXHIBITS:

Exhibit "A" – Resolution

EXHIBIT "A"

RESOLUTION NO. 2014-_____

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IRVINE RANCH WATER DISTRICT
RESCINDING RESOLUTION
NOS. 1965-36 AND 1976-111 AND AUTHORIZING THE
SECRETARY OF THE DISTRICT TO ACCEPT AND CONSENT
TO DEEDS, GRANTS, OR DEDICATIONS ON FINAL MAPS
CONVEYING ANY INTEREST IN OR EASEMENT UPON
REAL ESTATE TO THE DISTRICT FOR PUBLIC PURPOSES**

WHEREAS, Section 27281 of the California Government Code provides that deeds or grants conveying any interest in or easement upon real estate to a political corporation or government agency for public purposes shall not be accepted for recordation without the consent of the grantee evidenced by its certificate or resolution of acceptance attached to or printed on the deed or grant, and specifies the form to be used if a certificate of acceptance is used for such purposes; and

WHEREAS Government Code Section 27281 permits a political corporation or government agency, by a general resolution, to authorize an officer or agent to accept and consent to such deeds or grants; and

WHEREAS, the Board of Directors of the Irvine Ranch Water District previously adopted Resolution No. 1965-36, authorizing the Secretary of the District to accept and consent to deeds or grants conveying any interest in or easement upon real estate to the District and approved the form of a certificate of acceptance to be used for such purposes; and

WHEREAS, in order to expand such authorization to accommodate the granting of any interest in or easement upon real estate by means of dedication on a final map, the Board of Directors adopted Resolution No. 1976-111, authorizing the Secretary of the District to accept and consent to deeds or grants in the form of dedications of such interests or easements made on final maps and approved the form of a certificate of acceptance to be used for such purpose; and

WHEREAS, the Board of Directors desires to consolidate and continue in effect the authorizations made by Resolution Nos. 1965-36 and Resolution No. 1976-111;

NOW, THEREFORE, the Board of Directors of the Irvine Ranch Water District DOES HEREBY RESOLVE, DETERMINE and ORDER as follows:

Section 1. Effective upon adoption hereof, Resolution Nos. 1965-36 and 1976-111 are rescinded.

Section 2. The Secretary of the District is authorized to accept and consent to the conveyance of any interest in or easement upon real estate to the District by deed, grant or dedication on a final map.

Section 3. The acceptance and consent of the District to the conveyance of any interest in or easement upon real estate to the District by deed or grant shall be evidenced by a certificate of acceptance attached to or printed on the deed or grant, in substantially the following form:

[Deeds or Grants]

IRVINE RANCH WATER DISTRICT
Certificate of Acceptance

This is to certify that the interest in real property conveyed by the deed or grant dated _____ from _____

_____ to IRVINE RANCH WATER DISTRICT, a California Water District, is hereby accepted by the undersigned officer on behalf of the Board of Directors pursuant to authority conferred by Resolution No. 2014-__ of the Board of Directors, adopted on September __, 2014, and the grantee consents to recordation thereof by its duly authorized officer.

Date: _____

By: _____,
Secretary

Section 4. The acceptance and consent of the District to the conveyance of any interest in or easement upon real estate to the District by dedication on a final map shall be evidenced by a certificate of acceptance attached to or printed on the final map, in substantially the following form:

[Dedication By Final Map]

IRVINE RANCH WATER DISTRICT
Certificate of Acceptance

This is to certify that the interests in real property conveyed by dedication and shown on this final map to IRVINE RANCH WATER DISTRICT, a California Water District, are hereby accepted by the undersigned officer on behalf of the Board of Directors pursuant to authority conferred by Resolution

No. 2014-__ of the Board of Directors, adopted on September __, 2014, and the grantee consents to recordation thereof by its duly authorized officer.

Date: _____
By: _____,
Secretary

ADOPTED, SIGNED AND APPROVED this 8th day of September, 2014.

President/Vice President
IRVINE RANCH WATER DISTRICT
and of the Board of Directors
thereof

Secretary/Assistant Secretary
IRVINE RANCH WATER DISTRICT
and of the Board of Directors
thereof

APPROVED AS TO FORM:

BOWIE, ARNESON,
WILES & GIANNONE
Legal Counsel – IRWD

By _____

September 8, 2014

Prepared by: Alex Aguilar

Submitted by: Rob Jacobson Cheryl Clary CC

Approved by: Paul Cook

ACTION CALENDAR

AUTHORIZATIONS FOR SETTLEMENT OF SPECIFIC DISTRICT CLAIMS AND WORKERS' COMPENSATION PAYMENTS

SUMMARY:

Staff recommends that the Board adopt a revised resolution increasing the General Manager's maximum authority to settle general liability and property claims from \$15,000 to \$50,000. The proposed resolution also establishes approval levels for the Director of Human Resources, General Manager, and Board of Directors for workers' compensation settlement claims, which are not currently addressed under existing policies or procedures.

BACKGROUND:

Based on a resolution adopted by the Board in March 1990 (Resolution No. 1990-7), the District authorized the General Manager to settle general liability and property claims up to a maximum of \$15,000, with all claims in excess of \$15,000 requiring Board approval. The California Tort Claims Act allows local public entities to authorize an employee to settle claims against the District up to \$50,000, with Board approval required for claims in excess of \$50,000.

Staff recommends that the Board adopt a revised resolution increasing the General Manager's authorization limit from \$15,000 to \$50,000 to settle general liability and property claims. The Board of Directors shall be required to settle any general liability and property claim exceeding \$50,000. The increased approval limit is consistent with similar local agencies and will allow for increased efficiencies in claims processing and case settlement while maintaining prudent financial controls and oversight. All settled claims shall continue to be reported to the Finance and Personnel Committee on a quarterly basis.

Workers' compensation claims processing and settlement authorization limits are currently not addressed in any existing District policies or procedures. The proposed resolution provides the Director of Human Resources with authority to compromise or settle any workers' compensation claim against the District up to a maximum aggregate amount per claim of \$25,000. Consistent with the claims authorization levels above, the proposed resolution also provides the General Manager with authority to compromise or settle workers' compensation claims that exceed an aggregate amount of \$25,000 per claim and up to an aggregate of \$50,000, and that the Board of Directors shall compromise or settle any workers' compensation claims exceeding \$50,000. Workers' compensation claims information will be reported to the Finance and Personnel Committee on a quarterly basis.

A copy of the proposed resolution addressing the above referenced revisions is attached as Exhibit "A", and information regarding claims settlement authorization limits for similar local agencies is attached as Exhibit "B".

FISCAL IMPACTS:

Adoption of the revised resolution will increase the General Manager's authority to settle general liability and property claims from \$15,000 to \$50,000, and provide specific authorization for the Director of Human Resources, General Manager and Board of Directors to compromise or settle workers' compensation claims. No change in total claim payment amounts is expected.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act (CEQA), Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee at its meeting on July 1, 2014.

RECOMMENDATION:

THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2014-___

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IRVINE RANCH WATER DISTRICT, RESCINDING RESOLUTION NO. 1990-7;
AND AUTHORIZING THE PROCESSING, ALLOWANCE, COMPROMISE
AND SETTLEMENT OF CERTAIN CLAIMS

LIST OF EXHIBITS:

Exhibit "A" – Resolution
Exhibit "B" – Comparative Agency Benchmarks

Exhibit "A"

RESOLUTION NO. 2014-

RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRVINE RANCH WATER DISTRICT AUTHORIZING THE PROCESSING, ALLOWANCE, COMPROMISE AND SETTLEMENT OF CERTAIN CLAIMS

WHEREAS, Section 935.4 of the Government Code of the State of California permits a local public entity by resolution to authorize an employee of the entity to perform any of the functions of the governing body with respect to administrative claims as it may prescribe, including the allowance, compromise or settlement of a claim if the amount to be paid pursuant to the allowance, compromise or settlement does not exceed fifty thousand dollars (\$50,000) and further provides that upon written order of that employee, the fiscal officer of the local public entity shall cause a warrant to be issued upon the treasury of the local public entity in the amount for which a claim has been allowed, compromised or settled; and

WHEREAS, the Board of Directors of the Irvine Ranch Water District adopted Resolution No. 1990-7 to promote efficient handling of administrative claims against the District by authorizing its functions as specified herein to be performed by the District's General Manager or his designee with respect to such claims, and desires to revise such authorizations; and

WHEREAS, Sections 5000 *et seq.* of the Labor Code of the State of California permit an employer to compromise workers' compensation claims in accordance with the procedures and requirements specified in such statutes, including approval by the Workers' Compensation Appeals Board or referee; and

WHEREAS, the Board of Directors desires to promote efficient handling of workers' compensation claims against the District by authorizing its functions as specified herein to be performed by the District's General Manager or his designee with respect to such claims.

NOW THEREFORE, the Board of Directors of the Irvine Ranch Water District does hereby RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The functions of the Board of Directors with respect to administrative claims presented to the District shall be performed by the General Manager or his designee. Such functions shall include ascertaining sufficiency of claims with respect to the required contents of a claim, notification to claimants of insufficiency, notification to claimants of failure to present claims within the time allowed by law, allowance or denial of applications for leave to file late claims, rejection of claims and, to the extent provided in Section 2 hereof, allowance of claims in whole or in part, compromise and settlement.

Section 2. The General Manager or his designee may allow, compromise or settle any administrative claim against the District if the amount to be paid pursuant to the allowance, compromise or settlement is not greater than fifty thousand dollars (\$50,000).

Section 3. The functions of the Board of Directors with respect to workers' compensation claims presented to the District shall be performed by the General Manager or his designee. Such functions shall include those set forth in Sections 5000 *et seq.* of the Labor Code for compromise and settlement of the claims.

Section 4. Workers' compensation claims may be settled in accordance with the following:

- (1) Approval by the Director of Human Resources or her designee shall be required to allow, compromise or settle any worker's compensation claim against the District if the amount to be paid pursuant to the allowance, compromise or settlement does not exceed twenty-five thousand dollars (\$25,000).
- (2) The General Manager's approval shall be required to allow, compromise or settle any worker's compensation claim against the District if the amount to be paid pursuant to the allowance, compromise or settlement exceeds twenty-five thousand dollars (\$25,000) but does not exceed fifty thousand dollars (\$50,000).
- (3) The Board of Directors shall allow, compromise or settle any worker's compensation claim against the District if the amount to be paid pursuant to the allowance, compromise or settlement exceeds fifty thousand dollars (\$50,000).

Section 5. Upon the written order of the General Manager or his designee, the District shall cause a warrant of the District to be issued in the amount for which any claim has been allowed, compromised or settled pursuant to Section 2 or Section 4.

Section 6. Resolution No. 1990-7 is hereby rescinded in its entirety.

ADOPTED, SIGNED AND APPROVED this ___ day of September, 2014.

President, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

Secretary, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

APPROVED AS TO FORM:
BOWIE, ARNESON, WILES AND GIANNONE

Legal Counsel

Exhibit “B”

SECTION 9 -Award and Execution of Contracts

Litigation / Claim Settlement

Approver	Current - Liability/Property Claims	
	\$0 - \$15,000	\$15,001 +
Director of Human Resources ¹		
General Manager	X	
Board of Directors		X

Proposed - Workers Comp
\$0 - \$25,000 ¹
X

Proposed - All Claims	
\$0 - \$50,000	\$50,001 +
X	
	X


¹ Director of HR approval authority applicable solely to workers compensation claim settlements

- Benchmark of EMWD and OCSD showed General Manager with signature authority up to \$50,000
- Meets California State Law signature limit.


ern Municipal Water District	
Amount	General Manager
\$50,000	X

ge County Sanitation District	
Amount	General Manager
\$50,000	X

September 8, 2014

Prepared by: Alex Aguilar 

Submitted by: Rob Jacobson/Cheryl Clary

Approved by: Paul Cook 

ACTION CALENDAR:

POLICY REVISIONS AND PROPOSED NEW POLICY RELATED TO DISTRICT APPROVALS, AUTHORIZATIONS AND PROCEDURES

SUMMARY:

At the July 2014 and September 2014 Finance and Personnel Committee meetings, revisions to four District policies related to delegations of authority were approved by the Committee, subject to clarifications provided at the meetings. These policies include Authorizations of Expenditures, Competitive Bidding, Procurement of Professional Services, and Approval and Authorization of Change Orders to Existing Contracts. At its September 2014 meeting, the Committee also reviewed and recommended Board approval of a new proposed policy for Acquisition of Lands and Easements for District operations. Staff recommends that the Board adopt a resolution establishing revised policies for Authorization of Expenditures, Competitive Bidding and Award of Contracts, Procurement of Professional Services and Approval and Authorization of Change Orders to Existing Contracts, establishing an Acquisition of Lands and Easements Policy and rescinding Resolution No. 2002-8.

BACKGROUND:

In March 2001, the Board adopted Resolution 2001-11 modifying policies related to District delegations of authority for contracts, change orders and variances and Expenditure Authorizations. The Board subsequently adopted Resolution 2002-08 which provided clarification to the policies adopted in 2001.

As part of an effort to streamline the District's administrative processes, staff reviewed the policies included in Resolution 2002-8. That review, and subsequent recommended policy updates, was designed to improve operational efficiencies while still maintaining appropriate internal controls and governance by the Board. Proposed revisions are based on a review of District transactional data and are supported by benchmarking with similar public agencies. The proposed revisions are also based on review and comment from District Legal Counsel.

At its July 2014 and September 2014 Finance and Personnel Committee meetings, revisions to four District policies relative to delegations of authority were reviewed and approved by the Committee subject to certain clarifications provided at those meetings. The revised policies recommended for Board approval include the following:

- Policy Regarding Authorizations of Expenditures;
- Policy for Competitive Bidding;
- Policy for Procurement of Professional Services; and,
- Policy for Approval and Authorization of Change Orders and Variances to Existing Contracts.

The recommended revisions are intended to maximize administrative efficiencies while preserving appropriate authority levels and accountability. The revised policies are attached as Exhibits “A”, “B”, “C” and “D”, respectively.

In addition to suggested revisions to existing policies, a new proposed policy relating to Acquisition of Lands and Easements is included in the proposed resolution. A copy of the proposed policy is attached as Exhibit “E”, and is discussed in further detail below.

Authorization of Expenditures:

Proposed revisions to the Policy Regarding Authorization of Expenditures include modifications to existing approval levels for District expenditures including Professional and Non-Professional Services and the purchase of goods. The proposal will align the approval levels for both Professional and Non-Professional Services and Goods. Based on information for Fiscal Year (FY) 2012-13, the proposal would provide that 80% of the dollar value of the purchase orders will be approved by the Board. The recommended authorization levels were also benchmarked with similar public agencies.

Current and proposed authorization levels for District expenditures are outlined in Exhibit “A” (Policy Section 9 – Award and Execution of Contracts) and summarized in the table below:

Authorized Approver	Current District Approval Levels	Proposed Maximum Approval Levels¹
Department Director	N/A	Up to \$50,000
Executive Director	N/A	Up to \$75,000
General Manager	\$30,000 or less	Up to \$100,000
District Committee	> \$30,000 and ≤\$60,000	N/A
Board of Directors	Greater than \$60,000	Greater than \$100,000

¹ Subject to the Manager’s discretion and in accordance with procedures established by the Manager

Proposed revisions to this Policy also include a change to the District’s Expenditure Authorization process relative to approved capital projects. As proposed, the authority to approve Expenditure Authorizations will be delegated to the General Manager or his designee. Board approval of all contracts in excess of \$100,000 will continue to be required, providing appropriate oversight of all significant District expenditures. This practice is consistent with other public agencies and eliminates redundancy.

The proposed revisions also remove the existing requirement for a General Manager’s quarterly written report to the Board (Former Section 10) of contracts awarded, and change orders and variances approved by the General Manager, a Committee, or the Board during the prior quarter as all payments are reported to the Board on a monthly basis as part of the Treasury Report.

Competitive Bidding:

Proposed revisions to the Policy for Competitive Bidding include modifications to the section regarding advertising and posting for District contracts. The changes relate primarily to a

wording consolidation for contract types and amounts, and are intended to create efficiencies while adhering to all applicable government regulations.

Procurement of Professional Services:

Proposed revisions to the Policy for Procurement of Professional Services include updated language from legal counsel pertaining to Government Code restrictions prohibiting employees from participating in the selection of Professional Service providers with whom they have a relationship or financial interest.

The other primary proposed change relates to exceptions under the competitive proposal process for professional services. Currently, for Professional Services Agreement of \$30,000 or less, the General Manager (or his designee) is required to request a proposal from at least one qualified consulting firm. The revised Policy increases the sole source amount up to \$50,000. For Professional Services Agreements expected to cost between \$50,000 and \$100,000, the revised policy would require that the General Manager request proposals from at least two qualified consulting firms, which is an increase from the current policy limits of \$30,000 to \$60,000. For professional services exceeding \$100,000, standard District procedures require a minimum of three proposals.

Change Orders/Variations to District Contracts:

Proposed revisions to the Policy for Approval / Authorization of Change Orders to Existing Contracts primarily relate to modifications of approval levels for Professional and Non-Professional contract change orders and variances. The recommended approval levels are consistent with other proposed Policy revisions and are detailed in the table below:

Authorization	Current Change Order Approval Levels*	Proposed Change Order Approval Levels**
Department Director	\$25,000 or less (or a cumulative total of \$50,000 per month)	Up to \$50,000 (individual or cumulative per month)
Executive Director	N/A	Up to \$75,000 (individual or cumulative per month)
General Manager	\$50,000 or less (or a cumulative total of \$100,000 per month)	Up to \$100,000 (individual or cumulative per month)
District Committee	\$50,000 or more (or a cumulative total of \$100,000 per month)	N/A
Board of Directors	\$100,000 or more	Greater than \$100,000

* The lower of: the amount stated or 30% of contract amount.
 ** Whether or not the amount of a Change Order to be approved falls within an individual amount or cumulative dollar level stated, if the individual or cumulative total of such Change Orders in a calendar month together with any Change Orders previously approved exceeds the higher of 30% of the original contract or \$100,000, approval by the Board shall be required prior to execution by the General Manager.

Acquisition of Lands and Easements:

In addition to suggested revisions to existing policies, a new proposed policy relating to District authorizations and processes is included in the proposed resolution. The Acquisition of Land and Easements Policy establishes procedures for acquisition of property and easements required for construction, operation and maintenance of District facilities. This policy does not apply to the District's acquisition of real estate for investment or water banking, which are governed by separate policies.

The proposed policy addresses methods of conveyance, use restrictions and general procedures for acquisitions. Consistent with other recently approved policies, this Policy allows for General Manager approval for any negotiated transaction of up to \$100,000 or less, with Board approval required for negotiated transactions in excess of \$100,000. A copy of the proposed Policy is attached as Exhibit "E".

A copy of the proposed resolution incorporating the updates and revisions to current policies as well as the addition of a new policy is attached as Exhibit "F".

FISCAL IMPACTS:

Proposed policy revisions and new policies will increase operational efficiencies. No measurable dollar fiscal impacts are anticipated.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act (CEQA), Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee at its meetings on July 1, 2014 and September 2, 2014.

RECOMMENDATION:

THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2014 - ____

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT RESCINDING RESOLUTION
NO. 2002-8, ESTABLISHING REVISED POLICIES WITH RESPECT
TO AUTHORIZATION OF EXPENDITURES, COMPETITIVE BIDDING
AND AWARD OF CONTRACTS, PROCUREMENT OF PROFESSIONAL
SERVICES, AND APPROVAL AND AUTHORIZATION OF CHANGE
ORDERS TO EXISTING CONTRACTS, AND ESTABLISHING POLICY
WITH RESPECT TO ACQUISITION OF LANDS AND EASEMENTS

LIST OF EXHIBITS:

- Exhibit "A" – Policy for Authorization of Expenditures
- Exhibit "B" – Policy for Competitive Bidding
- Exhibit "C" – Policy for Procurement of Professional Services
- Exhibit "D" – Policy for Approval/Authorization of Change Orders
- Exhibit "E" – Policy for Acquisitions of Lands and Easements
- Exhibit "F" – Resolution

Exhibit “A”

Exhibit A to Resolution No. 2014-__

IRVINE RANCH WATER DISTRICT

POLICY REGARDING AUTHORIZATION OF EXPENDITURES

SECTION 1 - General

All expenditures made by the District shall be made in accordance with this Policy established by the Board of Directors of Irvine Ranch Water District.

In addition to this Policy Regarding Authorization of Expenditures, the following policies are also applicable to expenditures and are incorporated herein and by reference made part hereof:

Policy for Competitive Bidding

Policy for Procurement of Professional Services

Policy for Approval/Authorization of Change Orders and
Variances to Existing Contracts

Policy for Acquisition of Lands and Easements

The Manager shall establish specific procedures for implementing this Policy. It is intended that the Board may, from time to time in its discretion, waive any requirement set forth in this Policy or any of the above-listed policies, in order to ensure flexibility in the implementation of the requirements.

SECTION 2 - Definitions

As used in this Policy and in each of the Policies incorporated in Section 1 hereof by reference, the following terms shall have the meanings indicated:

- a. Board - shall mean the Board of Directors of the District.
- b. Capital Expenditures - shall mean direct costs included in the capital projects budget approved by the Board, including, but not limited to, costs of lands and easements for capital facilities. Capital Expenditures shall not include G&A Costs or any expenditure related to the issuance or payment of debt service on any bonded indebtedness, which will be shown for information use only.

- c. Change Order -
shall mean an amendment modifying the terms of an existing Contract other than a Contract for Professional Services.
- d. Committee -
shall mean a standing or ad hoc committee of the Board.
- e. Construction -
shall include erection, demolition, alteration, installation, repair and relocation, and, if such work constitutes a public work, maintenance, landscape maintenance, hauling of refuse from a construction site, and warranty work on any of the foregoing.
- f. Consultant -
shall mean an individual, firm or entity who provides or offers to provide Professional Services.
- g. Contract -
shall mean a written agreement for Goods, Utility Services, or Professional or Non-Professional Services, or lands or easements, and includes both Formal Contracts and Purchase Orders.
- h. District -
shall mean the Irvine Ranch Water District
- i. Divided Contract -
shall mean a Contract divided into separate Contracts for Construction and purchase of material, performance of a service or multiple services, or otherwise divided between components or portions of the work.
- j. Expenditure Authorization -
shall mean an authorization which identifies a specific Capital Expenditure and the intended source of funding, obtained after budget approval but prior to any actual commitment of funds.
- k. Formal Contract -
shall mean a written agreement, separate from and in addition to any required Purchase Order, which authorizes the contractor, Consultant or other contracting party to provide Goods, Utility Services, or Professional or Non-Professional Services, or lands or easements in accordance with the material requirements, conditions, or scope of work stated in the Contract.

- l. G&A Costs -
shall mean General and Administrative project costs consisting of indirect costs (e.g. building electrical and heating costs, office supplies), indirect labor costs (e.g. supervisory and administrative salaries), and employee benefits.

- m. Goods -
shall mean supplies, materials, equipment, or any other product that is not considered to be a Professional, Non-Professional, or Utility Service.

- n. Manager -
shall mean the General Manager of the District or a person appointed by the Board to act in the capacity of General Manager, or a person authorized by the General Manager to administer this Policy or any portion thereof on his behalf.

- o. Non-Professional Services -
shall mean services other than Professional Services, and will include Construction, repair, and maintenance services.

- p. Notice Inviting Bids -
shall mean a notice inviting proposals or bids for entering into a Contract upon the terms of all Contract documents incorporated into said notice by reference.

- q. Operational Expenditures -
shall mean those items included in the Operating Budget approved by the Board, including, but not limited to, any enterprise expenditure and any other expenditure that is not a Capital Expenditure.

- r. Professional Services -
shall mean (1) services involving the provision of a report, study, plan, design, specification, document, program, advice, recommendation, analysis, review, opinion, inspection, investigation, audit, brokering or representation of the District before or in dealings with another party, or (2) any other services which require a special skill or expertise of a professional, scientific or technical nature. For purposes of this Policy, design-build Contracts shall not be considered to include Professional Services.

- s. Purchase Order -
shall mean an authorization, of standard form, under which the party designated therein as “supplier” is to provide Goods and/or services for which the District agrees to pay.
- t. Request for Proposal(s) -
shall mean a written request for the submission of a proposal(s) in accordance with specifications, conditions and other requirements included in the request.
- u. Solicitation -
shall mean an oral request for the submission of a proposal in accordance with verbal conditions and other requirements included in the request.
- v. Utility Service -
shall mean natural gas, electricity, telephone, water, sewage collection, trash collection, cable television, postage, or other products or services provided by a governmental agency or its franchise contractor, or an established company governed by the Public Utilities Commission. Utility service includes the purchase of water imported by The Metropolitan Water District of Southern California and normally sold to its member agencies on a utility basis for resale, but excludes water purchased or acquired by the District through other water transactions.
- w. Variance -
shall mean an amendment modifying the terms of an existing Contract for Professional Services.

SECTION 3 - Proposed Budgets

Prior to the beginning of each fiscal year, the Manager shall submit to the Board proposed budgets for the ensuing fiscal year. The proposed budgets shall include all of the then-known proposed Capital Expenditures and a forecast of the Operational Expenditures that may be reasonably expected for the ensuing fiscal year.

SECTION 4 - Adoption of the Budgets

In its review of the proposed budgets, it shall be the policy of the Board to ensure adequate opportunity for public involvement which will include a public workshop session relative to the operating budget and a presentation and discussion of the operating and capital budgets at a public meeting or meetings. The Board may establish informal procedures from time to time for this purpose.

After reviewing the proposed budgets and making such revisions as it may deem advisable, the Board shall, on or before April 30th of each fiscal year, adopt by resolution the District's operating budget for the ensuing fiscal year, and on or before June 30th of each fiscal year, adopt by resolution the District's capital budget for the ensuing fiscal year. The April 30th adoption date of the operating budget is intended to correspond with the timing of the Board's establishment of proposed maximum rates that are deemed property-related fees or charges in accordance with Article XIID of the California Constitution, and the ensuing notice and hearing process for setting the rates.

SECTION 5 - Authorization of Capital Expenditures (Except Professional Services)

The adoption of the capital projects budget by the Board shall constitute an approval of, and the authorization to make, the Capital Expenditures as set forth within the budget, subject to: (i) additional review as may be specified by the Board with respect to Capital Expenditures "flagged" by the Board, provided, the flagging shall be deemed removed upon Board approval of the first expenditure related to such Capital Expenditure unless otherwise specified by the Board in granting the approval; (ii) approval of Expenditure Authorizations in accordance with this Policy; (iii) compliance with requirements respecting the award of Contracts set forth in Section 9; (iv) compliance with all applicable legal requirements, including but not limited to the California Environmental Quality Act of 1970 (CEQA) and the Guidelines for implementation thereof promulgated by the Secretary for Resources of the State of California; and (v) satisfaction of all provisions of the "Policy for Competitive Bidding." The "approval" accomplished by this section shall not constitute a decision by the District within the meaning of CEQA which commits it to a definite course of action with regard to any particular project or projects included in such capital projects budget.

SECTION 6 - Authorization of Operational Expenditures (Except Professional Services)

The adoption of the operating budget by this Board shall constitute an approval of the acquisition and expenditures as noted in Section 3 above, contained within the budget, and the authorization to make the Operational Expenditures as set forth within the budget, subject to (i) compliance with procedures comparable to those set for Capital Expenditures in Section 5(iv), if and to the extent an Operational Expenditure is subject to the California Environmental Quality Act of 1970 (CEQA); (ii) compliance with requirements respecting the award of Contracts set forth in Section 9; and (iii) satisfaction of all provisions of the "Policy for Competitive Bidding."

SECTION 7 - Authorization of Professional Services

The adoption of the budgets by the Board shall constitute an approval of fees for Professional Services included within any Capital Expenditures and Operational Expenditures and the authorization to contract for such Professional Services as set forth within the budgets, subject to (i) compliance with requirements respecting the award of Contracts set forth in Section 9; and (ii) satisfaction of all provisions of the “Policy for Procurement of Professional Services.”

SECTION 8 - Authorization of Change Orders and Variances

The adoption of the budgets by the Board shall constitute an approval of Change Orders and Variances to existing Contracts within the amounts budgeted for the applicable Capital Expenditure or Operating Expenditure, subject to (i) approval of Expenditure Authorizations in accordance with this Policy and (ii) satisfaction of all provisions of the “Policy for Approval/Authorization of Change Orders and Variances to Existing Contracts.”

SECTION 9 - Award and Execution of Contracts

All procurement expenditures, except those for lands and easements, travel, personal expense, and those made using petty cash, require a Purchase Order.

In addition to the issuance of a Purchase Order, Contracts for Professional Services exceeding \$5,000 and Non-Professional Services for public works shall be Formal Contracts. Contracts for acquisition of lands and easements shall be as provided in the “Policy for Acquisition of Lands and Easements.”

Contracts for all expenditures, including Professional and Non-Professional Services, Goods (whether or not specifically identified in the operating budget) but excluding Utility Services, shall be awarded based upon the amount to be expended by the District, as follows:

- | | |
|---------------------|----------------------------|
| Up to \$50,000 | - by a Department Director |
| Up to \$75,000 | - by an Executive Director |
| Up to \$100,000 | - by the Manager |
| More than \$100,000 | - by the Board |

Except as to Professional Services contracts, the authority provided to the Executive and Department Directors may be further delegated, subject to the discretion of, and in accordance with procedures established by, the Manager. The foregoing notwithstanding, any appointment of a single acting Director, acting Executive Director or acting Manager for a vacation or other leave may,

subject to the Manager's discretion, include the full above-authorized authority amount for the respective position.

Contracts or other arrangements for Utility Services, including utility-basis imported water purchases for resale, require approval by the Manager.

On an annual basis, the Manager shall submit for Board approval any contracts or contract renewals resulting in recurring or continuing expenditures over a period greater than one year for the same provider, irrespective of whether the contract amount falls below the above amounts requiring Manager approval.

Provision shall be made, either through the specifications or as otherwise prescribed in procedures established by the Manager, for verification of references and financial responsibility of the contracting party prior to award, except for Contracts with government agencies, utility companies, associations, or providers of expendables.

SECTION 10 - Urgent Necessity Contracts

When a Contract is determined by the Manager to be of urgent necessity for the public health, safety or welfare, or for the protection of District property, or as a result of a present, immediate and existing emergency which could not have been reasonably foreseen, the Manager may execute a Contract therefor, provided that the Board shall be informed at its next regular meeting of the action taken and the necessity therefore, if (a) the cost of the Contract necessitates Board approval under Section 9, or (b) sufficient funds for the Contract are not budgeted pursuant to Section 4 or are not available.

SECTION 11 - Departmental Appropriation

From the effective date of the operating budget, the amounts proposed for Operational Expenditures shall become appropriated to the expense codes specified within each department. However, an Executive Director/Department Director may transfer funds from one expense code to another within the department. The Manager may transfer funds from one department to another. Transfers from or to salaries and/or benefits, contract labor and overtime compensation must be approved by the Board. Any increase in the total expenditures in the operating budget as a whole must be approved by the Board.

Where referred to herein, "Executive Director/Department Director" shall indicate that the Department Director may take the referenced action for a department assigned to them, and if the department is not assigned to a Department Director, the Executive Director may take the referenced action.

SECTION 12 - Authorized Changes by Manager

The Manager may, at his discretion, reduce, eliminate or postpone any proposed expenditure authorized in the budgets, unless otherwise directed by the Board.

SECTION 13 - Expenditure Authorization

An Expenditure Authorization shall be required for Capital Expenditures. The authority to approve Expenditure Authorizations on behalf of the District, including any increases, decreases or other amendments thereto, and, where applicable, the adoption of official intention to reimburse authorized expenditures from the proceeds of bonds to be sold, is hereby delegated to the General Manager. The General Manager shall execute Expenditure Authorizations on a standard form(s) to be specified in the Manager's procedures for implementation of this Policy.

SECTION 14 - Termination of Appropriation

All Operational Expenditure appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered. Capital Expenditure appropriations shall continue in effect until depleted or until modified by a subsequent capital projects budget.

SECTION 15 - Amended Budgets and Conditioned Approval

The Board may, at any time it deems advisable, amend or supplement the budgets or may condition any previously approved proposed expenditure.

SECTION 16 - Availability of Funds

In no case shall any Contract be made if sufficient funds are not budgeted, appropriated and available to make payment promptly upon delivery or completion, unless otherwise authorized and approved by the Board or approved by the Manager as provided for in Section 10 above.

SECTION 17 - Controls

The Manager shall establish procedures to implement a system of internal controls which segregate responsibilities in the processing of expenditures. The procedures shall include defined responsibilities and shall include separation between the responsibility for inspecting or reviewing Goods, work or services and the responsibility for authorizing the related payment.

SECTION 18 - Exceptions

The Manager shall establish procedures for the following expenditures:

- a. Credit card expenditures, except to the extent covered by the Board's adopted policies on allowance of expenses;
- b. Expenditures for work performed under a reimbursement agreement; and
- c. Petty cash expenditures.

Exhibit “B”

Exhibit B to Resolution No. 2014-__

IRVINE RANCH WATER DISTRICT

POLICY FOR COMPETITIVE BIDDING

SECTION 1- General

All Contracts entered into by the District shall be made in accordance with this Policy established by the Board of Directors of Irvine Ranch Water District.

All Contracts shall be made upon competitive bidding except as provided in Section 3 – Competitive Bids – Exceptions, below.

In addition to this Policy for Competitive Bidding, the following policies are applicable to Contracts and are incorporated herein and by reference made part hereof:

Policy Regarding Authorization of Expenditures

Policy for Approval/Authorization of Change Orders and
Variances to Existing Contracts

The Manager shall establish specific procedures for implementing this Policy.

SECTION 2 - Definitions

The “Policy Regarding Authorization of Expenditures” incorporates the definitions set forth therein into this Policy.

SECTION 3 - Competitive Bids – Exceptions

- a. Contracts with an estimated amount of less than \$10,000.
- b. Contracts deemed to be of urgent necessity, approved as provided in Section 10 of “Policy Regarding Authorization of Expenditures.”
- c. Contracts for articles which are patented, copyrighted or otherwise unique and not for sale by dealers generally, but are available only at a fixed and uniform price from the manufacturer or his agents or assigns, or for unique or specialized services for banking, depository, lobbying, legal, insurance coverage and benefits.

- d. Contracts wherein competitive bidding could not produce an advantage or where it is impracticable to comply with the competitive bidding provisions because of the unique, exploratory, or experimental nature of the work, or where a competitive process is conducted by another contracting party and is passed through a cooperative purchasing agreement to the District.
- e. Contracts where, within six months previous to the date of execution, advertising for identical articles or articles of the same general character has failed to secure responsive proposals and, in the opinion of the Manager, further advertising will not alter this result.
- f. Contracts with any governmental agency or association, or Contracts for Utility Service.
- g. Contracts for the acquisition of lands, easements, and permits, or agreements with a property owner for reimbursement of the cost to construct District facilities.
- h. Contracts for water transactions.
- i. Change Orders and Variances. (See “Policy for Approval/Authorization of Change Orders and Variances to Existing Contracts.”)
- j. Contracts for Professional Services. (See “Policy for Procurement of Professional Services.”)
- k. Contracts to purchase standard specification items for inventory.

The use of any of the exceptions in sub-paragraphs a through h and k above shall require approval by an Executive Director/Department Director. The Manager shall establish procedures for the exceptions noted in sub-paragraphs a through h and k above. Exceptions relating to Contracts for Professional Services shall be as set forth in Section 5(f) of the Policy for Procurement of Professional Services and shall require approval by the Manager.

SECTION 4 - Divided Contracts

Divided Contracts shall not be utilized for the purpose of bringing the cost of one or more of the component Contracts below any specified sum to avoid a requirement in any of the Sections of this Policy or of any Policy incorporated herein. Contracts may be divided only to meet unique scheduling or other needs of a project such as purchase of an item of equipment with a long lead time or spacing of phases of work to accommodate necessary time windows.

SECTION 5 - Contract Documents

The Contract documents shall consist of standard form documents approved by the Board, where applicable, and otherwise as the Manager may deem desirable, in addition to those provisions required by law.

SECTION 6 - Specifications and Drawings

Specifications, including drawings, if any, shall be sufficient to clearly describe the work required to be done or services required to be performed, the quality and properties of materials, supplies and equipment to be furnished, the results and performance required, and the method of payment.

SECTION 7 - Notice Inviting Bids

The Notice Inviting Bids shall provide the District's right to reject any and all proposals.

SECTION 8 - Advertising and Posting

No Notice Inviting Bids for any Contract required to be let upon competitive bidding shall be given or posted or advertised unless there is first prepared a complete set of Contract documents detailing the terms of the agreement, the work or services to be performed and the materials, supplies and equipment to be furnished.

a. Non-Professional Services Contracts for Construction:

Competitive bids shall be obtained from pre-qualified bidders identified in the manner prescribed in procedures established by the Manager, or, at the option of the Manager, a Notice Inviting Bids shall be posted in a public place within the District and shall be published not less than once in a newspaper or periodical designated by the Manager at least five (5) days, exclusive of Saturday, Sunday and holidays, before the time for opening bids.

b. Non-Professional Services Contracts for Repair, Maintenance or Services, Other Than Construction Services, Estimated To Cost More Than \$10,000, and all Goods Contracts:

Competitive bids shall be obtained from three (3) or more firms in the manner prescribed in procedures established by the Manager.

SECTION 9 - Evaluation

a. Capital Expenditures for Construction:

Unless otherwise directed by the Board, the Manager shall compare all bids received, pursuant to any Notice Inviting Bids or Solicitation, for compliance with the terms set forth therein and shall determine the lowest responsible bid of all those received. When award of Contract is to be made by the Board pursuant to Section 9 of the "Policy Regarding Authorization of Expenditures," the Manager shall make his recommendation as to such award in writing to the Board.

b. Other Contracts Subject to this Policy:

The following criteria shall be used to evaluate bids; provided, that except for those criteria bearing upon responsibility of the bid, the following criteria shall not apply to Contracts, including Contracts described in a, above, which stipulate that the evaluation and award shall be based solely on the determination of the lowest responsive bid:

1. Specialized experience and technical competence of the bidder and its personnel considering the type of services required and the complexity of the project.
2. Suitability of the bidder's proposed Goods and/or services to meet the District's needs.
3. The bidder's familiarity with types of issues applicable to the project.
4. Past record of performance on Contracts with the District, other government agencies or public bodies, and with private industry, including such responsibility factors as control of costs, quality of work, and ability to meet schedules.
5. The bidder's capacity to perform the work (including any specialized services) within the time limitations and with proposed staff, considering the bidder's current and planned workload.
6. The bidder's level of financial responsibility, as indicated by review of the bidder's financial statements.
7. The bidder's documentation of the absence of personal or organizational conflicts of interest prohibited under State or local law.

8. Types of insurance and guarantees or warranties offered by the bidder.

9. Levels of effort and prices.

SECTION 10 - Award

Award of any Contract made upon competitive bidding or made pursuant to an exception described in Section 3 shall be made as prescribed in Section 9 of the "Policy Regarding Authorization of Expenditures."

Exhibit "C"

Exhibit C to Resolution No. 2014-__

IRVINE RANCH WATER DISTRICT

POLICY FOR PROCUREMENT OF PROFESSIONAL SERVICES

SECTION 1 - General

All Contracts for Professional Services entered into by the District shall be made in accordance with this Policy established by the Board of Directors of Irvine Ranch Water District.

In addition to this Policy for Procurement of Professional Services, the following policies are applicable to Contracts for Professional Services and are incorporated herein and by reference made part hereof:

Policy Regarding Authorization of Expenditures

Policy for Approval/Authorization of Change Orders and Variances to Existing Contracts

The Manager shall establish specific procedures for implementing this Policy. The procedures shall (i) specifically prohibit District employees from participating in the selection process when those employees have a relationship with a person or business entity seeking a Contract under this section which would subject those employees to Government Code Section 87100's restrictions on making, participating in, or in any way attempting to use the employee's official position to influence a District decision in which the employee knows or has reason to know they have a financial interest, as set forth in the Political Reform Act, unless an express exception applies, and (ii) shall specifically prohibit the making of a Government Code Section 1090-prohibited Contract resulting from the District's contracting with a person or business entity with which an employee has a relationship or financial interest.

SECTION 2 - Definitions

The "Policy Regarding Authorization of Expenditures" incorporates the definitions set forth therein into this Policy.

SECTION 3 - Authorization of Professional Fees and Services

Authorization for commitment of funds for Professional Services shall be in accordance with Section 7 of the "Policy Regarding Authorization of Expenditures."

SECTION 4 - Consideration Guidelines

The following criteria shall be used to consider Consultants as candidates to provide Professional Services:

- a. Specialized experience and technical competence of the Consultant and its personnel considering the type of services required and the complexity of the project.
- b. The Consultant's familiarity with types of potential issues applicable to the project.
- c. Past record of performance on Contracts with the District, other government agencies or public bodies, and with private industry, including such factors as control of costs, quality of work, and ability to meet schedules.
- d. The Consultant's capacity to perform the work (including any specialized services) within the time limitations and with proposed staff, considering the Consultant's current and planned workload.
- e. The Consultant's level of financial responsibility, as indicated by review of Consultant's financial statements.
- f. The Consultant's documentation of the absence of personal or organizational conflicts of interest prohibited under State or local law.
- g. Types of insurance and guarantees or warranties offered by the Consultant.
- h. Estimate of the range of proposed levels of effort and costs.

SECTION 5 - Selection of Consultants

Selection shall be carried out in the following sequence:

- a. Project Definition:

A description of the proposed project, its purpose, location, and other pertinent facts as required shall be prepared and provided to interested Consultants. The Consultants may be requested to reply with a statement of qualifications.

b. Request for Proposals:

(1) A list of qualified Consultants shall be prepared, based on statements of qualifications if requested.

(2) A number of Consultants (not fewer than three (3)) determined to be qualified for the project shall be selected using the criteria set forth in Section 4 above, items a through h. If fewer than three (3) qualified Consultants respond with a statement of qualifications, or express interest in the event a statement of qualifications is not requested, and f(1) or f(2) below is not applicable, the Manager may, at his discretion, seek additional interested Consultants or proceed with selection among those that responded with interest if he determines that further inquiries would not be fruitful.

(3) A Request for Proposals shall be submitted to the selected Consultants. The Request for Proposals shall request more detailed information as outlined in the criteria set forth in Section 4 above, all items. More specific information shall include, but not be limited to, the Consultant's actual and projected workload for the duration of the District's project, the Consultant's project team, the Consultant's proposed use of subcontractors, the Consultant's proposed scope of work, level of effort and estimated cost. The Request for Proposals shall also contain the standard agreement for Professional Services.

(4) Upon approval of the Executive Director/Department Director, a Solicitation may be used in lieu of a Request for Proposals. However, the Consultant's written proposal must contain all the terms and conditions customarily included in a written Proposal.

c. Interviews:

Interviews may be conducted with each candidate Consultant's proposed project team to assure a mutual understanding and to obtain additional details related to the Consultant's capabilities. The Manager may visit one or more projects completed by each Consultant considered and contact recent clients to each.

d. Ranking:

After evaluating the written proposals and considering the results of the interviews, recently completed project visits and recent client contacts (if conducted) with respect to the prospective Consultants, the Manager shall rank them in order of preference, taking into account all of the information obtained. In the case of Contracts for architectural, landscape

architectural, professional engineering, environmental, land surveying and Construction project management services, services shall be engaged on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices as required by applicable law.

e. Negotiations:

The Manager may attempt to negotiate a Contract with the best qualified Consultant using the proposal as a basis for the Formal Contract. Should the Manager be unable to negotiate a satisfactory Contract with the Consultant ranked as the most qualified, at a price determined to be fair and reasonable, negotiations with that Consultant shall be formally terminated. The Manager shall then undertake negotiations with the remaining qualified Consultants as needed in order of their ranking established under sub-paragraph d above, until the Manager is able to negotiate a satisfactory Contract.

If the Manager is unable to negotiate a satisfactory Contract with any of the Consultants thus far selected, the Manager shall select additional Consultants in order of their competency and qualification and shall continue negotiations in accordance with this Policy until a satisfactory Contract is reached or until the Board directs that all negotiations shall terminate.

f. Exceptions:

- (1) Professional Services estimated to cost \$50,000 or less. For Professional Services falling within this exception, the Manager may request a proposal from one (1) qualified Consultant selected from a standing list of pre-qualified Consultants on file with the District.
- (2) Professional Services estimated to cost more than \$50,000 and up to \$100,000. For Professional Services falling within this exception, the Manager shall request proposals from not fewer than two (2) qualified Consultants selected from a standing list of pre-qualified Consultants on file with the District. The selection process set forth in subparagraphs c, d and e of this Section will then be followed.
- (3) Major capital projects where the design is scheduled in phases. Professional Services falling within this exception may be negotiated with the Consultant who performed work for a prior phase with the approval of the Manager, if:

- (a) The Consultant performed satisfactory work on the prior phase(s) in terms of quality, schedule and estimated costs; and
 - (b) A satisfactory Contract can be negotiated.
- (4) Professional Services deemed to be of urgent necessity, as provided in Section 10 of “Policy Regarding Authorization of Expenditures.”
 - (5) Professional Services with respect to which it is impracticable to comply with the selection provisions because of the unique, exploratory, or experimental nature of the Professional Services.
 - (6) Variances. (See “Policy for Approval/Authorization of Change Orders and Variances to Existing Contracts.”)

The Manager shall establish procedures for contracting the exceptions noted in subparagraphs 4 and 5 above.

SECTION 6 - Contract Documents

The Contract documents shall consist of such documents as the Manager may deem desirable in addition to those required by law. A standard form agreement for Professional Services developed by the Manager that is applicable to the Contract shall be used.

SECTION 7 - Divided Contracts

Divided Contracts shall not be utilized for the purpose of bringing the cost of one or more of the component Contracts below any specified sum to avoid a requirement in any of the Sections of this Policy or of any Policy incorporated herein. Contracts may be divided only to meet unique scheduling or other needs of a project such as purchase of an item of equipment with a long lead time or spacing of phases of work to accommodate necessary time windows.

SECTION 8 - Award

Award of any Contract made pursuant to the selection process described in Section 5 or made pursuant to an exception described in Section 5(f) shall be made as prescribed in Section 9 of the “Policy Regarding Authorization of Expenditures.”

SECTION 9 - Confidentiality

To the extent permitted by law, the Manager shall maintain a confidential file of written evaluations made in the Consultant selection process and evaluation of subsequent performance. Except to the extent required by law, such files shall be available only to District employees whose official duties involve development of Contracts for Professional Services.

Exhibit “D”

IRVINE RANCH WATER DISTRICT

POLICY FOR APPROVAL/AUTHORIZATION OF CHANGE ORDERS AND VARIANCES TO EXISTING CONTRACTS

SECTION 1 - General

All Change Orders and Variances to existing Contracts entered into by the District, except those for Utility Services, shall be made in accordance with this Policy established by the Board of Directors of Irvine Ranch Water District.

In addition to this Policy for Approval/Authorization of Change Orders and Variances to Existing Contracts, the following policies are applicable to Change Orders and Variances and are incorporated herein and by reference made part hereof:

Policy Regarding Authorization of Expenditures

Policy for Competitive Bidding

Policy for Procurement of Professional Services

The Manager shall establish specific procedures for implementing this Policy.

SECTION 2 - Definitions

The “Policy Regarding Authorization of Expenditures” incorporates the definitions set forth therein into this Policy.

SECTION 3 - Approval of Change Orders and Variances

For the purposes of this Policy, the value of any Change Order or Variance is the sum total of the absolute value of all line items, including additions and deductions, on the Change Order or Variance.

a. Contracts Other Than Professional Services:

- (1) A Department Director shall be authorized to approve a Change Order which does not exceed \$50,000 individually or a cumulative total of \$50,000 in any one calendar month.
- (2) An Executive Director shall be authorized to approve any Change Order which does not exceed \$75,000 individually or a cumulative total of \$75,000 in any one calendar month.

- (3) The Manager shall be authorized to approve any Change Order which does not exceed \$100,000 individually or a cumulative total of \$100,000 in any one calendar month.
 - (4) In the event the cost or estimated cost of any single Change Order exceeds \$100,000, or exceeds a cumulative total of \$100,000 in any one calendar month, approval by the Board shall be required prior to the execution by the Manager.
 - (5) Whether or not the amount of a Change Order to be approved falls within an individual amount or cumulative dollar level stated in paragraph (1), (2) or (3), above, if the individual or cumulative total of such Change Orders in a calendar month together with any Change Orders previously approved exceeds the higher of 30% of the original Contract or \$100,000, approval by the Board shall be required prior to execution by the Manager.
- b. Contracts for Procurement of Professional Services:

- (1) A Department Director shall be authorized to approve any Variance which does not exceed a cumulative total of \$50,000.
- (2) An Executive Director shall be authorized to approve any Variance which does not exceed \$75,000 individually or a cumulative total of \$75,000.
- (3) The Manager shall be authorized to approve any Variance which does not exceed \$100,000 individually or a cumulative total of \$100,000.
- (4) In the event the cost or estimated cost of any single Variance exceeds \$100,000 individually or exceeds a cumulative total of \$100,000, approval by the Board shall be required prior to the execution by the Manager.

c. Delegation of Authority:

The authority provided in subparagraphs a and b above shall not be further delegated. The foregoing notwithstanding, any appointment of a single acting Director, acting Executive Director or acting Manager for a vacation or other leave will include the full above-authorized authority amounts for the respective position provided in subparagraphs a and b above.

Exhibit “E”

Exhibit E to Resolution No. 2014-__

POLICY FOR ACQUISITION OF LANDS AND EASEMENTS

SECTION 1 – General

The District will acquire rights in real property as determined to be needed for the Construction, operation and maintenance of District facilities. Interests in real property needed for District regional capital facilities, capital facilities to extend service to an applicant, owner or customer’s property, or applicant-furnished (non-capital) facilities will be acquired by the District in accordance with this Policy.

This Policy shall not apply to the acquisition of real estate for investment within the replacement fund, which is governed by the separate policy adopted by Resolution No. 2008-02 as amended from time to time.

This Policy shall not apply to the acquisition of real property for water banking purposes.

SECTION 2 – Definitions

The definitions set forth in “Policy Regarding Authorization of Expenditures” are incorporated herein by this reference.

SECTION 3 – Applicant-Furnished (Non-Capital) Facilities

- 3.1 Non-Capital Facilities. This Section governs easements required to be furnished by an applicant, owner or customer at its expense, in accordance with Sections 5.2 and 5.4 of the District’s Rules and Regulations For Water, Sewer, Recycled Water, and Natural Treatment System Service, in conjunction with non-capital facilities donated under its application for service. The District’s standard application for service/service agreement requires the applicant to grant, or cause to be granted to District, without cost to District, all necessary easements for Construction, installation, maintenance of and access to applicant’s non-capital facilities, in a form, condition of title and location mutually acceptable to District and applicant.
- 3.2 Methods of Conveyance. Property rights for the District’s operation, maintenance and ingress to and egress from non-capital facilities that are to be provided by the applicant, owner or customer may be transferred to the District by separate, recordable granting instrument at the time of transfer of the title to the facilities to the District, or by means of dedication on a recorded final map.

- 3.3 Review and Approval. Easements conveyed by dedication on a final map or by separate instrument shall be reviewed and approved by the District prior to acceptance.
- 3.4 Dedication By Final Map. Easements provided by dedication on a final map are typically received during the applicant's improvement plan submittal or subdivision map process. Final map easement dedications shall include in the ownership certificate on the title sheet of the map the District's standard dedication statement, signed by a properly licensed engineer or surveyor. Final map easement dedications shall also include on the title sheet the District's certificate of acceptance signed by the Board Secretary, pursuant to applicable resolution.
- 3.5 Dedication By Separate Instrument. Easements conveyed by separate grant or quitclaim instrument shall use the District's standard forms except as authorized pursuant to Section 5 of this Policy. The applicant's furnished legal description and any depiction, each signed by a licensed land surveyor, shall be attached as exhibits. A certificate of acceptance signed by the Board Secretary shall be attached to the instrument, pursuant to applicable resolution.

SECTION 4 – District (Capital) Facilities Needed For Extension of Service

- 4.1 Capital Facilities. This Section governs property rights for capital facilities that are to be provided by the District to extend services to an applicant(s)'s development (sub-regional facilities) and District regional capital facilities.
- 4.2 Property Interest. A fee simple interest in property (site) will be acquired where the District determines that it will require the full use of the surface or the control of access (generally, reservoirs, pumping or lift stations, treatment facilities, wells). An exclusive easement may be acquired in lieu of a fee simple interest for a capital project site at the District's discretion on a case by case basis, based on the anticipated surface and subsurface uses by the District and the property owner and/or other considerations. A non-exclusive easement will be acquired where compatible surface or subsurface uses can be accommodated or tolerated (generally, pipelines, pressure reducing valves, meters, slope maintenance, drainage, access).

- 4.3 Time of Acquisition; Procedure. All sites and easements for capital facilities to extend service to an applicant(s) (sometimes referred to as “sub-regional”), except for natural treatment system sites, will be conveyed to the District prior to commencement of Construction of the facilities by the District. Natural treatment system sites will be acquired at the time determined by the District. If District capital facilities are to be constructed by the applicant or other party under a reimbursement agreement with the District, no reimbursements shall be paid until conveyance is complete. A site or easement that is not fully definable prior to commencement of Construction of the facilities because of the stage of surrounding parcel definition will be acquired with an estimated boundary subject to an agreement by the District to quitclaim excess area, or quitclaim the site or easement upon acquisition of a substitute deed with legal description of final site or easement boundary.

Easements or fee interests required by the District for a capital project (sometimes referred to as “regional”) may be acquired by negotiation between the District and the property owner to establish monetary or other consideration on a case-by-case basis. This may require an appraisal of the value of the site or easement. The negotiation for a site shall take into consideration the requirements of this section, including but not limited to Section 4.4. A negotiated price of \$100,000 or less shall require approval by the Manager, and a negotiated price exceeding \$100,000 shall require Board approval. The foregoing notwithstanding, Board approval may be required if a conveyance is under threat of eminent domain and an applicant requires written documentation of such threat.

- 4.4 Separate Instrument. The grant deed or quitclaim instrument shall use the District’s standard forms except as authorized pursuant to Section 5 of this Policy. The District shall prepare the legal description and any depiction, which shall be attached as exhibits. A certificate of acceptance signed by the Board Secretary shall be attached to the instrument, pursuant to applicable resolution.
- 4.5 Standard Appearance; Upgrades. With respect to visible appearance, each facility constructed by the District (directly or through reimbursement agreement) shall be a standard (baseline) facility, which standard is exemplified by the mechanical, electrical, and control systems and exterior treatment contained in an existing facility of the same type (e.g., pump station, lift station) identified in the District’s Procedural Guidelines as the reference facility for above or below-grade placement, architecture,

landscaping or other screening, color, exterior materials and other aesthetic treatment. The standard appearance may be modified by the District as it determines to be necessary to accommodate topography, site configuration, specific facility design or other site conditions. Any upgrading of the baseline appearance desired by the applicant must not compromise the facility design, operation or employee or public safety. Such upgrading, if permitted by the District, will be furnished at the applicant's expense.

- 4.6 Use Restrictions. District use of fee sites will be restricted to District operational facilities and appurtenances including transmission pipelines, conduits, vaults and valve structures, telemetry, retaining walls, parking areas, drains, culverts, access roads and driveways, control panels and boxes, operator residences, and facilities functionally related to any of the foregoing. With the approval of the Manager, cellular and other communications equipment may be placed on the site through leasing arrangements if consistent with the applicable standards of the County or City.

If all or a portion of a site becomes surplus to the District's purposes, the District shall have the right to use or dispose of the surplus for consideration in accordance with applicable law; in such event, the restrictions in the foregoing paragraph shall not apply and the surplus may be used for any purpose compatible with the surrounding development and permitted by applicable zoning.

Use of easements will be limited to the original facilities (specified by general type, such as "water, sewer, recycled water and/or access," and not specific design plans) and any future parallel or other facilities of the same type as, or functionally related to, the original facilities.

- 4.7 Easements Replaced Or No Longer Needed. Easements that become surplus to the District's purposes or are replaced by substitute easements will be quitclaimed to the owner of record upon request or the District's initiative. The Manager is authorized to execute a quitclaim deed or equivalent instrument to the owner of record for the purposes of this section, unless otherwise required by the District's Rules and Regulations for the Disposition of Property of the District. This section shall include, without limitation, easements quitclaimed pursuant to Section 4.3, above, to reconfigure areas not fully definable at the time of conveyance.

SECTION 5 – Form of Conveyance

The District shall use uniform forms of grant deed and grant of easement, including but not limited to the reference deed used in final map dedications. A Formal Contract shall be used, except for easements by final map dedication; the service agreement shall serve as the Formal Contract in the case of a separate instrument for non-capital facilities. Quitclaim deeds may also be accepted at the District's discretion. The grant deed shall contain standard reservations of mineral interests and perimeter utility easements. Conditions shall incorporate references to the foregoing paragraphs 4.5 and 4.6 and matters of record, only. Changes to this Policy shall not affect instruments incorporating reference to a prior version of this Policy.

Easement purposes shall be indicated by general type, e.g., water, sewer, recycled water and/or access, and shall include the right to construct, reconstruct, remove and replace, renew, inspect, maintain, repair, improve and otherwise use parallel or any other facilities or appurtenances of the same general type and purpose as or functionally related to the originally installed facilities, and shall include restrictions on the planting of trees.

Other forms may be substituted when property rights are acquired on lands owned by a public agency or public utility.

Exhibit “F”

RESOLUTION NO. 2014 - ____

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT RESCINDING
RESOLUTION NO. 2002-8, ESTABLISHING REVISED
POLICIES WITH RESPECT TO AUTHORIZATION OF
EXPENDITURES, COMPETITIVE BIDDING AND
AWARD OF CONTRACTS, PROCUREMENT OF
PROFESSIONAL SERVICES, AND APPROVAL AND
AUTHORIZATION OF CHANGE ORDERS TO EXISTING
CONTRACTS, AND ESTABLISHING POLICY WITH
RESPECT TO ACQUISITION OF LANDS AND EASEMENTS

WHEREAS, Irvine Ranch Water District (the “District”) is a California Water District formed pursuant to Division 13 of the Water Code of the State of California; and

WHEREAS, the District is required to adopt policies and procedures, including bidding regulations, governing purchases of supplies and equipment by the District pursuant to Government Code Section 54202; and

WHEREAS, the District may adopt procedures to assure engagement of private architectural, landscape architectural, engineering, environmental, land surveying or construction project management firms on the basis of demonstrated competence and professional qualifications necessary for satisfactory performance and at fair and reasonable prices, as required pursuant to Government Code Section 4526, and such procedures shall specifically prohibit government agency employees from participating in the selection process when those employees have a relationship with a person or business entity seeking a contract under this section which would subject those employees to the prohibition of Section 87100; and

WHEREAS, the District has previously adopted Resolution No. 2002-8 establishing revised policies with respect to authorization of expenditures, competitive bidding and award of contracts, procurement of professional services, and approval and authorization of change orders to existing purchase orders and contracts; and

WHEREAS, the Board of Directors believes it to be in the best interest of the District to revise said policies with respect to authorization of expenditures, competitive bidding and award of contracts, procurement of professional services, and approval and authorization of change orders to existing purchase orders and contracts; and

WHEREAS, pursuant to Sections 35405 and 35600 of the Water Code, the District is authorized to take conveyances of property or rights in property necessary or proper for the District works and for District purposes, and pursuant to such authority, the District acquires various interests in real property for the construction, operation and maintenance of its facilities, including lands and easements required to be dedicated to the District by an applicant for service under the District’s Rules and Regulations For Water, Sewer, Recycled Water, and

Natural Treatment System Service, as well as capital facilities constructed or acquired by the District; and

WHEREAS, the Board of Directors has determined that it would be in the best interest of the District to establish uniform policies for the acquisition of lands and easements; and

WHEREAS, for other policies related to the policies adopted or revised by this Resolution, reference is hereby made to: Resolution No. 2014-__ [checks on general account and electronic funds transfers]; Resolution No. 2014-__ [claims processing and settlement]; Resolution No. 2008-02 [acquisition of real estate for investment purposes]; Resolution No. 2014- __ [acceptance of land and easement conveyances] Resolution No. ____ - __ [Board member and employee expense reimbursement]; Resolution No. ____ - __ [approval of standard contract forms]; and Resolution No. ____ - __ [_____].

NOW, THEREFORE, THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT HEREBY RESOLVES AND DETERMINES AS FOLLOWS:

Section 1. That resolution No. 2002-8 be and hereby is rescinded in its entirety.

Section 2. That the policy of the District with respect to capital, operating and other expenditures and the budgetary procedures in connection therewith shall be as more particularly set forth in Exhibit "A," entitled "Policy Regarding Authorization of Expenditures," attached hereto and by this reference made a part hereof.

Section 3. That the policy of the District with respect to contracts required to be let through competitive bidding shall be as more particularly set forth in Exhibit "B," entitled "Policy for Competitive Bidding," attached hereto and by this reference made a part hereof.

Section 4. That the policy of the District with respect to procurement of contracts for professional services shall be as more particularly set forth in Exhibit "C," entitled "Policy for Procurement of Professional Services," attached hereto and by this reference made a part hereof.

Section 5. That the policy of the District with respect to change orders and variances to existing purchase orders or contracts shall be as more particularly set forth in Exhibit "D," entitled "Policy for Approval/Authorization of Change Orders to Existing Contracts," attached hereto and by this reference made a part hereof.

Section 6. That the policy of the District with respect to acquisition of lands and easements shall be as more particularly set forth in Exhibit "E," entitled "Policy for Acquisition of Lands and Easements," attached hereto and by this reference made a part hereof.

Section 7. The policies adopted herein shall be reviewed by staff periodically, at least every five years, to determine whether it is necessary or appropriate for the Board to adopt any changes to the policies.

ADOPTED, SIGNED and APPROVED this ___th day of September 2014.


President, IRVINE RANCH WATER
DISTRICT and of the Board of Directors
thereof


Secretary, IRVINE RANCH WATER
DISTRICT and of the Board of Directors
thereof

APPROVED AS TO FORM:
BOWIE, ARNESON, WILES & GIANNONE
IRWD Legal Counsel

By _____

September 8, 2014

Prepared by: Alex Aguilar 

Submitted by: Rob Jacobson/Cheryl Clary 

Approved by: Paul Cook 

ACTION CALENDAR

REVISIONS TO RULES AND REGULATIONS RELATIVE TO DISPOSITION OF PROPERTY OF THE DISTRICT

SUMMARY:

The District's current rules and regulations to dispose of real and other than real property provide for determination of the need for certain properties, methods to determine the property's estimated value and the required procedures for disposition. In an effort to improve efficiencies, staff recommends that the Board approve revised property disposition rules and regulations modifying approval thresholds for General Manager and Board actions and providing General Manager authorization to quitclaim easements and rights-of-way that may become surplus to the District, and that it recommend Board approval of a Resolution revising the rules and regulations.

BACKGROUND:

The District's current *Rules and Regulations for the Disposition of Property of the District* ("Rules and Regulations") were last updated in 1972 (Resolution 1972-5). The Rules and Regulations outline the process to determine the need and usefulness of District real property (land, easements, etc.) and other than real property (equipment, vehicles, etc.). District real estate investment properties are excluded and are covered separately in the Real Estate Investment Policy. The Rules and Regulations also include the method to determine the estimated value of subject properties and prudent disposition procedures based on the estimated value.

The District's current Rules and Regulations provide authorization for the General Manager, or a person delegated by the General Manager, to dispose of property valued at \$5,000 or less, with Board approval required for property valued in excess of \$5,000. Consistent with General Manager's delegation of authority levels currently being proposed for other District activities, the proposed Rules and Regulations would increase that level to \$100,000, with Board approval required for property valued in excess of \$100,000. Disposition of surplus District properties is typically conducted through a third-party auction service and, while employees are welcome to bid, no preference is given to IRWD staff in the process.

In addition to modifying approval thresholds, the proposed Rules and Regulations adds rights-of-way to the definition of Property, and provides authorization to the General Manager to execute and deliver a quitclaim deed or equivalent instrument to the owner of record in the event an easement or right-of-way becomes surplus to the District. Staff also recommends striking the provisions in the current policy pertaining to "emergency disposition" of property, since this provision does not appear to have any potential applications.

A copy of the proposed Resolution reestablishing Rules and Regulations is attached as Exhibit "A".

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act (CEQA), Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee at its meeting on July 1, 2014.

RECOMMENDATION:

THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2014-__

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT, ORANGE COUNTY, CALIFORNIA,
RESCINDING RESOLUTION NO. 1972-5 AND REESTABLISHING RULES AND
REGULATIONS FOR THE DISPOSITION OF PROPERTY OF THE DISTRICT

LIST OF EXHIBITS:

Exhibit "A" – Resolution

Exhibit "A"

Mstr

RESOLUTION NO. 2014-__

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT, ORANGE COUNTY, CALIFORNIA,
RESCINDING RESOLUTION NO. 1972-5 AND REESTABLISHING RULES AND
REGULATIONS FOR THE DISPOSITION OF PROPERTY OF THE DISTRICT

WHEREAS, Irvine Ranch Water District is a California Water District formed pursuant to Division 13 of the Water Code of the State of California; and

WHEREAS, Irvine Ranch Water District is a "local agency" within the meaning of Section 54201 of the California Government Code; and

WHEREAS, Irvine Ranch Water District has previously adopted rules and regulations for the purchase of supplies and equipment as provided in Section 54202 of the California Government Code; and

WHEREAS, Section 35604 of the California Water Code provides that "A district may for a valuable consideration lease, sell, or contract for the sale of any property of the district whenever it may be necessary, advisable, or for the best interests of the district"; and

WHEREAS, Section 34807 of the California Water Code provides that "The board ... shall manage and conduct the business and affairs of the district"; and

WHEREAS, it is the desire of the Board to revise the rules and regulations for the disposition of property of the District.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Irvine Ranch Water District hereby find and determine that it is in the best interests of the District to adopt rules and regulations for the disposition of property of the District as follows:

Section 1 – That Resolution No. 1972-5 be and hereby is rescinded.

Section 2 – Definitions - As used in these rules and regulations, the following terms shall have the following meaning.

- a) "District" shall mean Irvine Ranch Water District.
- b) "Board" shall mean the Board of Directors of the District.
- c) "Manager" shall mean the General Manager of the District or the person appointed and authorized by the Board to act in such capacity, or a person authorized by the General Manager to administer this policy or any portion thereof on their behalf.

- d) "Property" shall mean all real and personal property, including water, water rights, works, easements, and rights-of-way; personal property shall also include materials, supplies, equipment, furnishings, and other similar personal property of the District. "Property" shall not include real estate held for investment within the replacement fund, which is governed by the separate policy adopted by Resolution No. 2008-02 as amended from time to time.

Section 3 – Rules and Regulations – All dispositions of Property of the District shall be made in accordance with the rules and regulations hereinafter set forth.

Section 4 – Determination of Need – From time to time, the Manager may determine that certain Property of the District is no longer needed to carry out the powers and purposes of the District to meet present or future needs.

- a) Disposal of real property, water rights, easements, and rights-of-way shall be authorized and approved by the Board, except as provided in (c) or (d) of this Section.
- b) If the value of said Property other than real property exceeds the sum of \$100,000, the Manager shall recommend that the Board consider and approve the disposition of said Property.
- c) If the value of said Property other than real property is \$100,000 or less, and there is no statute to the contrary, the Manager may proceed to dispose of said Property without specific approval of the Board.
- d) Easements and rights-of-way that become surplus to the District's purposes or are replaced by substitute easements will be quitclaimed to the owner of record upon request or the District's initiative. The Manager is authorized to execute and deliver a quitclaim deed or equivalent instrument to the owner of record for this purpose consistent with the District's Policy for Acquisition of Lands and Easements, without specific approval of the Board.

Section 5 – Determination of Property Value – For the purposes of applying Section 4 above, the value of the Property shall be the larger of the following:

- a) The estimated salvage value as determined by the Manager.
- b) The depreciated value as indicated by the financial records of the Districts.
- c) The market value as estimated by a qualified independent appraiser; however, it shall not be required to have said Property appraised if the value of 5(b) above is \$100,000 or less.

Section 6 – Disposition by Bid – If the Board finds and determines that it is in the best interest of the District to dispose of certain Property of the District as recommended by the Manager, the Board may instruct the Manager to obtain bids as follows:

- a) Formal sealed bids shall be solicited by invitations given to known prospective purchasers and by posting of a notice inviting bids on the District's website.
- b) Publication of notice shall not be necessary unless specifically required by the Board.
- c) All invitations to bid shall include detailed specifications of the Property (or indicate where they can be obtained); shall specify the time and place where the bids will be received and opened, and the time when an award will be made or all bids rejected.
- d) Bids shall be opened at the time and place specified and the full detail of each bid shall be recorded.
- e) The Manager shall analyze all bids and recommend to the Board that it make an award or reject all bids.
- f) If the Board finds and determines that the disposition of the Property at the highest price bid is in the best interests of the District, the Board may by resolution make an award and authorize the execution of a proper bill of sale by the necessary District officers.
- g) If Property disposed of under this Section includes surplus land, any written offers and negotiations required by Government Code Sections 54222 and 54223 to sell the Property for low- and moderate- income housing, park and recreational or open-space purposes, school purposes, enterprise zone purposes, and infill opportunity zone or transit village plan purposes shall be accomplished prior to the commencement of the above-described bidding process.

Section 7 – Disposition by Manager – If the Manager is authorized to proceed with the disposition of Property of the District without specific Board approval as herein provided, the Manager shall proceed as follows:

- a) Informal quotations shall be solicited by invitations given to known prospective purchasers and by posting of a notice inviting quotations on the District's website.
- b) Publication of notice shall not be required.
- c) All invitations for quotation shall include a description of the Property, shall specify the time and place where the quotations will be considered, and the time when an award will be made or all quotations rejected.
- d) Quotations shall be considered at the time and place specified and the details of each quotation recorded.
- e) The Manager shall analyze all quotations and determine if the disposition of the Property at the highest price quoted is in the best interests of the District.

- f) If the Manager so determines, he may proceed to dispose of subject Property and if a bill of sale is required, the necessary officers of the District are hereby authorized to execute same as required.

Section 8 – Application of Sums Received – All sums received from the disposition of Property of the District shall be applied to the proper account of the fund of the District in which subject asset was previously carried.

Section 9 – Effect of Rules and Regulations – These rules and regulations shall be in effect from and after their adoption and copies thereof may be available for public information.


ADOPTED, SIGNED AND APPROVED THIS ____ day of September, 2014.

President, IRVINE RANCH WATER
DISTRICT and of the Board of Directors
thereof

Secretary, IRVINE RANCH WATER
DISTRICT and of the Board of Directors
thereof

APPROVED AS TO FORM:
BOWIE, ARNESON, WILES & GIANNONE
IRWD Legal Counsel

By _____

September 8, 2014
Prepared by: Alex Aguilar
Submitted by: Rob Jacobson/Cheryl Clary
Approved by: Paul Cook 

ACTION CALENDAR

REVISIONS TO DISTRICT GUIDELINES FOR ACCESS TO PUBLIC RECORDS

SUMMARY:

The District's *Guidelines for Access to Public Records* (Guidelines) detail the process and procedures for IRWD to adhere to the requirements set forth in the California Public Records Act, and were last updated in December 1995. Staff recommends that the Board adopt a resolution revising the Guidelines including updated reimbursement charges for certain District costs related to providing requested records and minor procedural clarifications.

BACKGROUND:

In December 1995, the Board adopted Resolution 1995-37 establishing the *Guidelines for Access to Public Records*. The Guidelines provide the process and procedure for District staff to follow in order to comply with the California Public Records Act. The Guidelines also provide for reimbursement to the District for certain direct costs related to reproduction of documents. Since 1995, the volume of data requested and the types of media utilized for records storage and reproduction have changed significantly. Additionally, District copying costs have increased during the period.

The revised Guidelines incorporate updated cost reimbursement amounts for copying expenses and public records access services. The updated charges more accurately reflect actual applicable costs to the District for public records requests, and include an increase in the per page copying reimbursement charge from \$0.08 to \$0.25 for requests in excess of 10 pages. Separate charges for reproduction of different types and sizes of maps and other oversized copies are also detailed in the updated charges, and are based on applicable District copy expenses for these document types. The proposed resolution including the revised Guidelines is attached as Exhibit "A".

The proposed reimbursement charges are consistent with information provided by other public agencies. A copy of public agency benchmark data for records request reimbursement charges is attached as Exhibit "B".

FISCAL IMPACTS:

The revised Guidelines will increase reimbursement charges to the District from \$0.08 to \$0.25 per page (in excess of 10 pages) for standard sized document copies, and provides for separate reimbursement charges for other larger documents. Total fiscal impacts cannot be determined due to the unknown frequency and volume of future public records requests.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act (CEQA), Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee at its meeting on July 1, 2014.

RECOMMENDATION:

THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2014-__

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT RESCINDING
RESOLUTION NO. 1995-37 AND ADOPTING
GUIDELINES FOR ACCESS TO PUBLIC RECORDS

LIST OF EXHIBITS:

Exhibit "A" – Resolution and Guidelines
Exhibit "B" – Comparison of Public Agency Charges

Exhibit "A"

RESOLUTION NO. 2014 - ____

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT RESCINDING
RESOLUTION NO. 1995-37 AND ADOPTING
GUIDELINES FOR ACCESS TO PUBLIC RECORDS

WHEREAS, under the California Public Records Act, set forth in Government Code Section 6250, *et seq.* (the "Act"), all public records of the Irvine Ranch Water District ("IRWD") are open to inspection and any person may obtain a copy of any public record, subject to and in accordance with the provisions of the Act; and

WHEREAS, Government Code Section 6253.4 permits a public agency to adopt regulations and guidelines stating the procedures to be followed when making its records available in accordance with the Act; and

WHEREAS, IRWD has previously adopted Resolution No. 1995-37, establishing guidelines for accessibility of all public records; and

WHEREAS, this Board of Directors believes it to be in the best interest of the District to adopt amended guidelines, as more particularly set forth in Exhibit "A" to this resolution.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT HEREBY RESOLVES AND DETERMINES AS FOLLOWS:

Section 1. Resolution No. 1995-37 is hereby rescinded in its entirety.

Section 2. The revised guidelines of IRWD with respect to access to public records of IRWD shall be as more particularly set forth in Exhibit "A," entitled "Guidelines For Access to Public Records", attached hereto and by this reference made a part hereof (the "Guidelines").

Section 3. The staff of IRWD is hereby authorized and directed to implement the Guidelines.

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ADOPTED, SIGNED and APPROVED this ____ day of September, 2014.

President, IRVINE RANCH WATER
DISTRICT and of the Board of Directors
thereof

Secretary, IRVINE RANCH WATER
DISTRICT and of the Board of Directors
thereof

APPROVED AS TO FORM:
BOWIE, ARNESON, WILES & GIANNONE
IRWD Legal Counsel

BAWG 0112537/ 061714

EXHIBIT A

IRVINE RANCH WATER DISTRICT

GUIDELINES FOR ACCESS TO PUBLIC RECORDS

Section 1. General.

1.1 All public records, as defined in Government Code Section 6252(e), of Irvine Ranch Water District (“IRWD”) are open to inspection and copies of all public records are available as provided in these Guidelines, except for those records permitted by law to be withheld by IRWD from disclosure, such as personnel records, pending litigation records or IRWD customer information.

1.2 These Guidelines are intended to complement and implement Article 1, Section 3, of the California Constitution and the California Public Records Act, Government Code Section 6250, *et seq.* (collectively, the “Act”). These Guidelines are designed and intended to facilitate access to public records pursuant to the Act. For detailed statutory language, please consult the Act. To the extent of any inconsistency between these Guidelines and the Act, the Act shall control.

1.3 The District Secretary will maintain copies of requests for records in accordance with IRWD’s document retention policies.

1.4 IRWD is not required to compile data, gather information, perform research or otherwise create a record that does not exist or that is not maintained in the normal course of business; any determination to do any of the foregoing shall be at IRWD’s sole discretion.

Section 2. Making Requests for Inspection or Copies.

2.1 Any person who desires to inspect or obtain a copy of any IRWD public record may do so without having to reveal his or her identity or the reason for the request. Requests may be made to the receptionist or District Secretary, by telephone to (949) 453-5300 or in writing, e-mail (DistrictSecretary@irwd.com) or fax (949-453-1228) addressed to the District Secretary. Requests made to other IRWD personnel or departments will be rerouted to the District Secretary, which may delay the response time.

IRWD may make available, at its discretion, an online public records request process and/or a dedicated e-mail address for submission of public records requests. If and when these services are made available, IRWD will post information about their use on its website.

2.2 IRWD will determine within 10 days of IRWD’s receipt of the request whether the

request, in whole or in part, seeks disclosable public records in the possession of IRWD, and will promptly give or send a response to the contact information provided by the requester, stating the estimated date and time when the records will be made available for the inspection or the copies will be made available for pickup. If it is not feasible to make the determination within 10 days of the receipt of the request, the General Manager or his designee may, by written notice to the requester, extend the time as permitted by the Act.

2.3 If a delay is required in producing records determined to be subject to disclosure, due to the need to search for and retrieve records from remote and/or multiple locations, review, or redact or otherwise remove information exempt from disclosure, a reasonable time to complete such production will be established by the District Secretary. Suspension of normal operations shall not be required to fulfill a request for records, nor during a period when the records are reasonably needed in IRWDS's performance of its duties..

2.4 A request to inspect or obtain a copy of a readily identifiable and available record will often be satisfied within eight working hours, unless the use of the record by another person making an inspection of the same record or an IRWD employee, the presence in the file of material exempt from disclosure, the volume of the request or the unavailability of IRWD employees renders such a response impracticable.

2.5 A determination to deny the request, in the event requested records or portions thereof are determined by IRWD to be withheld from disclosure as permitted or required by law, will be made in writing.

2.6 Requesters may be able to view some of the records or information they are seeking by visiting IRWD's website, www.irwd.com, where items of general interest are posted.

Section 3. Identification of Requested Records.

3.1 Any person who requests to inspect or obtain a copy of any IRWD public record must reasonably describe an identifiable record or records. IRWD will assist the requester in identifying records and information that is responsive to the purpose of the request, if stated; describe the format and location of records; and provide suggestions for overcoming any practical basis for denial of access. IRWD may also suggest that the requester provide additional descriptions or clarifications of the records or information sought, for the purpose of making a faster or more efficient response possible.

3.2 Any reasonably segregated portion of a record shall be provided after removal or redaction of information that is exempt from disclosure.

Section 4. Procedure for Inspection.

4.1 Inspection of public records may be made at IRWD's principal office, located at 15600 Sand Canyon Avenue, Irvine, California, during IRWD's office hours on any

business day (normally, 8:00 a.m. to 5:00 p.m., Monday through Thursday).

4.2 Inspection of public records will be permitted only in the presence of IRWD personnel. Special arrangements shall be made in advance with the District Secretary for the inspection of voluminous records. The General Manager or District Secretary or their designees may designate the time and place for inspection in order to avoid disruption and to protect the records. The person making the inspection will be seated at a convenient desk or table within sight of an IRWD staff member for record security purposes.

4.3 A person inspecting public records shall not destroy, mutilate, deface or alter any such record or remove it from the location designated for inspection. The record shall be returned in the same condition and order as received, either upon completion of the inspection or the verbal request of the supervising IRWD personnel. Unless such person attempts to alter or remove the contents of any record file or unless the close of the working day occurs before the completion of the inspection, necessitating its completion on another day, such person will not be disturbed by the staff member during the course of their inspection.

Section 5. Procedure for Obtaining Copies.

5.1 Copies of all IRWD public records are available to any person subject to the applicable fees listed in Exhibits "1" and "2" attached hereto.

5.2 Upon determination of the estimated number of pages, IRWD will advise the requesting party of the fee before making the copies, unless the requesting party has made payment in advance sufficient to satisfy the charges specified in this section. The fee shall be paid before the copies will be produced and made available for pickup.

5.3 Upon request, copies will be mailed or sent by other means following receipt from the requesting party of payment covering postage or other delivery cost.

Section 6. Materials Requiring Special Handling.

6.1 IRWD may use an outside copying service to make requested copies of voluminous documents, or oversize maps, blueprints, photographs, slides, audio tapes or other materials requiring special reproduction equipment. IRWD will either charge the outside service's charge to the requester, or instruct the requester to make arrangements to pay the outside service directly.

6.2 A person requesting copies of voluminous material may make arrangements with IRWD staff to send a professional copying service to IRWD's office to make copies of the requested records, and such arrangements will be accommodated to the extent space is available, the records will not be damaged and disruption of IRWD's operations will not occur. The staff of the professional copying service will be subject to the requirements and

procedures set forth in Section 4 for persons inspecting records.

Section 7. Electronic Records.

7.1 A record existing in an electronic format will be made available in an electronic format if requested, but only if it is possible to do so in a manner that does not jeopardize or compromise the security or integrity of the record or of any proprietary software in which it is maintained. Information in an electronic format shall be made available in any electronic format in which IRWD holds the information. Such format shall be determined by IRWD, provided that IRWD shall use a requested format if IRWD has used that format to create copies for its own use or for other agencies.

7.2 IRWD is not required to reconstruct an electronic record that is no longer available in electronic format.

7.3 Computer software, including computer mapping systems, computer programs and computer graphics systems, is not itself a public record.

Section 8. Withholding of Records.

8.1 A request for inspection or copies may be denied by IRWD as permitted or required by law. This includes records such as personnel records, pending litigation records or IRWD customer information.

8.2 To obtain more information on the types of records that are permitted or required to be withheld by IRWD from disclosure, please see California Government Code Sections 6254, 6255 and 6276. Other laws may apply.



IRVINE RANCH WATER DISTRICT

15600 Sand Canyon Ave., P.O. Box 57000, Irvine, CA 92619-7000 (949) 453-5300

Date: _____

IRWD PRINT CHARGES

Name: _____

Company: _____

Address: _____

City: _____

State: _____ Zip: _____

Telephone Number: _____

Description:

Quantity	Number of Pages / Size	Charge / Fee		Extended Total
	1-10 pages sent via email	No charge		
	11 pages and above will not be sent via email.	Hard copies - \$0.25 cents per page+ handling/postage fee and applicable tax.		
	11 pages and above will not be sent via email.	Electronic Copies via CD / DVD- \$5.00 per CD/DVD + handling/ postage fee and applicable tax.		
	8 ½" x 11" (Black and White or Color)	\$0.25	Per Page	
	8 ½" x 14" (Black and White or Color)	\$0.25	Per Page	
	11" x 17" (Black and White or Color)	\$0.25	Per Page	
	<u>MAPS / OVERSIZED</u>	<u>Print Charge</u>		
	18" x 24"	\$2.00		
	24" x 36" (Color)	\$20.00		
	24" x 36" (Black & White)	\$5.00		
	34" x 45" (Color)	\$35.00		
	34" x 45" (Black & White)	\$8.00		
	24" x 36" Mylar	Outside Service		
	Other = \$4.00 per square foot			

For faster service and no postage fee, please provide your Overnight Account: _____

Account Number: _____

Requested by: _____

Sub-Total:	_____
Sales Tax (8.00%)	_____
Handling/Postage:	_____
Total:	_____

Run & Distributed by: _____

Drawings are to be: _____ Mailed to Customer - Cashier's Check Received
 _____ Given to Cashier for Payment (Customer in Office)

Remarks / Special Instructions:

EXHIBIT 2

PUBLIC RECORDS ACCESS CHARGES

Retrieval – Political Reform Act

- Retrieval fee for copies of Political Reform Act reports and statements that are five or more years old \$5.00 per request (documents requested at the same time constitute a single request)

Electronic Format

- Production of electronic records Direct cost of production, if existing and available. Cost of production including the cost to construct the record, programming and computer services, if requested other than at regularly scheduled production interval, or data compilation, extraction or programming is required.

Board of Directors Meeting Tapes (retained by District up to one year and then destroyed per retention policy)


- Each meeting \$5.00


Exhibit "B"

Public Request Print Charge Agency Comparison

		Irvine Ranch Water District	Eastern Municipal Water District	Inland Empire Utilities Agency	Orange County Sanitation District
Copies		\$0.08	\$0.25 (50 + Pages)	\$0.10	\$0.10 (10+ Pages)
Maps	18" x 24"	\$2.00	\$1.75	\$2.00	N/A
	24" x 36" (Color)	\$20.00	\$13.50	\$2.00	N/A
	24" x 36" (Black & White)	\$5.00	\$5.15	\$2.00	N/A
	34" x 45" (Color)	\$35.00	\$28.40	\$2.00	N/A
	34" x 45" (Black & White)	\$8.00	\$5.00	\$2.00	N/A
	24" x 36" Mylar	Outside Service	\$8.75	\$2.00	N/A
	Other	\$4.00 per square foot	\$3.15 per square foot	\$2.00	N/A
Electronic Data	CD	\$5.00	\$5.00	\$1.00	N/A
	DVD	\$5.00	\$5.00	\$1.50	N/A
Board of Directors Meetings		Website	N/A	\$10.00	N/A
Fax		N/A	N/A	\$0.50	N/A
Board of Directors Agenda		Website	N/A	\$50.00/ Annually	N/A
Board of Directors Minutes		Website	N/A	\$50.00/ Annually	N/A
Postage		Current Rates	Current Rates	Current Rates	Current Rates
Plans / Specifications		Outside Service	N/A	\$25.00 Minimum	N/A

September 8, 2014

Prepared by: Alex Aguilar 

Submitted by: Rob Jacobson/Cheryl Clary 

Approved by: Paul Cook 

ACTION CALENDAR

REVISED DISTRICT RECORDS RETENTION SCHEDULE

SUMMARY:

Staff recommends that the Board approve a revised District Records Retention Schedule. The adoption of the revised retention schedule will continue to ensure that the District is in compliance with current laws, reduce records storage costs, increase efficiencies and take advantage of current recordkeeping technology.

BACKGROUND:

In June 2004, the Board approved the District's current Records Retention Schedule (Schedule) under Resolution No. 2004-57. Gladwell Governmental Services, Inc. (GGS), a consultant specializing in municipal recordkeeping requirements, developed the initial comprehensive Schedule for the District as required by law and the Schedule has not been updated since that time. GGS was retained again to update the District's Schedule (Revised Schedule) to meet current legal requirements. A copy of the proposed Revised Schedule and related resolution are attached as Exhibit "A" and Exhibit "B", respectively.

The Revised Schedule is necessary to comply with applicable laws, reduce current and future records storage costs, eliminate duplication of effort and increase efficiencies and take advantage of current technology. The Revised Schedule for IRWD was developed with all departments participating in the process. The Revised Schedule provides clear, specific records descriptions and retention periods for each of the District's departments. The respective Department Directors, District staff and legal counsel have reviewed and approved all Revised Schedules.

FISCAL IMPACTS:

Fiscal impacts are largely unquantifiable, but will reduce storage requirements and provide the District with a revised compliant Records Retention Schedule.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act (CEQA), Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee at its meeting on July 1, 2014.

RECOMMENDATION:

THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2014-___

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IRVINE RANCH WATER DISTRICT RESCINDING
RESOLUTION NO. 2004-57 AND ADOPTING A RECORDS
RETENTION SCHEDULE, AND AUTHORIZING DESTRUCTION
OF CERTAIN DISTRICT RECORDS

LIST OF EXHIBITS:

Exhibit "A" – Revised Records Retention Schedule
Exhibit "B" – Resolution

Exhibit "A"

HOW TO USE RETENTION SCHEDULES

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A legend explaining the information presented in the retention schedule has been printed on the back of each page for your easy reference; an index to locate records is also provided.

The specified retention period applies regardless of the media of the record: If a record is stored on paper and a computer file on a hard drive, both records should be destroyed (or erased) after the specified period of time has elapsed.

Copies or duplicates of records should never be retained longer than the prescribed period for the original record.

STRUCTURE: DISTRICTWIDE, DEPARTMENTS & DIVISIONS

The District-wide retention schedule includes those records all departments have in common (letters, memorandums, purchase orders, etc.). These records are NOT repeated in the Department retention schedule, unless that department is the Office of Record, and therefore responsible for maintaining the original record for the prescribed length of time.

Each department has a separate retention schedule that describes the records that are unique to their department, or for which they are the Office of Record. Where appropriate, the department retention schedules are organized by Division within that Department. If a record is not listed in your department retention schedule, refer to the District-wide retention schedule. An index will be provided for your reference.

BENEFITS

This retention schedule has been developed by Diane R. Gladwell, MMC, an expert in Municipal Government records, and will provide the District with the following benefits:

- Reduce administrative expenses, expedite procedures
- Free filing cabinet and office space
- Reduce the cost of records storage
- Eliminate duplication of effort within the District
- Find records faster
- Easier purging of file folders
- Determine what media should be used to store records

For questions, please contact the Records Manager

Authorization to Destroy Records:

All original records that have exceeded their retention period must be authorized according to District Policies & Procedures prior to destroying them.

Copies, drafts, notes and non-records do NOT require authorization, and can be destroyed "When No Longer Required."

- If there is a **minimum** retention ("When No Longer Required - **Minimum 2 years**"), it must be authorized before it is destroyed, as it is an original record.
- If there is **NOT** a minimum retention ("When No Longer Required"), it does NOT need to be authorized prior to destruction, as it is a preliminary draft / transitory record or a copy.

RECORDS RETENTION SCHEDULE LEGEND

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OFR (Office of Record): The department that keeps the original or "record copy." Usually it is the department that originates the record, unless the item is for a Board of Directors meeting (then it is the District Clerk or District Secretary.) "Lead Depart." refers to the division or department that maintains the original of a record where the records series is common to many departments (e.g. correspondence.)

Classification: The method of filing and retrieving records (File Number). This number may be tied into other systems to ensure accuracy.

Records Description / Folder Subject: The record series (a group of like records). "Records" shall include documents, instructions, books, microforms, electronic files, magnetic tape, optical media, or papers; as defined by the California Public Records Act.

Transitory Records not retained in the ordinary course of business: Preliminary drafts, notes, or interagency or intra-agency memoranda and records having only transitory value. Examples: Telephone messages, meeting room reservation schedules, logs, source records entered into a computer system that qualifies as a "trusted system", etc.

Retention/Disposition:
Active: How long the file remains in the immediate office area
Inactive: How long the file is in off-site storage, stored on Optical Disk or Microforms
Total Retention: The total number of years the record will be retained

For file folders containing documents with different retention timeframes, use the document with the longest retention time.

P = Permanent

Indefinite = No fixed or specified retention period; used for databases, because the data fields are interrelated.

Vital? = Those records that are needed for basic operations in the event of a disaster.

Media Options: The form of the record -
Mag = Computer Magnetic Media (hard drive, disks, tapes, etc.)
Mfr = Microforms (aperture cards, microfilm, microfiche, or jackets)
Ppr = Paper
OD = Optical Disk, CD, DVD or other media which does not allow changes

Scan / Import:
"S" indicates the record should be scanned into the document imaging system;
"I" indicates the record should be electronically imported into the document imaging system;
"M" indicates the record should be microfilmed

Destroy Paper after Imaged & QC'd: QC'd=Quality Checked. "Yes" indicates the paper version may be destroyed if the document has been imaged (microfilmed, scanned or imported onto Optical Disk – CD-R, WORM or DVD-R), and then each page Quality Checked ("QC'd").

Legend for legal citations (§: Section)

CC: Civil Code (CA)

CFC: California Fire Code

EVC: Evidence Code (CA)

FTB: Franchise Tax Board (CA)

HUD: Housing & Urban Develop. (US)

PC: Penal Code (CA)

UBC: Uniform Building Code

USC: United States Code (US)

WC: Water Code (CA)

B&P: Business & Professions Code (CA)

CCP: Code of Civil Procedure (CA)

CFR: Code of Federal Regulations (US)

FA: Food & Agriculture Code

GC: Government Code (CA)

LC: Labor Code (CA)

R&T: Revenue & Taxation Code (CA)

UFC: Uniform Fire Code

VC: Vehicle Code (CA)

CBC: California Building Code

CCR: California Code of Regulations (CA)

EC: Elections Code (CA)

FC: Family Code (CA)

H&S: Health & Safety Code (CA)

Ops. Atty. Gen.: Attorney General Opinions (CA)

UAC: Uniform Administrative Code

UPC: Uniform Plumbing Code

W&I: Welfare & Institutions Code (CA)

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
(OFR)									
<i>Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Safety & Training	DW-01	Accident or Damage Reports (District Vehicles)	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Until Settled	Mag, Mfr, OD, Ppr		Field Services maintains originals of all incident reports. Personnel maintains originals of employee injuries (workers compensation); GC §60200
Safety & Training	DW-02	Accident, Damage, Incident, Event or Injury Reports (Public or Employees)	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Until Settled	Mag, Mfr, OD, Ppr		Risk Management maintains originals of all incident reports; GC §60200
Finance / Accounts Payable	DW-03	Accounts Payable (Petty Cash, Invoices, Travel Expense Reimbursements, etc.)	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Until Paid	Mag, Ppr		Also see Grants. copies; GC §60200
Finance / Accounts Receivable	DW-04	Accounts Receivable (cash, checks, deposits, billing for property damage, etc.)	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Until Paid	Mag, Ppr		Financial Services Maintains Originals; GC §60200
Purchasing	DW-05	Agreements & Contracts - ALL Formal Contracts Financial (requires a Purchase Order): Includes RFPs/RFQs, Specifications, Successful Bids/Proposals/Scope of Work, Amendments, Change Orders, Insurance Certificates, Notice of Completions) <u>Examples: Water Banking, Property Purchases, etc.</u>	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Before Completion	Mag, Mfr, OD, Ppr		Copies; All infrastructure improvements are permanent. Statute of Limitations for written contracts are four years from the date of breach; errors and omissions is 10 years; CCP §§337., 337.1(a), 337.15 GC §60200, Contractor has retention requirements in 48 CFR 4.703

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Records Series No.	Records Description		Retention / Disposition				Comments / Reference	
				Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?		Media Options
(OFR)									
Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.									
Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.									
Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.									
Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).									
GM / District Secretary	DW-06	Agreements - ALL <u>Informal Contracts Non-Financial</u> (Joint Use, JPAs, MOUs, etc)	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required	Yes: Before Completion	Mag, Mfr, OD, Ppr		Copies; Statute of Limitations for written contracts are four years from the date of breach; errors and omissions is 10 years; CCP §§337., 337.1(a), 337.15; GC §60200
Lead Department	DW-07	Agreements & Contracts - Financial & Non-Financial: ADMINISTRATIVE RECORDS (Correspondence, project schedules, certified payrolls, <u>Insurance Certificates, RFP,</u> etc. excludes drafts, notes, and transitory correspondence)	Completion + 10 years		Completion + 10 years		Mag, Mfr, OD, Ppr	S/I	Also see Grants. Covers E&O Statute of Limitations (insurance certificates are filed with agreement); Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers must retain their records for completion + 10 years; CCP §337 et. seq., GC §60201
Lead Department	DW-08	Agreements & Contracts: Unsuccessful bids <u>or proposals</u> (traditional - not on-line bidding)	Bid Opening +2 years		Bid Opening +2 years		Ppr		District records are a minimum of 2 years; Special Districts are required to keep public works unaccepted bids for 2 years; GC §60201(d)(11)
Purchasing	DW-09	Agreements & Contracts: Unsuccessful On-Line Bids	P		P		Mag, OD		District preference for ease of management; GC §60201(d)(11)
Special Projects & Audit	DW-10	Audits - District	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required		Mag, Ppr		GC §60200
	DW-11	Bids: See Agreements							

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
(OFR)										
<i>Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Finance / Admin.	DW-12	Bluebooks Financial Information on Operations, Construction & Statistics	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Until Paid	Mag, Ppr			copies; GC §60200
Engineer. & Planning OR Water Resources	DW-13	Blueprints, Drawings or Plans (Finals, As Built)	Copies - When No Longer Required		Copies - When No Longer Required	Yes	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2-years	Copies; Water Resources keeps recycled water plans; managed through GIS; GC §60201 et seq.
Staffing Dept.	DW-14	Boards, Commissions, & Committees: Board Subcommittees comprised solely of Board Members (All records)	2 years		2 years		Mag, Ppr			Subcommittees can not take action -- all recommendations go to the full Board; Brown Act challenges must be filed within 30 or 90 days of action; GC §§60201, 54960.1(c)(1)
	DW-15	Brochures: See Reference Manuals								
	DW-16	Budget Reports: See Financial Reports								
Finance	DW-17	Budgets - Finals, Drafts, Reports	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Current Fiscal Year	Mag, Mfr, OD, Ppr			GC §§60200, 53901
GM / District Secretary or Human Resources	DW-18	Claims / Litigation	Copies - When No Longer Required		Copies - When No Longer Required	Yes: Before Settlement	Mag, Mfr, OD, Ppr			GC §§60200, 60201 et seq.
GM / District Secretary	DW-19	Committees - Subcommittees of the Board of Directors (AGENDA PACKETS, MINUTES & BYLAWS)	Copies - When No Longer Required		Copies - When No Longer Required	Yes	Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 2-years	Notes taken to facilitate the writing of the minutes can be destroyed after minutes have been adopted; GC §34090

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Records Series No.	Records Description		Retention / Disposition				Comments / Reference		
				Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?		Media Options	Image: I=Import M=Mfr S=Scan
(OFR)										
<i>Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Lead Dept.	DW-20	Committees or Task Forces: Internal (e.g. Records Management Committee, etc.)	2 years		2 years		Mag, Ppr		GC §60201	
	DW-21	Committees, Task Forces, Associations, Commissions, & Boards: External Organizations (e.g. Association of California Water Agencies, etc.)	When No Longer Required		When No Longer Required		Mag, Ppr		Non-records	
	DW-22	Contracts: See Agreements								
	DW-23	Copies or duplicates of any record	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required		Mag Ppr		GC §60200	
Lead Dept.	DW-24	Correspondence - Establishing Policy (documents formation of policies or decision making process.)	Until Superseded	Superseded + 2 years	Superseded + 2 years		Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> Superseded	Statewide guidelines propose Superseded + 2 or 5 years; GC §60201
Lead Dept.	DW-25	Correspondence - Regulatory Agencies	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years	Yes: While Active Issues	Mag, Ppr			Some correspondence from Regulatory Agencies need to be retained for long periods of time; GC §60201

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
(OFR)									
Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.									
Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.									
Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.									
Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).									
Dept. that Authors Document or Receives the City's Original Document Lead Dept.	DW-26	Correspondence - Routine (e.g. Administrative, Chronological, General Files, Letters, Memorandums, Miscellaneous Reports, Reading, Working Files, etc. Does NOT include Regulatory Agency Correspondence)	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Ppr		District preference: GC §60201
Dept. that Authors Document or Receives the City's Original Document Lead Dept.	DW-27	Correspondence - TRANSITORY / PRELIMINARY DRAFTS, Interagency and Intraagency Memoranda not retained in the ordinary course of business (e.g. calendars, checklists, e-mail or social media posting <u>NOT made or retained for the purpose of preserving the informational content for future reference, that does not have a material impact on the conduct of business</u> , invitations, instant messaging, logs, mailing lists, meeting room registrations, supply inventories, telephone messages, transmittal letters, thank yous, requests from other cities, undeliverable envelopes, visitors logs, voice mails, webpages , etc.)	When No Longer Required		When No Longer Required		Mag, Ppr		Electronic and paper records are filed and retained based upon their content. E-mails, electronic records, or social media postings that ARE made or retained for the purpose of preserving the informational content for future reference. E-mails that have a material impact on business are saved outside the e-mail system by printing them out and placing them in a file folder, or saving them electronically; GC §60201, GC §6252

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Records Series No.	Records Description		Retention / Disposition				Comments / Reference	
				Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?		Media Options
(OFR)									
<i>Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Lead Dept. Responsible for Resolution	DW-28	Customer Issues and Concerns (excludes Clean Water Act)	Final Disposition + 5 years		Final Disposition + 5 years	Yes: Before Resolution	Mag, Ppr		Statute of Limitations for public official misconduct is discovery of offense + 4 years ; State and Fed laws is until final disposition of formal complaint; State requires 2 years after action; EVC § 1045, GC §§12946, 60201; PC §§801.5, 803(c), VC §2547
Lead Dept.	DW-29	Drafts & Notes: Drafts that are revised (retain final version)	When No Longer Required		When No Longer Required		Mag, Ppr		As long as the drafts and notes are not retained in the "Regular Course of Business". Consult the City Attorney to determine if a record is considered a draft. GC §§60201, 6252, 6254(a)
Lead Dept.	DW-30	Equipment Diagrams, Instructions, Manuals, Specifications and Warrantees	Until Disposal of Equipment		Until Disposal of Equipment	Yes	Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> Inactive RFPs, contracts & agreements are maintained for appropriate periods; GC §60201
Lead Dept.	DW-31	Equipment Inventories, Parts lists	5 years		5 years		Mag, Ppr		Meets auditing standards; Fixed Asset Inventory is maintained by Financial Services for a longer period; GC §60201 et seq.
Finance	DW-32	Fitness Program	5 years		5 years		Mag, Ppr		Meets auditing standards; Detailed costs are kept in Lead Department (summaries are forwarded to Finance); GC §60201 et seq.

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Records Series No.	Records Description		Retention / Disposition				Comments / Reference
				Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	
(OFR)								
Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.								
Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.								
Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.								
Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).								
Lead Dept.	DW-33	GIS database	<u>When No Longer Required</u> When Superseded	<u>When No Longer Required</u> When Superseded	Yes	Mag.		<u>If the lead department wants to save historical data, they should save a historical output or data. Department Preference (preliminary records used to produce final documents). GC §60201 et seq.</u> Department Preference (Preliminary documents); the Lead Department should print out historical documents prior to replacing the data, GC §60200, 60201 et seq.
Finance	DW-34	Grants / CDBG (SUCCESSFUL - all records, including FEMA claims)	2 years	After Funding Agency Audit, if Required - Minimum 7 years	After Funding Agency Audit, if required - Minimum 7 years		Mag, Ppr	District preference; Meets auditing standards; Grants covered by a Consolidated Action Plan are required for 5 years; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; statewide guidelines propose 4 years; 7 CFR 3016.42; 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), 92.505, 570.490, & 570.502(a&b), 28 CFR 66.42; 29 CFR 97.42; 40 CFR 31.42; 44 CFR 13.42; 45 CFR 92.42; OMB Circular A-110 & A-133; ; GC §60201

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Records Series No.	Records Description		Retention / Disposition				Comments / Reference	
				Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?		Media Options
(OFR)									
<i>Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Lead Dept.	DW-35	Grants: UNSUCCESSFUL (Applications, Correspondence, etc.)	2 years		2 years		Mag, Ppr		GC §60201
Lead Dept.	DW-36	Incidents: Violations, Spills, Investigations and Corrective Actions	Last Action + 3 years		Last Action + 3 years	Yes: Before Resolution	Mag, Mfr, OD, Ppr		Code of Federal Regulations requires 3 years; 40 CFR 122.41(j)(2) & 40 CFR 141.33(b)
	DW-37	Invoices - see Accounts Payable							
Engineering	DW-38	Master Plans (Water System, Water Availability, Urban Water Master Plan, etc.)	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required	Yes	Mag, Mfr, OD, Ppr		Copies; GC §60200
Safety & Training	DW-39	Material Data Safety Sheet (MSDS) / Chemical Use Report Form	<u>Copies -</u> When Chemical No Longer Used		<u>Copies -</u> When Chemical No Longer Used		Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> Inactive Safety & Training is OFR (Copies); GC §60200
GM / District Secretary	DW-40	Ordinances (these are copies)	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required	Yes	Mag, Mfr, OD, Ppr		Originals maintained by Clerk of the Board Permanently; GC §60201

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Records Series No.	Records Description		Retention / Disposition					Comments / Reference
				Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	
(OFR)									
<i>Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Human Resources	DW-41	Personnel Files - Department-level Supervisor's Notes . Personnel files are maintained by Human Resources	Only Supervisors Notes are Maintained in Departments (Supervisors notes should be destroyed after incorporation into the employee's annual performance review)		Only Supervisors Notes are Maintained in Departments (Supervisors notes should be destroyed after incorporation into the employee's annual performance review)	Before Separation	Mag, Ppr		Ensure records kept in Department files comply with District policy; Originals are maintained by Personnel and departments should not have "personnel files" in their department. Supervisors notes should be incorporated in the employee's annual performance review; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 60201
	DW-42	Policies & Procedures - See Reference Manuals							
Public Affairs	DW-43	Press Releases / News Releases	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr		Copies; GC §60200
Lead Dept.	DW-44	Public Records Act Requests	2 years		2 years		Mag, Ppr		GC §60201(d)(5)
Finance / Purchasing	DW-45	Purchase Orders	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr		Purchasing maintains originals; Financial records are audited annually; GC §60200
Finance / Admin.	DW-46	Records Destruction Lists	Send to Finance		Send to Finance		Mag, OD, Mfr, Ppr		GC §60201(b)(1)(B)

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Records Series No.	Records Description		Retention / Disposition					Comments / Reference	
				Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
<i>Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Lead Dept.	DW-47	Reference Materials: Policies, Procedures, Brochures, Manuals, & Reports: <u>Produced by OTHER Departments</u>	When Superseded		When Superseded		Mag, OD, Mfr, Ppr			Copies; GC §60200
Lead Dept.	DW-48	Reference Materials: Policies, Procedures, Brochures, Manuals, & Reports: <u>Produced by OUTSIDE</u>	When No Longer Required		When No Longer Required		Mag, Ppr			Non-Records
Lead Dept.	DW-49	Reference Materials: Policies, Procedures, Brochures, Manuals, & Reports: <u>Produced by YOUR Department</u>	Minimum of Superseded + 2 years		Minimum of Superseded + 2 years		Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> Superseded	Documents of historical significance should be retained longer; GC §60201
	DW-50	Reference or Working Files: See Correspondence								
Lead Dept.	DW-51	Reports and Studies - White Papers, Issue Papers, Scientific Studies (other than Annual Reports - e.g. Water Rate Study)	Minimum 2 years		Minimum 2 years		Mag, Ppr			GC §60201
Finance	DW-52	Reports: Financial Reports (e.g. Encumbrance, Labor, Budget, etc.)	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> Inactive	Financial Services is OFR; GC §60200
GM / District Secretary	DW-53	Resolutions - Water District Board	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required	Yes, depending upon subject	Mag, Mfr, OD, Ppr	S	No	copies; GC §60200

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
<i>Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Lead Dept.	DW-54	Surveys / Questionnaires (that the District issues). If a summary of the data is compiled, the survey forms are considered a draft or transitory record, and can be destroyed when no longer required.	2 years		2 years		Mag, Ppr		GC §§60200, 60201
Finance	DW-55	Time Sheets & Payroll Leave Requests (all on-line)	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required		Ppr		GC §60201
Lead Dept.	DW-56	Training (In-house training - Attendance Rosters, Outlines and Materials)	2 years	5 years	7 years		Mag, Mfr, OD, Ppr	S Yes: <u>After QC & 30 days</u> Inactive	Department preference; Ethics Training is 5 years; Statewide guidelines propose 7 years; Calif. Labor Division is required to keep their OSHA records 7 years; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years for personnel actions; 8 CCR §3203 et seq., 29 CFR 1627.3(b)(ii), LC §6429(c); GC §§12946, 60201, 53235.2(b)

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record	Records Series No.	Records Description		Retention / Disposition					Comments / Reference	
				Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
(OFR)										
<i>Retentions apply to the department that is NOT the Office of Record (OFR) or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Copies, drafts, notes and non-records do not require authorization, and can be destroyed when they are no longer required.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Dept. Providing Service / Work	DW-57	Work Orders / Maintenance Requests / Service Requests ON TabWare / CMMS Database (Computerized Maintenance Management System)	Indefinite		Indefinite			Mag Ppr		Data is interrelated; GC §60201
Dept. Providing Service / Work	DW-58	Work Orders / Maintenance Requests / Service Requests NOT on TabWare / CMMS (Department providing service retains originals; department requesting service is considered a copy)	3 years		3 years			Mag Ppr		Consistent with Operational Complaints; CCP §§338 et seq., 340 et seq., 342, GC §§945.6, GC §60201

RECORDS RETENTION SCHEDULE - CUSTOMER SERVICE

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Customer Service	CS-01	Customer Applications (paper) <u>New Development / Residential tract files (includes all, including custom)</u>	2 years	3 years	2 5 years		Mag, Ppr		Meets auditing standards; GC §60201
Customer Service	CS-02	Customer Correspondence (letters from and to customers)	2 years		2 years		Mag, Ppr		GC §60201
Customer Service	CS-03	Customer Service Database - CSR Database	Indefinite		Indefinite		Mag		Data is interrelated; GC §60201
Customer Service	CS-04	Customer Service Requests (CSRs)	2 years		2 years		Mag, Ppr		GC §60201
Customer Service	CS-05	Daily payment receipt logs (computerized)	3 Months When No Longer Required		3 Months When No Longer Required		Mag, Ppr		Drafts and Preliminary Documents; GC §60200
Customer Service	CS-06	Direct Debit Authorizations	When Account Closed (minimum 2 years)		When Account Closed (minimum 2 years)	Yes: Until Account Closed	Mag, Ppr, Mfr, OD	S	No Department Preference; GC §60201
Customer Service	CS-07	Fire Flow applications	1 year 2 years		1 year 2 years		Mag, Ppr		UFC §2-5.7, GC §34090
Customer Service	CS-08	Meter Books / Route Books ("101" books)	4 years		4 years		Mag, Ppr		Finances uses these for 4 years; GC §60201
Customer Service	CS-09	Monthly Water Use Report	2 years	3 years	2 5 years		Mag, Ppr		Meets auditing standards; GC §60201
Customer Service	CS-10	On/off orders, work orders to operations	3 years		3 years		Mag, Ppr		Department Preference; GC §60201
Customer Service	CS-11	Postage Receipts	2 years	5 years	7 years		Mag, Ppr		Meets auditing standards; GC §60201

RECORDS RETENTION SCHEDULE - CUSTOMER SERVICE

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Customer Service	CS-12	Reports, Month-end Account Summaries	When No Longer Required		When No Longer Required		Mag, Ppr		Draft / Preliminary documents used to produce final year-end general ledger (financial database is the original); GC §60201
Engineering / Planning	CS-13	Residential tract files (includes all, including custom)	Copies - 2 years When No Longer Required		Copies - 2 years When No Longer Required		Mag, Ppr		Copies; GC §60200
Customer Service	CS-14	Santa Ana Heights Stock Certificates (IRWD purchased this mutual water district)	Purchase + 2 years	5 years	Purchase + 7 years		Mag, Ppr		Meets auditing standards; GC §60201
Customer Service	CS-15	Los Alisos Water Applications Sub ledgers - residential and commercial billing	After Expiration 2 years	5 years	After Expiration 7 years		Mag, Ppr		Department Preference; Meets auditing standards; GC §60201
Customer Service	CS-16	Subject / Resource / Project Files	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)		Mag, Ppr		Department Preference; GC §60201
Customer Service	CS-17	Tactical Measures (Performance Measurement)	2 years		2 years		Mag, Ppr		GC §60201
Customer Service	CS-18	Temporary Construction Meters - new applications / transfers / billing	2 years		2 years		Mag, Ppr		GC §60201
Customer Service	CS-19	Tract Releases / Occupancy Releases and Maps / Non-Residential Applications - (Residential & Tracts)	5 years		5 years		Mag, Ppr		Department preference (maps to locate service); GC §60201

RECORDS RETENTION SCHEDULE - CUSTOMER SERVICE

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Customer Service	CS-20	Variance <u>Applications</u>	2 years	<u>P</u>	<u>P</u> 2 years		Mag, Ppr, Mfr, OD	<u>S</u> <u>Yes: After QC & 30 days</u>	<u>Department Preference: GC §60201</u>
Customer Service	CS-21	Work orders to operations	3 years		3 years		Mag, Ppr, Mfr, OD	<u>S</u> <u>Yes: After QC & 30 days -inactive</u>	<u>Department Preference: GC §60201</u>
Customer Service	CS-22	Work Schedules, Jobs, Routes	<u>When No Longer Required</u> 2 years		<u>When No Longer Required</u> 2 years		Mag, Ppr		GC §60201

RECORDS RETENTION SCHEDULE: ENGINEERING and PLANNING

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
CONSTRUCTION SERVICES										
Engineering / Plann. — Technical Services	ECS-01	Project Files (In Engineering Library)	Transfer to Engineering Library		Transfer to Engineering Library	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Department Preference (central library maintains all completed project files)
Engineering / Plann. — Construct. Services	ECS-02	Underground Service Alerts (USA) Utility Cuts, etc. for District Projects	3-2 years		3-2 years		Mag, Ppr			Required for 3 years: the warrantee period for work done is usually 5 years, the Statute of Limitations for some work may be up to 10 years; CGP §337 et seq., GC §§4216.2(d) & 4216.3(d), 60204
CAPITAL PROJECTS & OPERATIONS SUPPORT DESIGN										
Engineering / Capital Projects & Operations Support Plann. — Design	ECP-01 EDE-04	Preliminary Studies / Project Assessments (Not Acquired or Built)	Transfer to Engineering Library After there is No Activity for 3 years		Transfer to Engineering Library After there is No Activity for 3 years		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Inactive	Department Preference (central library maintains all completed project files)
Engineering / Capital Projects & Operations Support Plann. — Design	ECP-02 EDE-02	Project Files / Capital Improvement Projects (In Engineering Library)	Transfer to Engineering Library		Transfer to Engineering Library	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2 years	Department Preference (central library maintains all completed project files)

RECORDS RETENTION SCHEDULE: ENGINEERING and PLANNING

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference			
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)											
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>											
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>											
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>											
DEVELOPMENT SERVICES											
GM / District Secretary	EDS-01	Bills of Sale / Bond Exoneration	<u>Copies - When No Longer Required</u>		<u>Copies - When No Longer Required</u>			Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> 2-years	Copies; GC §60200
Engineering / Plann. Develop. Services	EDS-02	Development Project Files (Engineering Library) - Administration File: Project Administration, Performance Bonds/Surety, Project Schedules, Cost of Construction, Logs, Insurance Certificates from Contractors, Correspondence, etc.	<u>Transfer to Engineering Library Upon Project Completion</u>	10-years-or-After-Funding-Agency-Audit, if required, whichever is longer	<u>Transfer to Engineering Library Upon Project Completion</u> + 10-years-or-After-Funding-Agency-Audit, if required, whichever is longer	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> 1-year	Statute of Limitations for written contracts are four years from the date of breach; errors and omissions is 10 years; Death during construction is 10 years; CCP §§337., 337.1(a), 337.15 GC §60200, Contractor has retention requirements in 48 CFR 4.703	
Engineering / Plann. Develop. Services	EDS-03	Development Project Files (Engineering Library) - Permanent File: Plans, Specifications, Materials Testing Reports, Environmental, Feasibility Studies, Notice of Completion, Record Drawings ("As Builts"), Regulatory Agency Approvals, Soils Reports, Structural Calculations, Surveys, etc.	<u>Transfer to Engineering Library Upon Project Completion</u>	P	<u>Transfer to Engineering Library Upon Project Completion</u> P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> 1-year	<u>Department Preference (central library maintains all completed project files)</u> For disaster preparedness purposes; GC §60201 et seq.	

RECORDS RETENTION SCHEDULE: ENGINEERING and PLANNING

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Engineering / Plann. Develop. Services	EDS-04	Water Availability Letters / Will Serve Letters	<u>Transfer to Engineering Library Upon Project Completion</u> 10 years	P	<u>Transfer to Engineering Library Upon Project Completion</u> 10 years		Mag, <u>Mfr, OD,</u> Ppr	S	Yes: <u>After QC & 30 days</u> 1-year	Department Preference; GC §60201

RECORDS RETENTION SCHEDULE: ENGINEERING and PLANNING

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
(OFR)									
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>									
ENGINEERING LIBRARY									
Engineering / Plann- Engineering Library	ELB-01	Chron File (<u>Copies of Correspondence</u>)	<u>When No Longer Required</u> 2-years		<u>When No Longer Required</u> 2-years		Mag, Ppr		<u>Copies</u> ; GC §60200
Engineering / Plann- Engineering Library	ELB-02	Engineering Project Files (Engineering Library) - Administration File: Project Administration, Performance Bonds/Surety, Project Schedules, Certified Payrolls, Cost of Construction, Logs, Insurance Certificates from Contractors, Correspondence, Advertising, Labor Compliance, Temporary Encroachment Permits, etc.	Upon Completion	10 years or After Funding Agency Audit, if required, whichever is longer	Completion + 10 years or After Funding Agency Audit, if required, whichever is longer	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> 4-year Statute of Limitations for written contracts are four years from the date of breach; errors and omissions is 10 years; Death during construction is 10 years; CCP §§337., 337.1(a), 337.15 GC §60200, Contractor has retention requirements in 48 CFR 4.703

RECORDS RETENTION SCHEDULE: ENGINEERING and PLANNING

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Engineering / Plann- Engineering Library	ELB-03	Engineering Project Files (Engineering Library) - Permanent File: Plans, Specifications, RFPs / RFQs, Materials Testing Reports, Easements , Environmental, Feasibility Studies, Notice of Completion, Record Drawings ("As Builts"), Operations and Maintenance Manuals / Project Manuals , Regulatory Agency Approvals, Soils Reports, Structural Calculations, Surveys / Records of Survey , Permanent Encroachment Permits, EIRs, Negative Declarations, Materials Submittals, SAMPs, Rights of Way / Rights to Enter, etc.	Upon Completion	P	P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 1-year	For disaster preparedness purposes; GC §60201 et seq.
Water Resources / Environ. Quality	ELB-04	CEQA / NEPA Documents: Prepared by District (Environmental Impact Reports (EIRs), Environmental Assessments, Negative Declarations, etc)	Maintained in Project File		Maintained in Project File	Yes: Until Project Completed	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Copies usually filed in Project File (Water Resources is OFR); GC §60200
Water Resources / Environ. Quality	ELB-05	CEQA / NEPA Documents: Prepared by Others (District comments) (Environmental Impact Reports (EIRs), Environmental Assessments, Negative Declarations, etc)	When No Longer Required		When No Longer Required	Yes: Until Project Completed	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Copies usually filed in Project File (Water Resources is OFR); GC §60200

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
Engineering / Plann. - Engineering Library	ELB-06	Plans - Landscaping, Engineering	P No Activity for 3 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: 2 years After Inactive	Transferred from Water-Operations; Department Preference; GC \$60201
Engineering / Plann. - Engineering Library	ELB-07	Preliminary Studies / Project Assessments (Not Acquired or Built)	No Activity for 3 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Inactive	Department Preference; GC \$60201
Engineering / Plann. - Engineering Library	ELB-08	Well Data	P		P		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Inactive	Department Preference; GC \$60201
OPERATIONS SUPPORT										
Engineering / Plann. - Technical Services	EOS-01	Project Files (In Engineering Library)	Transfer to Engineering Library		Transfer to Engineering Library	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2 years	Department Preference (central library maintains all completed project files)

RECORDS RETENTION SCHEDULE: ENGINEERING and PLANNING

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
TECHNICAL SERVICES & MASTER PLAN										
GM / District Secretary	ETS-01	Annexation documents	<u>Copies - When No Longer Required</u>		<u>Copies - When No Longer Required</u>	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> 1 year	District Clerk Maintains Originals; GC §60201
Engineering / Plann- Technical Services	ETS-02	CADD (Computer Aided Drafting and Design) database	<u>When No Longer Required</u> Indefinite		<u>When No Longer Required</u> Indefinite	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> 2 years	Infrastructure drawings; GC §60201
Engineering / Plann- Technical Services	ETS-03	Manuals- Project Manuals, Operations & Maintenance, etc.	Transfer to- Engineering Library Project Completion + 1 year	P	Transfer to- Engineering Library P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 1 year	Department preference; GC §60201
Engineering / Plann- Technical Services	ETS-04	Maps & Drawings: Planning Maps, Base (system) Maps, Annexation Maps, Records of Survey	<u>When No Longer Required</u> Completion + 1 year	P	<u>When No Longer Required</u> P	Yes (all)	Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> 1 year	Record Drawings are maintained in the Engineering Library. Drafts should be destroyed; Some maps are also retained by Planning; Selected maps are retained in Public Works for administrative purposes; GC §60201, 60200
Engineering / Plann- Technical Services	ETS-05	Reference / Subject Files: Agencies, Cities, etc. (Contains some IRWD Materials)	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)		Mag, Ppr			Department Preference; GC §60201

RECORDS RETENTION SCHEDULE: ENGINEERING and PLANNING

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference			
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)											
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>											
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>											
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>											
Engineering / Plann. Technical Services	ETS-06	Reference Materials: Books, Catalogues, etc.	When No Longer Required		When No Longer Required			Mag, Ppr			non-records
Engineering / Plann. Technical Services & Water Operations	ETS-07	Wells, Well Data , Depth to Water measurements, Sounding, Compiled reports	P		P			Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2 years	Department Preference; GC §60201

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i> <i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i> <i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
FINANCE / ADMINISTRATION / CONTROLLER / GENERAL LEDGER										
Finance / Controller Admin.	FIN-01	Ad Valorem Taxes / Property Taxes	2 years	3 5 years	5 7 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days	Department Preference; IRS: 4 years after tax is due or paid (longer for auditing & contractor delinquency); Ca. FTB: 3 years; IRS Reg §31.6001-1(e)(2), 26 CFR §1.6001-1, R&T §19530, GC §60201
GM / District Secretary Finance / Admin.	FIN-02	Audit Management Letters (not CAFR)	2 years P	3 years	5 years P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Department preference (copies); Original is provided to the Board as part of the Agenda Packet; GC §60200 Department Preference for historical purposes; GC §60201
Finance / Controller	FIN-26	Audit Work Papers / GL Account Analysis	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days	Department Preference; (meets municipal government auditing standards); GC §34090
GM / District Secretary	FIN-03	Audited Financial Statements / Comprehensive Annual Financial Report (CAFR)	2 years When No Longer Required	3 years	5 years When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Department Preference for historical purposes; Department preference (copies); District Secretary retains original permanently; GC §60200 et seq.
Finance / Controller Audit	FIN-27 AU-02	Audits - Internal Audits / Spot Audits	2 years	3 years	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days	Department Preference; GC §60201
GM / District Secretary	FIN-04	Audits (Projects, Independent Audits)	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Department Preference for historical purposes; GC §60200

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Finance / Controller Admin.	FIN-05	Bluebooks: Financial Information on Operations, Construction & Statistics	2 years	8 years	10 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1 year	Department Preference; GC §60204
Finance / Controller Accounts Payable	FIN-28 FAP-03	Bank Statements and Trustee Statements, Fiscal Agent Statements , Trustee Statements , Investment Account Statements , Pars Statements , Bank Reconciliations , Daily Cash Summaries, Bank Deposits, Bank Transmittal Advice, Cashier's Reports	2 years	3-5 years	5-7 years		Mag, Ppr			Department Preference; Meets municipal government auditing standards; Published articles show 3 - 7 years; GC §60201, 26 CFR 31.6001-1
GM / District Secretary	FIN-06	Budgets: Adopted, Budget Hearing, Capital Budget, etc.	2 years When No Longer Required	3 years	5 years When No Longer Required	Yes: Current Fiscal Year	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1 year	Department Preference; District Secretary maintains originals; longer for administrative value; GC §60200
Finance / Controller Admin.	FIN-07	Budgets: Development, Drafts, etc.	When No Longer Required		When No Longer Required		Mag, Ppr			Department Preference; District Secretary maintains originals; longer for administrative value; GC §60200
Finance / Controller Admin.	FIN-08	Chart of Accounts (Print out if a software change is made in order to retain historical account numbers)	2 years	P	P	Yes	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1 year	Department Preference to research Year-end General Ledgers, which are retained permanently; GC §60201
Finance / Controller Accounts Payable	FIN-29 FAP-05	Checks - Canceled (Cashed) or Voided	2 years	5 years	7 years		Mag, Ppr			May contain independent contractor's compensation; Statute of Limitations is 4 years; Meets municipal government auditing standards; GC §60201(d)(12), CCP § 337

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Finance / Controller	FIN-30 FAP-05	Checks - Voided	1 year	1 year	2 years		Mag, Ppr			Department preference; GC §60201
GM / District Secretary	FIN-09	Connection Fees, Rates & Charges	2 years When No Longer Required	3 years	5 years When No Longer Required	Yes: Until superseded	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1 year	GC §60200
Finance / Controller Admin.	FIN-10	Customer Payments and Check Stubs	2 years	3-5 years	5-7 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1 year	Department Preference; GC §60201
Finance / Controller Admin.	FIN-11	Depreciation Schedules	2 years	P	P		Mag, Ppr	S / I	Yes: After QC & 30 days Inactive	Department Preference for GASB 34; Published articles show 7 years after disposal; GC §60201
Finance / Controller Admin.	FIN-12	Financial Reports: Journals, Ledgers, Reconciliations, Registers, Reports, Transaction Histories, Balance Sheets, Budget Adjustments (MONTHLY OR PERIODIC) Does NOT include year-end General Ledger.	When No Longer Required		When No Longer Required		Mag, Ppr			Draft / Preliminary documents used to produce final year-end general ledger (financial database is the original); GC §60201
Finance / Controller Admin.	FIN-13	Financial System Database	Indefinite		Indefinite		Mag			Data is interrelated; system qualifies as a "trusted system"; GC §§60201, 12168.7
Finance / Controller Admin.	FIN-14	Fixed Assets - Auction / Disposal / Sales / Surplused	2 years	3-5 years	5-7 years		Mag, Ppr			Consistent with Accounts Receivable; Statute of limitations is 3 years; statewide guidelines propose 2-4 years; published articles show 3-6 years; GC §60201, CCP §337

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?		
(OFR)											
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<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>											
Finance / Controller Admin.	FIN-15	Fixed Assets—Inventory— Schedule of Infrastructure and Buildings	10 years	P	P			Mag, Mfr, OD, Ppr	S/H	Yes: After QC & 30- days 1-year	Department Preference; GC- \$60201
Finance / Controller Admin.	FIN-16	Fixed Assets—Inventory— Schedule of Infrastructure and Buildings	2 years When No Longer Required	3 years	5 years When No Longer Required			Mag, Ppr			Department preference; Drafts or preliminary documents; GC- \$60201
Finance / Controller Admin.	FIN-17	General Ledger: Final year-end	2 years	P	P			Mag, Mfr, OD, Ppr	S/H	Yes: After QC & 30- days 1-year	Department Preference; Published articles show 3-7 years; GC \$60201
Finance / Controller Admin.	FIN-18	Improvement District Projects - <u>Bond Spending Documents</u> (Financial Documentation)	<u>Termination of Spend Down + 2 years Payoff of Warrants and Cost Allocation + 5 years</u>	<u>3 years</u>	<u>Termination of Spend Down + 5 years Payoff of Warrants and Cost Allocation + 7 years</u>	Yes: Until Bond Payoff		Mag, Mfr, OD, Ppr	S	<u>Yes: After QC & 30 days 1-year</u>	Covers auditing standards; GC \$60201
Finance / Controller Admin.	FIN-19	Journal Entries	2 years	8 5 years	<u>10</u> 7 years			Mag, Ppr			Department Preference; Statute of Limitations is 4 years; Published articles show 6-7 years; GC \$60201, CCP §337
Finance / Controller Admin.	FIN-20	Property Tax Receipts	2 years	3 5 years	<u>5</u> 7 years			Mag, Ppr			Department Preference; IRS: 4- years after tax is due or paid (longer for auditing & contractor delinquency); Ca- FTB: 3 years; IRS Reg §31.6001-1(e)(2), 26- CFR §1.6001-1, R&T §19530, GC \$60201

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?		
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>											
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>											
GM-/ District-Secretary	FIN-21	Rates and Charges	When No-Longer-Required		When No-Longer-Required			Mag, Ppr			Copies; GC §60200
Finance / Controller Admin- Lead-Dept.	FIN-22	Records Destruction Lists	10 years P		10 years P			Mag, OD, Mfr, Ppr	S/I	Yes: After QC & 30 days 4-year	Department Preference; GC §60201(b)(1)(B) Copies / Draft / Preliminary documents used to accurately administer financial data; GC §60200
	FIN-23	Special Project Files	When No-Longer-Required		When No-Longer-Required			Mag, Ppr			
Finance / Controller Admin-	FIN-24	State Controller's Report; <u>Local Government Compensation Report, etc.</u>	2 years	3-5 years	5-7 years			Mag, Mfr, OD, Ppr	S/I	Yes: After QC & 30 days 4-year	Department Preference; GC §60201
Finance / Controller Admin-	FIN-25	Vehicle Titles ("pink slips")	When Vehicle is Sold		When Vehicle is Sold			Mag, Mfr, OD, Ppr	S/I	Yes: After QC & 30 days 4-year	Provided to new owner; GC §60201
FINANCE / ACCOUNTS PAYABLE											
Finance / Accounts Payable	FAP-01	1099's Issued	2 years	3-5 years	5-7 years			Mag, Ppr			IRS: 4 years after tax is due or paid (longer for auditing & contractor delinquency); Ca. FTB: 3 years; Published articles show permanent; ; IRS Reg §31.6001-1(e)(2), R&T §19530, GC §60201(d)(12)

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Finance / Accounts Payable	FAP-02	Accounts Payable Source Records (includes Invoices, Receivers, Travel Expense Reimbursements, etc.)	2 years	8 5 years	10 7 years	Yes: Until Paid	Mag, Ppr			Department preference for Grant Auditing Purposes ; May contain independent contractor's compensation, expense reimbursement, or District credit card records; Meets municipal government auditing standards; Published articles show 3 - 7 years; GC §60201(d)(12)
Finance / Accounts Payable	FAP-03	Bank Statements and Trustee Statements, Fiscal Agent Statements, Trustee Statements, Investment Account Statements, Pars Statements, Bank Reconciliations, Daily Cash Summaries, Bank Deposits, Bank Transmittal Advice, Cashier's Reports	2 years	3-5 years	5-7 years		Mag, Ppr			Department Preference; Meets municipal government auditing standards; Published articles show 3 - 7 years; GC §60201, 26 CFR 31.6001-1
Finance / Accounts Payable	FAP-04	Check Registers	2 years	5 years	7 years		Mag, Ppr			Department Preference; Statute of Limitations is 4 years; Meets municipal government auditing standards; GC §60201, CCP § 337
Finance / Accounts Payable	FAP-05	Checks Canceled (Cashed) or Voided	2 years	5 years	7 years		Mag, Ppr			May contain independent contractor's compensation; Statute of Limitations is 4 years; Meets municipal government auditing standards; GC §60201(d)(12), CCP § 337

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
Finance / Accounts Payable	FAP-06	Grants (SUCCESSFUL all records)	2 years	After-Funding-Agency-Audit, if Required—Minimum 7 years	After-Funding-Agency-Audit, if required—Minimum 7 years	-	Mag, Ppr			Uniform Administration-Requirements for CDBG and other Federal grants is 3 years from the submission of the last expenditure report or annual report; 24 CFR 85.42 & 570.502(b); 29 CFR 97.42; GC §60201
Finance / Accounts Payable	FAP-07	Voided Vendor Check Worksheet (by Fiscal Year)	1 year	6 years	7 years		Mag, Ppr			All tangible property held by government agencies escheats after 3 years with notice publication.; Statute of Limitations is 1 year for seized property; Meets auditing requirements; CCP §§340(4); 1519; GC §60201
FINANCE / ACCOUNTS RECEIVABLE										
Finance / Accounts Receivable	FAR-01	Accounts Receivable Source Records (All Records and Reports)	2 years	3 5 years	5 7 years	Yes: Until Paid	Mag, Ppr			Department Preference; Meets municipal government auditing standards; Published articles show 3 - 7 years; GC §60201
Finance / Accounts Receivable	FAR-03	Customer Check Stubs	<u>1 year</u> When No-Longer-Required		<u>1 year</u> When No-Longer-Required		Mag, Ppr			Non-records
Finance / Controller Admin.	FIN-10	Customer Payments and Check Stubs	<u>2 years</u>	<u>3</u> 5 years	<u>5</u> 7 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1 year	Department Preference; GC §60201

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?		
(OFR)											
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>											
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>											
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>											
Finance / Accounts Receivable	FAR-02	Daily Cash Reports, Bank Deposits, Daily Banking Report, Cash Receipt Summary, Electronic Payment Report, Host File Summary Reports, Direct Debit Reports	2 years	3 5 years	5 7-years					Mag, Ppr	Department Preference; Meets municipal government auditing standards; Published articles show 3 - 7 years; GC §60201
Finance / Accounts Receivable	FAR-06	Daily Evapotranspiration (ETO) / ET / Weather Station Information	1 year 2-years	1 year 5-years	2 7-years					Mag, Ppr	Department Preference (will be in CC&B); Meets municipal government auditing standards; Published articles show 3 - 7 years; GC §60201
Finance / Accounts Receivable	FAR-05	Escheated Customer Payment Report (Write Offs)	1 year	4 5 years	5 7-years					Mag, Ppr	All tangible property held by government agencies escheats after 3 years with notice publication.; Statute of Limitations is 1 year for seized property; Meets auditing requirements; CCP §§340(4), 1519; GC §60201
Finance / Accounts Receivable	FAR-04	ET / Weather Station Information	2-years	P	P					Mag, Ppr	Department Preference; Meets municipal government auditing standards; Published articles show 3 - 7 years; GC §60201
Finance / Accounts Receivable Customer Service	FAR-07	Manual Billing Adjustments	1 year When No Longer Required	1 year	2 years When No Longer Required					Mag, Ppr	(will be in CC&B) Preliminary documents (customer service database is original); GC §60200. 60201 et seq.
Finance / Accounts Receivable	FAR-08	Miscellaneous Monthly Billing	2 years	3 5 years	5 7-years					Mag, Ppr	Department Preference; Meets municipal government auditing standards; Published articles show 3 - 7 years; GC §60201

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Finance / Accounts Receivable	FAR-09	Payment Stubs	<u>1 year</u> 2 years	<u>1 year</u> 5 years	<u>2</u> 7 years		Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> 1-year	Department preference for auditing purposes; Drafts / Preliminary documents; GC §60200, 60201
Finance / Accounts Receivable	FAR-10	Skips (Notes used to correct data)	<u>1 year</u> When No-Longer-Required	<u>1 year</u>	<u>2 years</u> When No-Longer-Required		Mag, Ppr			<u>(will be in CC&B)</u> Drafts / Preliminary documents; GC §60200, 60201
Finance / Accounts Receivable	FAR-11	Unpaid Debts / Returned Checks (Write-offs)	2 years	3-5 years	5-7 years		Mag, Ppr			(will be in CC&B) Debts are considered discharged when written off, negative credit information remains on credit reports for 7 years; GC §60201(d)(7)
Finance / Accounts Receivable	FAR-12	Utility Billing Log	<u>1 year</u> When No-Longer-Required	<u>1 year</u>	<u>2 years</u> When No-Longer-Required		Mag, Ppr			<u>(will be in CC&B)</u> Drafts / Preliminary documents; GC §60200, 60201
GM / District Secretary	FAR-13	Water / Sewer Rate Charges / Changes	When No-Longer-Required		When No-Longer-Required		Mag, Ppr			Copies; GC §60200
FINANCE / PAYROLL										
Finance / Payroll	FPY-01	DE-6 & 941 Forms - Quarterly Payroll Tax Returns	2 years	5 years	7 years		Mag, Ppr			Department Preference; IRS: 4 years after tax is due or paid (longer for auditing & contractor delinquency); Ca. FTB: 3 years; Published articles show permanent; ; IRS Reg §31.6001-1(e)(2), 26 CFR §1.6001-1, R&T §19530. GC §60201

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Finance / Payroll	FPY-02	Fringe Benefits: Employee Reimbursements (tuition reimbursement, etc.)	2 years	5 years	7 years		Mag, Ppr			Copies (originals retained in employee's Personnel File); retained to match other auditing periods; GC §60201 et seq.
Finance / Payroll	FPY-03	Garnishments (all records)	2 years	5 years	7 years		Mag, Ppr			Retained to match other auditing periods; GC §60201
Finance / Payroll	FPY-04	Labor Distribution Reports	When No Longer Required		When No Longer Required		Mag, Ppr			Payroll database is the original record; GC §60201
Finance / Payroll	FPY-05	Payroll File (taxes and deduction forms, etc.)	Separation + 7 years		Separation + 7 years		Mag, Ppr			Retained to match other auditing periods; GC §60201
Finance / Payroll	FPY-06	Payroll Reports / W-2 Payroll File (Detail Year-end)	2 years	P	P		Mag, OD, Mfr, Ppr	S/H	Yes: After QC & 30 days 1-year	For use in reconstructing hours for PERS service for employees; 29 CFR 516.5 - 516.6, GC §60201
Finance / Payroll	FPY-07	Payroll Reports (other than Detail Year End / W-2 Report)	When No Longer Required		When No Longer Required		Mag, Ppr			Draft / Preliminary documents used to produce final year-end general ledger (financial database is the original); GC §60201
Finance / Payroll	FPY-08	PERS Annual Reports	7 years		7 years		Mag, Ppr			PERS is OFR; retained to meet auditing standards; GC §60201 et seq.
Finance / Payroll	FPY-09	Timecards (prior to automated system)	7 years		7 years		Mag, Ppr			Department Preference to meet auditing standards; IRS requires 4 years; other State and Federal regulations require 2 years; FTB keeps 3 years; 8 CCR §11040.7(c); 29 CFR 516.6(a)(1); IRS Reg §31.6001-1(e)(2); R&T §19530; LC § 1174(d); 29 CFR 516.5; GC §60201 et seq.

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Finance / Payroll	FPY-11	W-2s and Report Payroll File- (year-end payroll)-	P		P			Mag, Ppr		For use in reconstructing hours for PERS service for employees; 29 CFR 516.5 - 516.6, GC §60201
Finance / Payroll	FPY-10	W-2's-	7-years		7-years			Mag, Ppr		IRS: 4 yrs after tax is due or paid; Ca. FTB: 3 years; Articles show 7 years; IRS Reg §31.6001-1(e)(2); R&T §19530; 29CFR 516.5 - 516.6; 29USC 436; GC §60201(d)(12)
PROJECT MANAGEMENT SYSTEM										
Finance / PMS	FMP-01	General Plant Files	When No Longer Required		When No Longer Required			Mag, Ppr		Copies; GC §60200
Finance / PMS	FMP-02	Miscellaneous Project Analyses / Work Sheets	When No Longer Required		When No Longer Required			Mag, Ppr		Preliminary or draft documents; GC §60201
Finance / PMS	FMP-03	Project Management Files (microfilmed - prior to 1996)	P		P			Mfr	S/H	Yes: After QC & 30 days 1-year Department Preference - affects fixed assets; GC §60200

RECORDS RETENTION SCHEDULE: GENERAL MANAGER and DISTRICT SECRETARY

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
ADMINISTRATION / GENERAL MANAGER										
GM / General Manager	GM-01	Association Records (external associations - e.g., ACWA, CASA, etc.)	When No Longer Required		When No Longer Required			Mag, Ppr		Non-records; GC §60201 et seq.
GM / General Manager	GM-02	Chron Files: Board Member and President Correspondence	Term of Office - Minimum 4 years		Term of Office - Minimum 4 years			Mag, Ppr		Administrative value to cover terms of office; GC §60201
GM / General Manager	GM-03	General Manager's Reports from Departments and Weekly Reports	4 years		4 years			Mag, Ppr		Administrative value to cover terms of office; GC §60201
GM / General Manager	GM-04	Non-Profit and JPA Records for which IRWD is NOT the Sponsoring / Lead Agency (IRWD is a member or participant only)	When No Longer Required		When No Longer Required			Mag, Ppr		Non-records (IRWD is not lead agency); GC §60201 et seq.
GM / General Manager	GM-05	Non-Profit and JPA Minutes, Agenda Packets, and Organizational Documents when IRWD IS the Sponsoring / Lead Agency	P		P			Mag, Mfr, OD, Ppr	S	No GC §60201
GM / General Manager	GM-06	Non-Profit and JPA Correspondence , other records when IRWD IS the Sponsoring / Lead Agency	2 years		2 years			Mag, Ppr		GC §60201
GM / General Manager	GM-07	Projects & Issues (Issues and/or projects will vary over time)	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years	Yes: While Active Issues		Mag, Ppr		GC §60201

RECORDS RETENTION SCHEDULE: GENERAL MANAGER and DISTRICT SECRETARY

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?		
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DISTRICT SECRETARY											
GM / District Secretary	DS-01	Affidavits of Postings and Publications	2 years		2 years			Mag, Ppr		Brown Act challenges must be filed within 30 or 90 days of action; Statute of Limitations on Municipal Government actions is 3 - 6 months. Statute of Limitations for mailings for annexations, special districts, bonds is 60 days; CCP §§337 et seq. 349.4; GC §§34090, 54960.1(c)(1)	
GM / District Secretary	DS-02	Agenda Packets - District Board of Directors, Subcommittees of the Board (Includes Agenda Staff Reports, Annotated Agendas, etc.)	P		P	Yes: Before Meeting Date		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Quality Checked	Department preference; GC §60201
GM / District Secretary	DS-03	Agreements - <u>ALL Informal Contracts Non-Financial</u> (Joint Use, JPAs, MOUs, <u>Water Banking, Property Purchasing</u> , etc)	P		P	Yes: Before Completion		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Inactive	Department Preference; All infrastructure, JPAs, & Mutual Aid contracts are permanent for emergency preparedness; Statute of Limitations is 4 years; 10 years for Errors & Omissions; CCP §§337. 337.1(a), 337.15, 343; GC §60201 et seq.
GM / District Secretary	DS-04	Agreements for Service / Service Applications from Developers	P		P	Yes: Before Expiration		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Inactive	Department Preference; Statute of Limitations is 4 years; 10 years for Errors & Omissions; CCP §§337. 337.1(a), 337.15, 343; GC §60201 et seq.

RECORDS RETENTION SCHEDULE: GENERAL MANAGER and DISTRICT SECRETARY

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			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
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GM / District Secretary	DS-05	Agreements Approved by District Board: Retirement Agreements (PERS)	P		P	Yes: Before Expiration	Mag, Mfr, OD, Ppr	S	No	EEOC / ADEA (Age) requires 1 year after benefit plan termination; State Law requires 2 years after action; 29 CFR 1627.3(b)(2); GC §§12946, 60201 et seq.
GM / District Secretary	DS-06	Annexations / Detachments	P		P		Mag, Mfr, OD, Ppr	S/I	No	GC § 60201
Treasury/ Invest & Cash Mgmt	DS-07	Annual Report from Bond Counsel	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & 30 days 1-year	Copies; GC §60200
GM / District Secretary	DS-08	Bill of Sales / Bond Exoneration (Development, Pipelines, etc.)	P		P		Mag, Mfr, OD, Ppr	S	No	Department preference - infrastructure; GC §60201
GM / District Secretary	DS-09	Bonds / Certificates of Participation (issued by the District)	Cancellat., Redemption or Maturity + 8 years		Cancellat., Redemption or Maturity + 10 years	Yes: Until Maturity	Mag, Mfr, OD, Ppr	S / I	No	Statute of Limitations for bonds or coupons is 10 years; There are specific requirements for disposal of unused bonds; CCP 337.5(2); GC §60201
GM / District Secretary & Risk Manage.	DS-10	Claims & Litigation - <u>Larger Cases</u> (except Personnel issues)	Final Disposition + 5 years		Final Disposition + 5 years	Yes: Until Final Disposition	Mag, Mfr, OD, Ppr	S / M / I	Yes: <u>After QC & 30 days Final Disposition</u>	Claim must be filed within 1 year, lawsuit within 2 years; complaints against peace officers within 5 years; Statute of Limitations for contracts is 4 years; wrongful death for construction is completion + 5 years; CCP §§ 337 et seq.; GC §§ 911.2, 945.6, 60201 et seq.
GM / District Secretary	DS-11	Conflict of Interest Code (<u>Resolution</u>)	P		P		Mag, Mfr, OD, Ppr	S	No	GC §60201

RECORDS RETENTION SCHEDULE: GENERAL MANAGER and DISTRICT SECRETARY

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GM / District Secretary	DS-12	Deeds, Easements, Conveyances, Condemnations and Property records (property acquisition files, including variances, title insurance and orders of condemnations, conservation easements, etc.)	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §60201(d)(8)
GM / District Secretary	DS-13	District Formation, Mergers, Boundary Changes, Organization or Reorganizations Approved by the Board	P		P		Mag, Ppr			Part of the Agenda Packet, which is maintained permanently; Required for formal changes to the district approved by the Board only; GC §60201
GM / District Secretary	DS-14	District Seal, Logo	P		P		Mag, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; GC §§60201, 54960.1(c)(1)
DISTRICT SECRETARY / ELECTIONS - CONSOLIDATED										
GM / District Secretary	DS-15	Chronological History of Board Members	P		P		Mag, Ppr			Historical Value; GC §60201
GM / District Secretary	DS-16	Elections - Campaign Reports (FPPC 400 Series Forms, : OTHER COMMITTEES (PACS))	7 years		7 years		Mfr, OD, Ppr	S	Yes: After 2 years	Paper must be retained for at least 2 years; GC §81009(c)&(g)
GM / District Secretary	DS-17	Elections - Campaign Reports (FPPC 400 Series Forms: THOSE NOT REQUIRED TO FILE ORIGINAL WITH District Secretary (copies))	4 years		4 years		Mfr, OD, Ppr	S	Yes: After 2 years	Candidate files with the County; Paper must be retained for at least 2 years; GC §81009(f)&(g)
GM / District Secretary	DS-19	Elections - Campaign Reports (FPPC 400 Series Forms & Form 501): UNSUCCESSFUL CANDIDATES	5 years		5 years		Mfr, OD, Ppr	S	Yes: After 2 years	Paper must be retained for at least 2 years; GC §81009(b)&(g)

RECORDS RETENTION SCHEDULE: GENERAL MANAGER and DISTRICT SECRETARY

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
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GM / District Secretary	DS-20	Elections - Campaign Reports & Form 501 (FPPC 400 Series Forms): SUCCESSFUL CANDIDATES	P		P		Mfr, OD, Ppr	S	Yes: After 2 years	Paper must be retained for at least 2 years; GC §81009(b)&(g)
GM / District Secretary	DS-21	Elections—Candidate Statements (to be printed in the sample ballot)	Duration of Office + 4 years		Duration of Office + 4 years		Ppr			Department Preference. No specific legal requirement; Statewide guidelines propose 4 years; recommend term + 4 years for administrative value. GC § 60201
GM / District Secretary	DS-22	Elections - Code of Fair Campaign Practices Pledge	30 days		30 days		Ppr			EC §20442
GM / District Secretary	DS-23	Elections - GENERAL, WORKING or ADMINISTRATION Files (Correspondence, Notices, Postings, Precinct Workers, County Election Services, etc.)	2 years		2 years		Mag, Ppr			Used for a model for the next election, GC §60201
GM / District Secretary	DS-24	Elections - HISTORICAL File (Sample ballot, <u>copies of</u> all Resolutions (calling the election, canvass, etc.), election summary)	8 years	P	P		Mag, Mfr, OD, Ppr	S	No	Retained for Historical Value, GC §60201
GM / District Secretary	DS-25	Elections - Petitions (Initiative, Recall or Referendum)	<u>Results or Final Examination if No Election + 8 months</u>		<u>Results or Final Examination if No Election + 8 months</u>		Ppr			Not accessible to the public; The 8 month retention applies after election results, or final examination if no election. Applies unless a legal/FPPC proceeding. EC §§17200, 17400

RECORDS RETENTION SCHEDULE: GENERAL MANAGER and DISTRICT SECRETARY

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
GM / District Secretary	DS-26	Resumes - Elected Officials	Term of Office + 4 years		Term of Office + 4 years			Mag, Ppr		Department Preference, GC-§60204
DISTRICT SECRETARY / ELECTIONS - STAND-ALONE (use in conjunction with Consolidated elections ... records series are not repeated)										
GM / District Secretary	DS-27	Absentee <u>Vote-by-Mail</u> Applications, Roster of Absentee Applications		6 mo.	6 mo.			Ppr		EC §17505
GM / District Secretary	DS-28	Absentee <u>Vote-by-Mail</u> Identification Envelopes		6 mo.	6 mo.			Ppr		EC §17302
GM / District Secretary	DS-29	Assessment District Ballots - <u>Prop 218 Notices, Mailing Lists, Ballots and/or Protest Letters (prop-218 proceedings)</u>		6 mo.	6 mo.			Ppr		GC §53753(e)(2) Department preference (consistent with other types of ballots; Statewide guidelines propose permanent); EC §§17302, 17306, CA Constitution Art. XIII
GM / District Secretary	DS-30	Elections - Ballots - After Election		6 mo.	6 mo.			Ppr		EC §17302
GM / District Secretary	DS-31	Elections - Ballots - After Recount		6 mo.	6 mo.			Ppr		EC §17306
GM / District Secretary	DS-32	Elections - Challenged & Assisted Voters List		6 mo.	6 mo.			Ppr		If uncontested, EC §17304
GM / District Secretary	DS-33	Elections - Inspector Receipts for Ballots		6 mo.	6 mo.			Ppr		EC 17302, 17306

RECORDS RETENTION SCHEDULE: GENERAL MANAGER and DISTRICT SECRETARY

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GM / District Secretary	DS-34	Elections - Nomination Papers: SUCCESSFUL CANDIDATES	Duration of Office + 4 years		Duration of Office + 4 years		Mag, Mfr, OD, Ppr		Department Preference; Statewide guidelines proposes 4 years for successful candidates, 2 years for unsuccessful; CA law states term of office and 4 years after the expiration of term and does not delineate between the two; EC §17100
GM / District Secretary	DS-35	Elections - Nomination Papers: UNSUCCESSFUL CANDIDATES	Election + 4 years		Election + 4 years		Mag, Mfr, OD, Ppr		Statewide guidelines proposes 4 years for successful candidates, 2 years for unsuccessful; CA law states term of office and 4 years after the expiration of term and does not delineate between the two; EC §17100
GM / District Secretary	DS-36	Elections - Precinct Maps	2 years		2 years		Mag, Ppr		No specific legal requirement; Statewide guidelines propose 2 years; County Clerk sends to Secretary of State; EC §17501, GC §60201
GM / District Secretary	DS-37	Elections - Precinct Officer Appointments		6 mo.	6 mo.		Ppr		EC §17503
GM / District Secretary	DS-38	Elections - Roster of Voters		5 years	5 years		Mag, Mfr, OD, Ppr		EC §17300
GM / District Secretary	DS-39	Elections - Tally Sheets		6 mo.	6 mo.		Ppr		EC §17304
GM / District Secretary	DS-40	Elections - Voter Index Copies used as the Voting Record at Polling Places		6 mo.	6 mo.		Ppr		EC §17304

RECORDS RETENTION SCHEDULE: GENERAL MANAGER and DISTRICT SECRETARY

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GM / District Secretary	DS-41	Elections - Voter Index Original		5 years	5 years		Ppr			EC §17001
(End of Elections Section)										
GM / District Secretary	DS-58	Ethics Training Certificates for Board Members and Others	5 years		5 years		Mag, Ppr			GC §53235.2(b)
GM / District Secretary	DS-42	FPPC 700 Series Forms (Statement of Economic Interests): DESIGNATED EMPLOYEES (specified in the District's Conflict of Interest code)	7 years		7 years		Mag, Mfr, OD, Ppr	S	Yes: After 2 years	District maintains original statements; GC §81009(e)(g)
GM / District Secretary	DS-43	FPPC 700 Series Forms (Statement of Economic Interests): PUBLIC OFFICIALS (elected & not elected. Includes District Board Members, General Manager, Assistant General Manager, Treasury Manager, Treasurer & Assistant Treasurer, Executive Director of Finance)	4 years		4 years		Mfr, OD, Ppr	S	Yes: After 2 years	District maintains copies only; original statements are filed with County FPPC ; GC §81009(f)(g)
GM / District Secretary	DS-60	FPPC Form 801 (Gift to Agency Report)	4 years		4 years		Mag, Ppr			Must post on website: 2 CCR 18944(c)(3)(G)
GM / District Secretary	DS-61	FPPC Form 802 (Tickets Provided by Agency Report)	7 years		7 years		Mag, Ppr			Must post on website for 4 years: GC §81009(e)

RECORDS RETENTION SCHEDULE: GENERAL MANAGER and DISTRICT SECRETARY

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GM / District Secretary	DS-62	FPPC Form 806 (Agency Report of Public Official Appointments)	2 years		2 years			Mag, Ppr		Must post on website: 2 CCR 18705.5; GC §34090, 60201
GM / District Secretary	DS-44	Historical Records	P		P			Mag, Mfr, OD, Ppr	S	No District Secretary Determines Historical Significance; GC §60201
GM / District Secretary	DS-45	Improvement Districts / Assessment Districts: Boundary Maps, Diagrams, District Folders	P		P	Yes: Before Termination		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 1-year Department Preference; GC §60201
GM / District Secretary	DS-46	Leases (e.g. Caretakers at reservoirs)	Expiration of Lease + 4 years		Expiration of Lease + 4 years			Mag, Mfr, OD, Ppr	S	No Statute of Limitations is 4 years; CCP §§337et seq.; GC §60201 et seq.
GM / District Secretary	DS-47	Local Area Formation Commission (LAFCO)	5 years		5 years			Mag, Ppr		Department Preference; GC §60201
GM / District Secretary	DS-48	Minutes: District Board of Directors and Standing Committees and Subcommittees, any advisory boards	P		P	Yes (all)		Mag, Mfr, OD, Ppr	S	No GC §60201(d)(3)
GM / District Secretary	DS-49	Ordinances	P		P	Yes (all)		Mag, Mfr, OD, Ppr	S	No GC §60201 et. seq.
GM / District Secretary	DS-50	Permits—Encroachments—Permanent (e.g. discharge of wells into storm drains, etc.)	P		P			Mag, Ppr		GC § 60201
GM / District Secretary	DS-51	Permits - Regulatory Agencies	P		P			Mag, Ppr		GC § 60201

RECORDS RETENTION SCHEDULE: GENERAL MANAGER and DISTRICT SECRETARY

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<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD, & OPAMWC records.</i>										
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GM / District Secretary	DS-52	Permits - Temporary Entry	2 years		2 years		Mag, Ppr			GC § 60201
GM / District Secretary	DS-53	Resolutions	P		P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §60201 et. seq.
GM / District Secretary	DS-59	Records Retention Schedules / Authorization for Amendments to Retention Schedules	10 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days	GC §34090 et. seq.
GM / District Secretary	DS-54	Subject Matter Files	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years	Yes: While Active Issues	Mag, Ppr			GC §60201
GM / District Secretary	DS-55	Subpoenas	2 years		2 years		Mag, Ppr			GC §60201
GM / District Secretary	DS-56	Tapes & Recordings (Audio) District Board meetings	1 year		1 year		Tape (Mag), OD			Department Preference; legally required for 30 days (or adoption of the minutes); GC §54953.5(b)
GM / District Secretary	DS-57	Tapes & Recordings (Video) District Board meetings	90-days		90-days		Tape (Mag), OD			GC §60200

RECORDS RETENTION SCHEDULE: HUMAN RESOURCES

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
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Human Resources / Human Resources	HR-01	Accident Prevention Files (contains safety correspondence)	When No Longer Required		When No Longer Required			Mag, Ppr		Copies; GC §60200
Human Resources / Human Resources	HR-02	Applications for Employment or Resumes / Recruitment Files: Solicited: Brochure, advertisement, unsuccessful applications (with or without interviews), selection materials, interview notes, results, etc.	3 2 years		3 2 years			Mag, Ppr		The District does not use eligibility lists; EEOC / FLSA / ADEA (Age) requires 1-3 years; State Law requires 2 - 3 years; 29 CFR 1627.3(b)(i), 29 CFR 1602.14 et seq. 2 CCR 7287.0(c)(2), GC §§12946, 60201
Human Resources / Human Resources	HR-03	Applications for Employment or Resumes: Unsolicited (no open position), candidates not hired	When No Longer Required		When No Longer Required			Ppr		No positions open; therefore not deemed part of District recruitment practices; considered a transitory record not materially impacting the conduct of the public's business; GC §60201
Human Resources / Human Resources	HR-029	<u>Background Checks: Temporary Employees and Consultants</u>	When No Longer Required		When No Longer Required			Mag, Ppr		<u>Consultants and temporary employees are not allowed to start work until this has been received; GC §60201</u>
Human Resources / Human Resources	HR-15	<u>Benefit Plan Documents</u> Files contain descriptions of employee insurance plans (Benefits, Health, Eye, Dental, Life Insurance.) Insurance Policy Files (Benefits: Deferred Compensation, Health, Eye, Dental, Life Insurance, Workers Compensation, etc) Includes Policies	Plan Termination + 2 10 years		Plan Termination + 2 10 years	Yes: Before Expiration		Mag, Mfr, OD, Ppr	S	No Department preference to be consistent with District-wide standards; EEOC / ADEA (Age) requires 1 year after benefit plan termination; Federal law requires 6 years after filing date; State Law requires 2 years after action; 29 CFR 1627.3(b)(2); 29 USC 1027; GC §§12946, 60201

RECORDS RETENTION SCHEDULE: HUMAN RESOURCES

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
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Human Resources / Human Resources	HR-04	Billing: COBRA and Retiree Medical	Termination of Service + 7 years		Termination of Service + 7 years	Yes: During Service	Mag, OD, Mfr, Ppr	S / I	Yes: <u>After QC & 30 days</u> -1 year	Retained to cover auditing standards; General rule under ERISA (Employee Retirement Income Security Act) is 7 years; 29 CFR 1627.3(b)(2); 29 USC 1027; GC §60201
Human Resources / Human Resources	HR-05	Claims & Litigation (Personnel issues only)	Final Disposition + 5 years		Final Disposition + 5 years	Yes: Until Final Disposition	Mag, Mfr, OD, Ppr	S / M / I	Yes: <u>After QC & 30 days</u> Final Disposition	Department Preference; Statute of Limitations for most contracts is 4 years; CCP §§ 337 et seq.; GC §§ 945, 60201(d)(4); PC §832.5
Human Resources / Human Resources	HR-06	Classification and Compensation Studies / Surveys	When No Longer Required - Minimum 34 <u>3</u> years		When No Longer Required - Minimum 34 <u>3</u> years		Mag, Ppr			Department Preference; <u>LC §1197.5</u> ; GC §60201
Human Resources / Human Resources	HR-07	Deferred Compensation Enrollment Files (by employee)	<u>5 years</u> Separation + 10 years		<u>5 years</u> Separation + 10 years	Yes: Before Separation	Mag, Mfr, OD, Ppr	S	No	Department preference; EEOC / ADEA (Age) requires 1 year after benefit plan termination; Federal law requires 6 years after filing date; State Law requires 2 years after action; 29 CFR 1627.3(b)(2); 29 USC 1027; GC §§12946, 60201
Human Resources / Human Resources	HR-08	Department of Fair Employment & Housing (DFEH or EEOC) Claims that are resolved administratively	Final Disposition + 5 years		Final Disposition + 5 years		Mag, Ppr			Consistent with other claim retentions (District Attorney handles cases that are not resolved administratively); All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after action is taken; GC §§12946, 60201

RECORDS RETENTION SCHEDULE: HUMAN RESOURCES

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Human Resources / Human Resources	HR-09	DMV Pull Notices (Receive updated notices on all employees annually) (retained in binder) When an employee separates from the District, place the final in the Personnel File	<u>1 year</u> When Superseded or Separated		<u>1 year</u> When Superseded or Separated				Mag, Ppr	District preference (DMV record that the District considers a non-record used for reference); CHP audits every 2 years; Bureau of National Affairs recommends 2 years for all supplementary Personnel records; GC §60201
Human Resources / Human Resources	HR-30	Drug and Alcohol Testing / D.O.T files (NEGATIVE RESULTS)	<u>1 year</u>		<u>1 year</u>			Ppr		D.O.T. Requires 5 years for positive tests, refusals, annual summaries, etc. 1 year for negative tests; EEOC / FLSA / ADEA (Age) requires 3 years physical examinations. State Law requires 2 years; 29 CFR 1627.3(b)(1)(v), GC §§12946, 60201; 49 CFR 655.71 et seq.; 49 CFR 382.401 et seq.
Human Resources / Human Resources	HR-10	Drug and Alcohol Testing / D.O.T files (POSITIVE RESULTS ALL Files - Random, Post-Accident & Reasonable Suspicion Tests, refusals, annual summaries, etc.)	<u>2 years</u>	3 years	5 years			Ppr		D.O.T. Requires 5 years for positive tests, refusals, annual summaries, etc, 1 year for negative tests; EEOC / FLSA / ADEA (Age) requires 3 years physical examinations; State Law requires 2 years; 29 CFR 1627.3(b)(1)(v), GC §§12946, 60201; 49 CFR 655.71 et seq.; 49 CFR 382.401 et seq.
Human Resources / Human Resources	HR-11	Employee Recognition and Awards	10 years		10 years			Mag, Ppr		Department Preference; GC §60201

RECORDS RETENTION SCHEDULE: HUMAN RESOURCES

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Human Resources / Human Resources	HR-12	Fitness Waivers	Separation + 2 years		Separation + 2 years			Mag, Ppr		Department preference; GC §-60201
Human Resources / Human Resources	HR-13	Flex Spending Files (self-administered purchases, fitness programs, prescriptions, etc.)	2 years	5 years	2-7 years			Mag, Ppr		Consistent with accounts payable; meets municipal government auditing standards; GC §60201(d)(12)
Human Resources / Human Resources	HR-14	Grievances	Final Disposition + 5 years		Final Disposition + 5 years	Yes- Before Disposition		Mag, Mfr, OD, Ppr	S/I	No Department preference; All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after action is taken; 29 CFR 1602.31 & 1627.3(b)(2); GC §§12946, 12960, 60201; 29 USC 1113, LC 1174 GC §§12946, 62021.
Human Resources / Human Resources	HR-31	Human Resources Requisitions	When No Longer Required		When No Longer Required			Mag, Ppr		Preliminary Drafts; GC §§60201, 6252, 6254(a)
Human Resources / Human Resources	HR-24	I-9 (Employment Eligibility Verification)	Three years from Date of Hire or 1 year after term whichever is later		Three years from Date of Hire or 1 year after term whichever is later			Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days Non-citizens must re-certify periodically; RICA recommends 1 year from termination or 3 years from hiring, whichever is later; EEOC / FLSA / ADEA (Age) requires 3 years for "any other forms of employment inquiry"; State Law requires 2-3 years; INA 274A(b)(3); INS Rule 274a.1(b)(2); 29 CFR 1627.3(b)(i); GC §§12946, 60201; INA 274A(b)(3); INS Rule 274a.1(b)(2)

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Human Resources / Human Resources	HR-16	Job Descriptions (on-line)	<u>3 years after superseded or No Longer Utilized</u> P		<u>3 years after superseded or No Longer Utilized</u> P	Yes: Before Superseded	Mag, Ppr			Department Preference; EEOC / FLSA / ADEA (Age) requires 1-3 years; State Law requires 2 - 3 years; 29 CFR 1602 et seq & 1627.3(a)(5) and (6), 8 CCR §11040.7(c), GC §§12946, 60201
<u>Human Resources / Human Resources</u>	<u>HR-27</u>	<u>Negotiations Files contain materials documenting Negotiations with employee groups</u>	<u>Contract Expiration + 3 years</u>		<u>Contract Expiration + 3 years</u>		<u>Mag, Ppr</u>			<u>Department Preference; GC § 60201</u>
Human Resources / Human Resources	HR-18	Personnel Files (Medical Records, hazmat exposure records, pulmonary function tests, Respiratory Fit Test Documentation, Vaccination Proof or Declination Forms, Audiometric / Audiogram documentation, vanpool driver Glass-B medicals, etc and backgrounds & fingerprint clearances)	Separation + 30 years		Separation + 30 years	Yes: Until Separation	Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> When Inactive	Files maintained separately; Claims can be made for 30 years for toxic substance exposure; 8 CCR §3204(d)(1) et seq., <u>29 CFR 1910.1020(d)(1)(i)</u> ; GC §§12946, 60201

RECORDS RETENTION SCHEDULE: HUMAN RESOURCES

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Human Resources / Human Resources	HR-17	Personnel Files: <u>Files contain confidential information regarding employees' employment history and other appropriate personal information as described in (a) and (b) below.</u> <u>(a) Contains records such as employment applications, resumes, orientation information, certificates, evaluations, resignation letters and other items</u> <u>(b): Contains materials such as payroll deductions forms, beneficiary forms, insurance forms</u> (Includes Application, Awards, DMV Reports, Disciplinary Actions, Certifications, Commendations, Employment Verifications, Evaluations, Licenses, Personnel Action Forms, Policy acknowledgements, Waiver of responsibility for voluntary activities, etc. Excludes Medical Records)	Separation + 6 10 years		Separation + 6 10 years	Yes: Until Separation	Mag, Mfr, OD, Ppr	S	Department Preference; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years; retirement benefits is 6 years from last action; 29 CFR 1602.31 & 1627.3(b)(ii), GC §§12946, 60201; 29 USC 1113 Yes: After <u>After QC & 30 days Separation</u>
Human Resources / Human Resources	HR-19	Professional Services (e.g. Temporaries hired through an outside personnel company)	Separation + 10 years		Separation + 10 years		Mag, Ppr		Department Preference: Statute of Limitations for written contracts are four years from the date of breach; CCP §§337, 337-1(a); 337-15 GC-§60200

RECORDS RETENTION SCHEDULE: HUMAN RESOURCES

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			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Human Resources / Human Resources	HR-20	Safety Incentive and Service Recognition Program	10 years		10 years		Mag, Ppr			Department Preference; GC-§60201-
Accounting / Payroll	HR-21	Sick Leave Payoff & Vacation Transfers (on-line)	5 years		5 years		Mag, Ppr			Department Preference (considered drafts / preliminary documents); GC-§60200
Human Resources / Human Resources	HR-28	W-4s, W-4A	No Longer in Effect + 4 years		No Longer in Effect + 4 years		Mag, Ppr			IRS Regulation 31-6001-1 four years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. GC §60201
Human Resources / Human Resources	HR-23	Workers Compensation Claim Reports	5 years		5 years		Mag, Ppr			8 CCR §10103.2.. GC § 60201
Human Resources / Human Resources	HR-22	Workers Compensation Files	5 years	25 years	30 years		Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> When- inactive	Department preference; Claims can be made for 30 years for toxic substance exposure; 8 CCR 10102; 8 CCR 15400.2, 8 CCR §3204(d)(1) et seq., 29 CFR 1910.1020, GC §§12946, 60201, CCP §337 et seq.

RECORDS RETENTION SCHEDULE: INFORMATION SERVICES

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?		
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>											
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>											
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>											
Information Services	IS-01	AS 400 Telecommunications-Database	Indefinite		Indefinite			Mag			Data is interrelated; system qualifies as a "trusted system"; GC §§60201, 12168.7
Information Services	IS-02	Backup Tapes - DAILY - All Servers (Transactional)	When No Longer Required 30 days		When No Longer Required 30 days	Yes		Mag			Used for Disaster Recovery Purposes Only ; Considered a copy and can be destroyed when no longer required; retention based on administrative value; recycle tapes; GC §60200 et seq.
Information Services	IS-03	Backup Tapes - WEEKLY OR MONTHLY - All Servers (Full - excludes e-mail)	2 years	When No Longer Required	When No Longer Required 2 years	Yes		Mag			Used for Disaster Recovery Purposes Only ; Store off-site in commercial storage for disaster recovery; Considered a copy and can be destroyed when no longer required; retention based on administrative value; recycle tapes; GC §60200 et seq.
Information Services	IS-04	Backup Tapes - SCADA - MONTHLY	5 years		5 years	Yes		Mag			Used for Disaster Recovery Purposes Only ; Store off-site in commercial storage for disaster recovery; Considered a copy and can be destroyed when no longer required; retention based on administrative value; recycle tapes; GC §60200 et seq.
Information Services	IS-05	Backup Tapes - WEEKLY - All Servers	4 weeks		4 weeks	Yes		Mag			Used for Disaster Recovery Purposes Only ; Store off-site in commercial storage for disaster recovery; Considered a copy and can be destroyed when no longer required; retention based on administrative value; recycle tapes; GC §60200 et seq.

RECORDS RETENTION SCHEDULE: INFORMATION SERVICES

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Lead-Dept.	IS-06	CD-R or DVD-R (images from Document Image Management System)	Follows-retention for applicable-record-series		Follows-retention for applicable-record-series	Yes	OD		Optical media must be stored in a safe & separate location; and should be "refreshed" (copied onto new CD-Rs) periodically; GC §60201 et seq.
Information Services	IS-07	Cell Phone bills (on CD)	7 years		7 years	Yes--Until Paid	Mag, Ppr		Department Preference to be consistent with Accounts Payable records (details are not forwarded to Finance); GC §60201 et seq.
Lead-Dept.	IS-08	Databases / Applications other than specifically identified	Follows-retention for applicable-record-series		Follows-retention for applicable-record-series	Yes	Mag		If system & data qualifies as a "trusted system," the magnetic data may serve as the original; GC §§60201, 12168.7, §6252 through §6257
Information Services	IS-09	EE Activity Notification Sheet (Establishes user profiles for new or terminated employees)	<u>When No Longer Required</u> 2 years		<u>When No Longer Required</u> 2 years		Mag		GC §60201
Lead Dept.	IS-10	GIS database	<u>When No Longer Required</u> When Superseded		<u>When No Longer Required</u> When Superseded	Yes	Mag.		If the lead department wants to save historical data, they should save a historical output or data; Department Preference (preliminary records used to produce final documents); GC §60201 et seq. Department Preference (Preliminary documents); the Lead Department should print out historical documents prior to replacing the data; GC §60200, 60201 et seq.
Information Services	IS-11	IS Requests (AS 400, TabWare / CMMS, etc.)	Completion + 2 years		Completion + 2 years		Mag, Ppr		May have attachments; GC §60201 et seq.

RECORDS RETENTION SCHEDULE: INFORMATION SERVICES

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?		
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>											
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>											
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>											
Lead-Dept.	IS-12	Software / Hardware Manuals	When-Superseded-or-Replaced		When-Superseded-or-Replaced				Mag-Ppr		Department Preference (Preliminary documents); the Lead Department should print out historical documents prior to replacing the data; GC §60200, 60201 et seq.
Lead Dept.	IS-13	Work Order Database / Tabware / CMMS - Computerized Maintenance Management System	Indefinite		Indefinite	Yes	Mag				Data is interrelated; system qualifies as a "trusted system"; GC §§60201, 12168.7
Information Services	IS-14	Work Schedules (on-line)	5 years		5 years				Mag-Ppr		NPDES Permits requires work schedules be retained for 5 years; EEOC's basic requirement is 1 year after action; Bureau of National Affairs recommends 2 years for work schedules; 29 CFR 516.6(1), 29 CFR 1602.14, GC § 60201

RECORDS RETENTION SCHEDULE: PUBLIC AFFAIRS

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition				Comments / Reference			
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?		Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Public Affairs	PA-01	Consumer Confidence Report (Annual Water Quality Report)	P		P		Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> 1-year	Department preference for historical purposes; State law requires data for 12 years, Federal law requires data for 10 years; 40 CFR 141.33(a); 22 CCR §64692; GC §60201
Public Affairs Water Operations - Admin.	PA-14 WOA-04	Public Duck Club Facility Reservations	When No Longer Required (minimum 4 years)		When No Longer Required (minimum 4 years)			Ppr		GC §60201
Public Affairs	PA-02	Legislation (Proposed): County, State or Federal Governments	2-years		2-years		Mag, Ppr			GC §60201
Public Affairs	PA-03	Lobbyist Registration and Reporting (FPPC Form 635)	2-years	5-years	7-years		Mag, Mfr, OD, Ppr	S	Yes	GC §81009(e) and (g)
Public Affairs	PA-04	News Clippings	When No Longer Required		When No Longer Required		Ppr			Non-records
Public Affairs	PA-05	Newsletters - Customers & Employees (Pipelines, billing inserts, etc.)	P		P		Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> 1-year	Department preference for historical purposes; GC §60201
Public Affairs	PA-13	Newsletters - Employees	When No Longer Required		When No Longer Required		Mag, Ppr			GC §60201
Public Affairs	PA-06	Photos, Videos & Slides	When No Longer Required		When No Longer Required		Mag, Ppr			Drafts; final photos may become part of a final document; GC §60201
Public Affairs	PA-07	Press Releases	When No Longer Required, minimum 2-years		When No Longer Required, minimum 2-years		Mag, Ppr			GC §60201

RECORDS RETENTION SCHEDULE: PUBLIC AFFAIRS

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Public Affairs	PA-08	Public Notices	When No Longer Required— minimum 2 years		When No Longer Required, minimum 2 years			Mag, Ppr		GC §60201
Lead Dept.	PA-09	Reports and Studies - White Papers, Issue Papers, Scientific Studies (other than Annual Reports) -e.g.- Water Rate Study)	When No Longer Required— minimum 2 years		When No Longer Required, minimum 2 years			Mag, Ppr		GC §60201
Public Affairs	PA-10	Special Projects & <u>Fact Sheets</u> Issues (Issues and/or projects will vary over time)	When No Longer Required— minimum 2 years		When No Longer Required, minimum 2 years	Yes: While Active Issues		Mag, Ppr		GC §60201
Public Affairs	PA-11	Subject Matter Files / Water Quality Resource File	When No Longer Required— Minimum 2 years		When No Longer Required— Minimum 2 years	Yes: While Active Issues		Mag, Ppr		GC §60201
Public Affairs	PA-12	Videos: Internal & External	When No Longer Required— Minimum 2 years		When No Longer Required— Minimum 2 years			Ppr		Some are Non-records; GC §60201

RECORDS RETENTION SCHEDULE: PURCHASING

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Purchasing	PUR-01	Bidder / Vendor List (Companies that want to receive RFPs / RFQs)	Superseded		Superseded			Mag, Ppr		Transitory Record used to mail out requests; GC §60201 et seq.
Purchasing	PUR-02	Cal-Card-Statements & Transaction-Logs (Detail)	2-years	5-years	7-years			Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days GC § 60201(d)(12)
Purchasing	PUR-03	Contracts & Purchase Orders - ALL FORMAL CONTRACTS INFRASTRUCTURE & NON-INFRASTRUCTURE. Financial INFRASTRUCTURE (requires a Purchase Order): Includes RFPs/RFQs, Specifications, Successful Bids/Proposals/Scope of Work, Amendments, Change Orders, Insurance Certificates, Notice of Completions) EXAMPLES: Architects, buildings, bridges, construction, demolitions, pipelines, reservoirs, sewers, utilities, water, etc.	Completion + 10 years	P	P	Yes: Before Completion	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days Completion	All infrastructure improvements are permanent. Statute of Limitations for written contracts are four years from the date of breach; errors and omissions is 10 years; CCP §§337., 337.1(a), 337.15, 343 GC §60200, Contractor has retention requirements in 48 CFR 4.703
Purchasing	PUR-04	Contracts & Purchase Orders - ALL NON-FORMAL CONTRACTS NON - INFRASTRUCTURE Financial NON-INFRASTRUCTURE (requires a Purchase Order): Includes RFPs/RFQs, Specifications, Successful Bids/Proposals/Scope of Work, Amendments, Change Orders, Insurance Certificates, Notice of Completions) EXAMPLES: Consultants, Leases, Professional Services, Reimbursement Agreements, Re-roofing, etc.	Completion + 10 years		Completion + 10 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days Completion	All infrastructure improvements are permanent. Statute of Limitations for written contracts are four years from the date of breach; errors and omissions is 10 years; CCP §§337., 337.1(a), 337.15, 343 GC §60200, Contractor has retention requirements in 48 CFR 4.703

RECORDS RETENTION SCHEDULE: PURCHASING

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Purchasing	PUR-05	Daily Contractors Log / Contractor's Daily Maintenance Field Log	5 years		5 years			Ppr		Department Preference; GC-§60200-
Purchasing	PUR-06	EDD (Employment Development Department) Reports for Independent Contractors	2 years	5 years	7 years			Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days GC § 60201(d)(12)
Purchasing	PUR-07	Insurance Certificates - Informal Contracts (Service PO's) Miscellaneous (from outside companies, that cannot be matched with a contract or agreement)	2 years	9 years	11 years	Yes: Before Completion		Mag, Mfr, OD, Ppr	Mfr	Yes: After QC & 30 days Inactive Longest Statute of Limitations is 10 years; Conforms with Agreement Retention (usually filed with agreement); CCP §337 et seq.; GC §60201 et seq.
Purchasing	PUR-08	Landscape Maintenance (NCR); includes pest control	5 years	25 years	30 years			Mfr, OD, Ppr	S / I	Yes: After QC & 30 days Claims can be made for 30 years for toxic substance exposure; 8-GCR §3204(d)(1) et seq.; GC-§60201
Purchasing	PUR-09	On-Line Bidding (Financial Services Database)	Indefinite		Indefinite			Mag		Data is interrelated; system qualifies as a "trusted system"; GC §§60201, 12168.7
Purchasing	PUR-10	Purchase Order Module of Financial Services Database	Indefinite		Indefinite			Mag		Data is interrelated; system qualifies as a "trusted system"; GC §§60201, 12168.7
Purchasing	PUR-11	Purchase Orders	2 years	9 years	11 years	Yes: Before Completion		Mag, Mfr, OD, Ppr	Mfr	Yes: After QC & 30 days Inactive Department Preference; Longest Statute of Limitations is 10 years; Conforms with Agreement Retention (usually filed with agreement); CCP §337 et seq.; GC-§60201 et seq.
Purchasing	PUR-12	Resource Books/Catalogs	When No Longer Required		When No Longer Required			Ppr		Non-records used for reference; GC § 60201

RECORDS RETENTION SCHEDULE: PURCHASING

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Purchasing	PUR-13	Reimbursement Agreements	Completion + 10 years		Completion + 10 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S/H	Yes: After QC & 30 days Completion	Statute of Limitations for written contracts are four years from the date of breach; errors and omissions is 10 years; CCP §§337, 337-1(a), 337-15, 343 GC §60200, Contractor has retention requirements in 48 CFR 4.703
Purchasing	PUR-14	Supplier Assessment	2 years		2 years		Ppr			GC § 60201
Purchasing	PUR-15	Unsuccessful Bids (for bids opened by Purchasing) or Spreadsheet of Bids Received	Bid Opening + 2 years		Bid Opening + 2 years		Ppr			OFR depends upon who opens the bid (e.g. District Clerk); GC § 60201(d)(11)
Purchasing	PUR-16	Vehicle and Equipment Leases (when the vehicle or equipment is not subsequently purchased)	Expiration of Lease + 2 years	3 years	Expiration of Lease + 5 years		Mag, Mfr, OD, Ppr	S/H	Yes: After QC & 30 days Expiration	Consistent with agreements and contracts; Statute of Limitations for written contracts are four years from the date of breach; CCP §§337, 337-1(a), 337-15; GC §60201 et seq.

RECORDS RETENTION SCHEDULE: RECYCLING WASTEWATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
ADMINISTRATION										
Recycling Wastewater / Admin.	WWO-01	Biosolids Reports - Monthly, Quarterly, Annual	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Consistent with permits and applications, hazmat discharge records are required for 3-5 years; 40 CFR 122.41(j)(2)
Recycling Wastewater / Admin.	WWO-02	Collection System Spill Reports (monthly, inter-office, etc.)	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Department preference for Wastewater (NPDES); Hazmat discharge records are required for 3-5 years; 40 CFR 122.41(j)(2)
Lead Dept.	WWO-03	Correspondence - Regulatory Agencies	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years	Yes: While Active Issues	Mag, Ppr			Some correspondence from Regulatory Agencies need to be retained for long periods of time; GC §60201
Finance / Accounts Payable	WWO-04	Invoicing Backup: Orange County Sanitation, Santa Margarita Water, Trabuco Canyon Water	When No Longer Required		When No Longer Required		Mag, Ppr			Copies; GC §60200
Recycling Wastewater / Admin.	WWO-05	Orange County Sanitation District: Residual Solids and Self-Monitoring Reports	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Sewage sludge and disposal records are required for 5 years; 40 CFR 122.41(j)(2)
Lead Dept.	WWO-06	Resource Materials / Subject Files (includes some IRWD records)	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Most are non-records and can be destroyed when no longer required; GC §60201
Recycling Wastewater / Admin.	WWO-07	Room Reservations (external and internal events)	When No Longer Required 2 years		When No Longer Required 2 years		Mag, Ppr			Department Preference; GC §60201

RECORDS RETENTION SCHEDULE: **RECYCLING WASTEWATER OPERATIONS**

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
(OFR)									
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Recycling / Admin.	WWO-10	Sanitary Spills and Overflows (SSOs)	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes (after 2 years) Required for a minimum of 5 years: 40 CFR 122.41(j)(2); SWRCB Order 2006-03; 40 CFR 122.41(j)(2); GC §34090
Recycling / Admin.	WWO-11	Sanitary Surveys	2 years	8 years	10 years		Mag, Mfr, OD, Ppr	S / I	Yes (after 2 years) 40 CFR 141.33(c)
Recycling / Admin.	WWO-13	Sewer System Management Plans (SSMP) and Audits	5 years		5 years		Mag, Ppr		Required for a minimum of 5 years: 40 CFR 122.41(j)(2); SWRCB Order 2006-03; 40 CFR 122.41(j)(2); GC §34090
Recycling Wastewater / Admin.	WWO-08	SOCWA Board Meeting Reports	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Non-records
Recycling Wastewater / Admin.	WWO-09	SOCWA Financial Documents	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Non-records

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
COLLECTION SYSTEMS										
Recycling Wastewater / Collection Systems	WWC-01	CCTV Collection Line Inspection Tapes / Video Inspections / Video Tapes or Digital Recordings - Spot Checks / Line Inspections	When No Longer Required		When No Longer Required			Mag		Preliminary documents used to determine if developer's line installation is satisfactory, if roots are in district lines or laterals owned by private entities, to assess the condition of district lines, etc.; GC §60201 et seq.
Engineering	WWC-02	Drawings	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Copies; GC §60200
Lead Dept.	WWC-03	Equipment Calibration Records (meters, gauges, etc.)	5 years		5 years			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Department preference for Wastewater (NPDES); Hazmat discharge records are required for 3-5 years; 40 CFR-122.41(j)(2)
Lead Dept.	WWC-04	Generator Operation Logs (for fixed generators)	2 years		2 years		-	Mag, Ppr		Required by AQMD; GC §60201
Lead Dept.	WWC-05	Operations and Maintenance Manuals	Upon Disposal of Equipment		Upon Disposal of Equipment			Mag, Ppr		GC §60201
Lead Dept.	WWC-06	Resource Materials / Subject Files (includes some IRWD records)	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)		Yes: Until Superseded	Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Most are non-records and can be destroyed when no longer required; GC §60201

RECORDS RETENTION SCHEDULE: RECYCLING WASTEWATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
Water Operations / System Ops or Wastewater	WWC-07	SCADA: Supervisory Control and Data Acquisition <u>Database</u>	Indefinite		Indefinite		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Data is interrelated; system qualifies as a "trusted system"; GC §§60201, 12168.7
Lead Dept.	WWC-08	Self-contained Breathing Apparatus (SCBA) - <u>Frames, Tanks, etc.</u>	Expiration of Certificate (minimum 2 years)		Expiration of Certificate (minimum 2 years)		Mag, Ppr			Certificates are issued for 3-5 years; GC §60201 et. seq.
<u>Lead Dept.</u>	<u>WWC-09</u>	<u>Self-contained Breathing Apparatus (SCBA) - Monthly Inspections</u>	<u>2 years</u>		<u>2 years</u>		<u>Mag, Ppr</u>			<u>District Preference: GC §60201 et. seq.</u>
COMPLIANCE DEPARTMENT										
<u>Recycling / Compliance Dept.</u>	<u>COMP-01</u>	<u>Permit Related Records: NPDES, CDPH, SWRCB, AQMD, etc.</u>	<u>5 years</u>		<u>5 years</u>		<u>Mag, Mfr, OD, Ppr</u>	<u>S / I</u>	<u>Yes: 2 years</u>	<u>Department preference for NPDES; Hazmat discharge records are required for 3-5 years; 40 CFR 122.41(i)(2); GC 60201</u>

RECORDS RETENTION SCHEDULE: RECYCLING WASTEWATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
(OFR)									
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>									
MECHANICAL & ELECTRICAL SERVICES MAINTENANCE RELIABILITY									

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
MECHANICAL & ELECTRICAL SERVICES										
Lead Dept.	M&E-01	Equipment Calibration Records (meters, gauges, etc.)	5 years		5 years			Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Department preference for Wastewater (NPDES); Hazmat discharge records are required for 3-5 years; 40 CFR 122.41(j)(2); GC 60201
Recycling / Mechanical & Electrical Services	MR-02	Equipment List (Entered into TabWare)	When No Longer Required		When No Longer Required			Mag, Ppr		Source / preliminary document (TabWare is the original); GC §60201
Wastewater / Maint- Reliability	MR-03	Equipment Repair Orders (Pumps, Pump Stations, Sewer Lift Stations, etc.)	When No Longer Required		When No Longer Required			Mag, Ppr		Upon Disposal of Equipment Source / preliminary document (TabWare is the original); GC §60201
Recycling / Mechanical & Electrical Services	M&E-02	Fixed Gas Detectors / Portable Gas Detectors	4 years		4 years			Mag, Ppr		Department Preference; GC §60201
Wastewater / Mechanical & Electrical Services	M&E-03	Generator Operation Logs (for fixed generators)	2 years		2 years			Mag, Ppr		Required by AQMD; GC §60201
Recycling / Mechanical & Electrical Services										
Lead Dept:										

RECORDS RETENTION SCHEDULE: **RECYCLING WASTEWATER OPERATIONS**

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
Lead Dept.	MR-05	Operations and Maintenance Manuals	Upon Disposal of Equipment		Upon Disposal of Equipment			Mag, Ppr		GC §60201
Recycling Wastewater / Mechanical & Electrical Services	M&E-04	Pump Efficiency Tests and Performance Curves	Life of the Pump		Life of the Pump			Mag, Mfr, OD, Ppr	S	Yes: After 1 year Department Preference; GC §60201
Lead Dept.	M&E-05	Resource Materials / Subject Files (includes some IRWD records)	When No-Longer-Required (minimum 2 years)		When No-Longer-Required (minimum 2 years)		Yes: Until Superseded	Mag, Mfr, OD, Ppr	S/H	Yes: 2 years Most are non-records and can be destroyed when no longer required; GC §60201
Lead Dept.	M&E-06	Self-contained Breathing Apparatus (SCBA) - Frames, Tanks, etc.	Expiration of Certificate (minimum 2 years)		Expiration of Certificate (minimum 2 years)			Mag, Ppr		Certificates are issued for 3-5 years; GC §60201 et. seq.
Lead Dept.	M&E-08	Self-contained Breathing Apparatus (SCBA) - Monthly Inspections	2 years		2 years			Mag, Ppr		District Preference; GC §60201 et. seq.
Recycling Wastewater / Mechanical & Electrical Services	M&E-07	Shop Machine Files	2 years		2 years			Mag, Ppr		GC §60201

RECORDS RETENTION SCHEDULE: **RECYCLING WASTEWATER OPERATIONS**

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
WASTEWATER RECLAMATION PLANTS OPERATIONS (MWRP & LAWRP Ops)										
Engineering	WWR-01	Building Contract Files	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Copies; GC §60200
Engineering	WWR-02	Capital Project Files / Engineering Construction Projects	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	If originals (prior to merger, etc.), transfer to Engineering; GC §60200
Recycling Wastewater / Reclamat. Plants Ops	WWR-03	Chemical Usage Reports / Bills of Lading	3 years		3 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Code of Federal Regulations requires 3 years; 40 CFR 122.41(j)(2)
Recycling Wastewater / Reclamat. Plants Ops	WWR-04	Daily Plant Operations Reports / Round sheets / Check sheets	5 years		5 years		Mag, Ppr			Department preference to be consistent with other records; 40 CFR 122.41(j)(2)
Lead-Dept.	WWR-05	Equipment Calibration Records (meters, gauges, etc.)	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Department preference for Wastewater (NPDES); Hazmat discharge records are required for 3-5 years; 40 CFR 122.41(j)(2)
Recycling Wastewater / Reclamat. Plants Ops	WWR-06	Equipment Inspection Records	5 years		5 years		Mag, Ppr			Department preference to be consistent with other records; 40 CFR 122.41(j)(2)
Lead-Dept.	WWR-07	Generator Operation Logs (for fixed generators)	2 years		2 years		Mag, Ppr			Required by AQMD; GC §60204

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
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<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Engineering	WWR-08	LAWRP or MWRP Master Plan	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Copies (Transfer original to Engineering); GC §60200
<u>Recycling Wastewater</u> / Reclamat. Plants Ops	WWR-09	Meter Reads / Dailies / Monthly Flow Reports (Documents Flows)	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	For Wastewater (NPDES); Hazmat discharge records are required for 3-5 years; 40 CFR 122.41(j)(2); WC §13263.2(b) et seq.
	WWR-10	MSDS—see District-wide								
Lead Dept.	WWR-11	Operations and Maintenance Manuals	Upon Disposal of Equipment		Upon Disposal of Equipment		Mag, Ppr			GC §60201
<u>Recycling Wastewater</u> / Reclamat. Plants Ops	WWR-12	Plant Rounds Reports (monthly) / Daily Worksheets / Daily Rounds Data / Plant Physical Inspections	2 years		2 years		Mag, Ppr			Department Preference; OSHA records are required to be retained for 5 years; State law requires 2 years; 8 CCR 14300.33(a); GC §60201 et seq.; WC §13263.2(b) et seq.; LG §6429e
<u>Recycling Wastewater</u> / Reclamat. Plants Ops	WWR-13	Process Control Documents / SOPs - Standard Operating Procedures	Superseded + 5 years		Superseded + 5 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years	Department Preference to cover the period of time applicable records are retained; Hazmat discharge records are required for 3-5 years; 40 CFR 122.41(j)(2); WC §13263.2(b) et seq.

RECORDS RETENTION SCHEDULE: **RECYCLING WASTEWATER OPERATIONS**

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
(OFR)									
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
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Recycling Wastewater / Reclamat. Plants Ops	WWR-14	Reports, Monitoring, Samples, Studies & Testing (Annual/monthly/daily: Biosolids, calibration, compliance, flow data, meter readings, maintenance, odor surveys, tests, totalizer sheets, strip chart recordings - folding, roll, etc.)	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Department Preference for Wastewater (NPDES); Hazmat discharge records are required for 3-5 years; 40 CFR 122.41(j)(2); WC §13263.2(b) et seq
Lead Dept.	WWR-15	Resource Materials / Subject Files (includes some IRWD records)	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Most are non-records and can be destroyed when no longer required; GC §60201
Safety & Security Training	WWR-16	Risk Management Program (RMPs) and Process Safety Managements (PSMs) - Facilities with chemicals (Chlorine, ammonia, etc.)	Superseded		Superseded		Mag, Ppr		Copies; GC §60200
Water Operations / System Ops or Recycling Wastewater	WWR-17	SCADA: Supervisory Control and Data Acquisition Database	Indefinite		Indefinite		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Data is interrelated; system qualifies as a "trusted system"; GC §§60201, 12168.7
Finance / Accounts Payable	WWR-18	Sewage Sludge Handling Logs and Weigh Tickets	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S	Yes: After 1 year Finance maintains for 7 years (Code of Federal Regulations requires 3 years); 40 CFR 122.41(j)(2); GC §60200

RECORDS RETENTION SCHEDULE: **RECYCLING WASTEWATER OPERATIONS**

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>									
Lead Dept.	WWR-19	Self-contained Breathing Apparatus (SCBA) - <u>Frames, Tanks, etc.</u>	Expiration of Certificate (minimum 2 years)		Expiration of Certificate (minimum 2 years)		Mag, Ppr		Certificates are issued for 3-5 years; GC §60201 et. seq.
<u>Lead Dept.</u>	<u>WWR-23</u>	<u>Self-contained Breathing Apparatus (SCBA) - Monthly Inspections</u>	<u>2 years</u>		<u>2 years</u>		<u>Mag, Ppr</u>		<u>District Preference; GC §60201 et. seq.</u>
<u>Recycling Wastewater / Reclamat. Plants Ops</u>	WWR-20	State Water Regional Board Log Books / Equipment Hour Readings	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: 5 years Department Preference - NPDES records are required for 3-5 years; 40 CFR 122.41(j)(2), 122.44(h)(4)ii
Recycling Wastewater / Reclamat. Plants Ops	WWR-21	Weigh Tags for Hauling	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: 2 years Department Preference: 40 CFR 122.41(j)(2); WC §13263.2(b) et seq.; GC §60201
Recycling Wastewater / Reclamat. Plants Ops	WWR-22	Work Schedules	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2 years NPDES Permits requires work-schedules be retained for 5 years; EEOC's basic requirement is 1 year after action; Bureau of National Affairs recommends 2 years for work-schedules; 29 CFR 516.6(1); 29 CFR 1602.14, GC § 60201

RECORDS RETENTION SCHEDULE: RISK MANAGEMENT

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
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GM / District Secretary & Risk Manage.	RM-01	Claims & Litigation - Property & Liability (except Personnel issues)	Final Disposition + 5 years		Final Disposition + 5 years	Yes: Until Final Disposition	Mag, Mfr, OD, Ppr	S / M / I	Yes: After QC & 30 days Final Disposition	Department Preference; Statute of Limitations for most contracts is 4 years; wrongful death for construction is completion + 5 years; CCP §§ 337 et seq.; GC §§ 945, 60201; PC §832.5
Risk Manage.	RM-02	Insurance Policies: Liability, Master Policies	Expiration	P	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Expiration	For protection from litigation; GC §60201
Risk Manage.	RM-03	Insurance Policies: Renewal Applications & Proposals	2 years		2 years		Mag, Ppr			GC §60201
Risk Manage.	RM-04	Risk Management Analysis / Inspections / Appraisals	2 years		2 years		Ppr			GC §60201

RECORDS RETENTION SCHEDULE: SAFETY and SECURITY TRAINING

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	
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Safety & Security Training	S&S-02	Accident / Incident / Injury Reports: EMPLOYEES / RECORDABLE AND NON-RECORDABLE INJURIES OR ILLNESSES WITHOUT CHEMICAL EXPOSURES (also see Workers Compensation in Human Resources)	5 years		5 years		Mag, Ppr		8 CCR 14300.33(a); GC §§12946, 60201
Safety & Security Training	S&S-01	Accident / Incident / Injury Reports: EMPLOYEES / RECORDABLE INJURIES OR ILLNESSES - ALL WITH CHEMICAL EXPOSURES (also see Workers Compensation in Human Resources)	Separation + 5 years	25 years	Separation + 30 years		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 years When-Inactive Claims can be made for 30 years for toxic substance exposure; 8 CCR §3204(d)(1) et seq., 8 CCR 14300.33(a); GC §§12946, 60201
Finance / Accounts Payable	S&S-04	Boot, eyeglass prescription allowance tracking	When No Longer Required		When No Longer Required	Yes: Until Paid	Mag, Ppr		Copies; GC §60200
Safety & Security Training	S&S-05	Cal-OSHA Inspections & Citations, Log 200, Log 300, 300 A, 301, 301A, etc.	5-7 years		5-7 years		Ppr		Department Preference; Calif. Labor Division is required to keep their records 7 years; OSHA requires 5 years; State law requires 2 years; 8 CCR 14300.33(a); 29 CFR 1904.33, 29 CFR 1904.44; GC §60201 et seq.; LC §6429c
Safety & Security Training	S&S-06	Confined Space Entries / Hot Work Permits for welding (Permitted entries into confined spaces such as sewers and storm drains in order to comply with regulations)	2-3 years		2-3 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 years 2 years Department preference; 8 CCR §5158 Code of Federal Regulations requires 3 years; 40 CFR 122.41(j)(2)
Safety & Security Water Operations - Admin.	S&S-23 WQA-03	Disaster Plan: Emergency Operations Center (EOC)	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2 years Department Preference; GC §60201

RECORDS RETENTION SCHEDULE: SAFETY and SECURITY TRAINING

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
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Safety & Security Water-Operations / Admin.	S&S-24 WOA-05	Emergency Directory	When Superseded		When Superseded			Mag, Ppr		Transitory Record; GC §60201
Safety & Security Water-Operations / Admin.	S&S-25 WOA-06	Emergency Exercises / Drills	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)	Yes: Until Superseded		Mag, Mfr, OD, Ppr	S / I Yes: After QC & 30 days 2 years	Department Preference; GC §60201
Safety & Security Training	S&S-07	Emergency Response: Risk Management Program (RMPs) / Process Safety Managements (PSMs) - Facilities with chemicals (Chlorine, ammonia, etc.)	When Superseded or Delisted (minimum 2 years)		When Superseded or Delisted (minimum 2 years)			Mag, Ppr		GC §60201
Human-Resources	S&S-08	Employee Audiometric test records / Audiograms	Maintained in Medical File		Maintained in Medical File			Mag, Mfr, OD, Ppr	S Yes: After QC & 30 days When Inactive	Required for the duration of the employee's employment; 8 CCR-5100(d)(2)
Safety & Security	S&S-27	Employee Certifications - Pulmonary Function Tests and Respiratory Fit Tests	Transfer to Human Resources		Transfer to Human Resources			Mag, Ppr		HR includes with the employee medical file; GC §60201 et seq.
Safety & Security Training	S&S-09	Employee Certifications and Individual Noise Exposure Measurements - Safety Office File (crane, fit-testing , forklift, etc.)	When Superseded or 5 years Upon Separation, Transfer to Human Resources		When Superseded or 5 years Upon Separation, Transfer to Human Resources			Mag, Ppr		Department preference; HR includes with the employee medical file; GC §60201 et seq.

RECORDS RETENTION SCHEDULE: SAFETY and SECURITY TRAINING

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
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<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Safety & Security Water-Operations / Admin.	S&S-28 WQA-11	Hazard Mitigation Plan	When No Longer Required (minimum 2-years)		When No Longer Required (minimum 2-years)	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2-years	Department Preference; GC §60201
Safety & Security Water-Quality	S&S-29 WQL-22	Hazardous Materials Inventory / Disclosures (for Local Fire Authorities / Districts)	When Superseded		When Superseded		Mag, Ppr			Filed annually with the Orange County Fire District; GC §60201
Safety & Security Training	S&S-03	Industrial Hygiene / Employee Exposure Records - Routine Exposures (by facility)	5 years	P	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 years When-Inactive	Department Preference; Claims can be made for 30 years for toxic substance exposure; 8 CCR §3204(d)(1) et seq., 8 CCR 14300.33(a); GC §§12946, 60201
Safety & Security Training	S&S-10	List of Chemicals / Substance / Agent Used	2 years	28 years	30 years		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 years When-Inactive	MSDS may be destroyed as long as a record of the chemical / substance / agent, where & when it was used is maintained for 30 years; Applies to qualified employers; 8 CCR 3204(d)(1)(B)(2 and 3)
Safety & Security Training	S&S-11	Material Data Safety Sheet (MSDS / SDS) / Chemical Use Report Form (or records of the chemical / substance / agent, where & when it was used)	Indefinite While-Material is in Use		Indefinite While-Material is in Use		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 years When-Inactive	Previous MSDS may be obtained from a service; MSDS may be destroyed as long as a record of the chemical / substance / agent, where & when it was used is maintained for 30 years; Applies to qualified employers; 8 CCR 3204(d)(1)(A) et seq. (B)(2 and 3)
Safety & Security Training	S&S-12	Noise Exposure Measurements: Areas / Facilities	When Superseded - Minimum 2 years		When Superseded - Minimum 2 years		Mag, Ppr			8 CCR 5100(d)(1)

RECORDS RETENTION SCHEDULE: SAFETY and SECURITY TRAINING

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			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Lead-Dept.	S&S-13	Overhead Crane Certifications and Inspections	5 years		5 years			Mag, Ppr		Department Preference; OSHA- records are required to be retained for 5 years; 8-CGR-14300.33(a); GC-§60201 et seq.; LC-§6429c
Safety & Security Training	S&S-14	Physical Inspections (Plant & Facilities)	2 years		2 years			Mag, Ppr		GC §60201 et seq.
Safety & Security Training	S&S-15	Pressure Vessel Certifications or Permits (Air Compressors, Propane, etc.)	Expiration of Certificate or Permit - Minimum 5 years		Expiration of Certificate or Permit - Minimum 5 years			Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 years 1-year Department preference; GC §60201 et. seq.
Safety & Security Training	S&S-16	Quarterly Analyses / Performance of tailgate meetings and inspections	2 years		2 years			Mag, Ppr		Department Preference; GC §60201 et seq.
Safety & Security Training	S&S-17	Resource Files	When No Longer Required		When No Longer Required			Mag, Ppr		Non-records; GC-§60201
Safety & Security Water-Operations / Admin.	S&S-30 WOA-16	Rideshare Program (Administration file)	When No Longer Required (minimum 2-years)		When No Longer Required (minimum 2-years)			Mag, Ppr		Department Preference; GC §60201
Safety & Security Training	S&S-18	Safety Committee / Internal Safety Steering Committee	5 years		5 years			Mag, Ppr		Department preference; GC §60201 et seq.
Safety & Security Training	S&S-19	Tailgate Meetings	2 years		2 years			Mag, Ppr		Department Preference; GC §60201 et seq.
Safety & Security Training	S&S-20	Training Database	Indefinite (minimum 30 years)		Indefinite (minimum 30 years)			Mag, Ppr		Data is interrelated; system qualifies as a "trusted system"; GC §§60201, 12168.7

RECORDS RETENTION SCHEDULE: SAFETY and SECURITY TRAINING

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Safety & Security Training	S&S-21	Vaccine Spreadsheet	When Superseded		When Superseded		Mag, Ppr		Draft / preliminary / transitory document used to track vaccinations. GC §60201, GC §6252 et seq.
Safety & Security Training	S&S-22	Vulnerability Assessment (bioterrorism, etc.)	Superseded + 5 years When No Longer Required (minimum 2 years)		Superseded + 5 years When No Longer Required (minimum 2 years)		Mag, Ppr		Confidential; 42 USC 300i-2 (c) ; GC §60201

RECORDS RETENTION SCHEDULE: TREASURY

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?		
(OFR)											
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>											
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>											
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>											
TREASURY / ADMINISTRATION											
Treasury / Admin.	TA-01	Orange County Bankruptcy	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)					Mag, Ppr	Department Preference: Some are non-records, some original records; GC §60201 et seq.
Treasury / Admin.	TA-02	Resource and Subject Files (Materials used for Investments, and Management <u>and Debt Management</u>)	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years					Mag, Ppr	Department Preference; Some are non-records, some original records; GC §60201 et seq.

RECORDS RETENTION SCHEDULE: TREASURY

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
TREASURY / DEBT MANAGEMENT										
Treasury / Debt Manag.	TDM-07	Arbitrage Calculations	1 year	4 years	5 years		Mag, Ppr			Department Preference: meets auditing standards: GC§ 60201
GM / District Secretary	TDM-01	Bonds / Certificates of Participation (issued by IRWD, or any other Agency of which IRWD is a participant)	Cancellat., Redemption or Maturity + 10 years		Cancellat., Redemption or Maturity + 10 years	Yes: Until Maturity	Mag, Mfr, OD, Ppr	S / I	No	Department Preference; Statute of Limitations for bonds, mortgages, trust deeds, notes or debentures is 6 years; Bonds issued by local governments are 10 years; There are specific requirements for disposal of unused bonds; CCP §§336(a)(1) & (2), 337.5(2); GC §43900 et seq. GC §60201 et seq.
Treasury / Debt Manag.	TDM-02	Contracts / Agreements with Remarketing Agents and Trustees	Completion + 5 10 years		Completion + 5 10 years		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & 30 days Upon Completion	Department preference; covers E&O Statute of Limitations (insurance certificates are filed with agreement); Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers must retain their records for completion + 10 years; CCP §§336(a), 337 et. seq., GC §60201
GM / District Secretary	TDM-06	Debt Policy	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			GC §60200

RECORDS RETENTION SCHEDULE: TREASURY

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Treasury / Debt Manag.	TDM-04	Escheated Bearer Bonds	1 year	4 6 years	5 7 years		Mag, Ppr			All tangible property held by government agencies escheats after 3 years with notice publication.; Statute of Limitations is 1 year for seized property; Meets auditing requirements; CCP §§340(4), 1519; GC §60201
Treasury / Debt Manag.	TDM-05	Letters of Credit - Banks, Expirations, Closing Documents	Expiration + 1 year	4 6 years	Expiration + 5 7 years		Mag, Ppr			Department Preference; meets auditing standards; GC§ 60201
Treasury / Debt Manag.	TDM-08	Monthly Statement for each Outstanding Bond Issue	1 year	4 years	5 years		Mag, Ppr			Department Preference; meets auditing standards; GC§ 60201
Treasury / Debt Manag.	TDM-03	Variable Interest Rates Daily +/- Auction Rates	1 year	4 6 years	5 7 years		Mag, Ppr			Department Preference; meets auditing standards; GC§ 60201

RECORDS RETENTION SCHEDULE: TREASURY

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
TREASURY / DEFERRED COMPENSATION										
Treasury / Deferred Compen.	TDC-01	Deferred Compensation Contract, Plan and Policy	Provider Termination + 1 year	4 9 years	Provider Termination + 5 10-years	Yes: Before Expiration	Mag, Mfr, OD, Ppr	S	No	Department preference to be consistent with District-wide standards; EEOC / ADEA (Age) requires 1 year after benefit plan termination; State Law requires 2 years after action; 29 CFR 1627.3(b)(2); GC §§12946, 60201
Treasury / Deferred Compen.	TDC-02	Deferred Compensation Statements (All reports)	1 year	6 years	7 years		Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> -1 year	Department preference (meets auditing standards); Published articles for bank statements show 4 -7 years; GC §60201
<u>Treasury / Deferred Compen.</u>	<u>TDC-03</u>	<u>Retirement Benefits Trust – Documentation and Statements</u>	<u>1 year</u>	<u>6 years</u>	<u>7 years</u>		<u>Mag, Mfr, OD, Ppr</u>	<u>S / I</u>	<u>Yes: After QC & 30 days</u>	<u>Department preference (meets auditing standards); Published articles for bank statements show 4 -7 years; GC §60201</u>

RECORDS RETENTION SCHEDULE: TREASURY

Office of Record	Records Series No.	Records Description	Retention / Disposition				Comments / Reference			
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?		Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
TREASURY / INVESTMENT & CASH MANAGEMENT										
GM / District Secretary	TIC-01	Investment Policy	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required		Mag, Ppr			GC §60200
Treasury/ Invest & Cash Mgmt	TIC-02	Investment Policy Information/ Legislation	<u>When No Longer Required</u> <u>2-years</u>		<u>When No Longer Required</u> <u>2-years</u>		Mag, Ppr			GC §60201
Treasury/ Invest & Cash Mgmt	TIC-03	Maturities and Reinvestments	1 year	<u>4 6</u> years	<u>5 7</u> years		Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> <u>-1 year</u>	Department preference (meets auditing standards); GC §60201
GM / District Secretary	TIC-04	Monthly Board Report	When No Longer Required		When No Longer Required		Mag, Ppr			GC §60200
GM / District Secretary	TIC-05	Monthly Finance and Personnel Committee Reports	When No Longer Required		When No Longer Required		Mag, Ppr			GC §60200
Treasury/ Invest & Cash Mgmt	TIC-06	Portfolio Returns, Backup and Supporting Documents	1 year	<u>4 6</u> years	<u>5 7</u> years		Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> <u>-1 year</u>	Department preference (meets auditing standards); GC §60201
Treasury/ Invest & Cash Mgmt	TIC-07	Short Term and Long Term Cash Flow Projections	<u>When No Longer Required</u> <u>2-years</u>		<u>When No Longer Required</u> <u>2-years</u>		Mag, Ppr			GC §60201

RECORDS RETENTION SCHEDULE: TREASURY

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Treasury/ Invest & Cash Mgmt	TIC-08	SLGS (State and Local Government Securities) - Calculation / Reinvestment / Arbitrage Rebate	Life of Bond Issue + 10 years		Life of Bond Issue + 10 years	Yes - Until Maturity	Mag, Mfr, OD, Ppr	S / I	No	Department Preference; Statute of Limitations for bonds, mortgages, trust deeds, notes or debentures is 6 years; Bonds issued by local governments are 10 years; There are specific requirements for disposal of unused bonds: CCP §§336(a)(1) & (2), 337.5(2); GC §43900 et seq. GC §60201 et seq.

RECORDS RETENTION SCHEDULE: TREASURY

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
TREASURY / REAL ESTATE										
Engineering / Planning	TRE-01	Construction Project Files (Design & Construction)	Send to Engineering upon Completion		Send to Engineering upon Completion	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 1 year	Department Preference; GC §60201
Treasury/ Real Estate	TRE-02	<u>Property & Land Lease Files</u> Land Lease Files	Termination of Lease + 4 years		Termination of Lease + 4 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days Upon Completion	Statute of Limitations for written contracts are four years from the date of breach; CCP §§337., 337.1(a), 337.15, 343 GC §60200
Treasury/ Real Estate	TRE-03	Project Development/Acquisition	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)		Mag, Ppr			Department preference; GC §60201
Treasury/ Real Estate	TRE-04	Project Disposition (Sale)	1 year	4 6 years	5 7 years		Mag, Ppr			Department preference (meets auditing standards); GC §60201
GM / District Secretary	TRE-05	Property Acquisition: Real Estate Deeds, Easements, Conveyances, Condemnations and Property records (property acquisition files, including variances, title insurance and orders of condemnations)	Copies - When No Longer Required		Copies - When No Longer Required	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §60200
Treasury/ Real Estate	TRE-06	Property Management Annual Summary	Disposal + 1 year	4 6 years	Disposal + 5 7 years		Mag, Ppr			Department preference; CCP §§336(a), 337 et. seq., GC §60201
Treasury/ Real Estate	TRE-07	Property Management Files / Monthly Reports	4 years		4 years		Mag, Ppr			Statute of Limitations for written contracts is 4 years; CCP §§336(a), 337 et. seq., GC §60201
GM / District Secretary	TRE-08	<u>Real Estate Investment Policy</u>	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Ppr			GC §60200

RECORDS RETENTION SCHEDULE: TREASURY

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
TREASURY / SWAPS										
Treasury/ Swaps	TSW-01	Interest Rate Swap Files	1 year	4 6 years	5 7 years			Mag, Ppr		Department preference (meets auditing standards); GC §60201
GM / District Secretary	TSW-02	Interest Rate Swap Policy	Copies - When No Longer Required		Copies - When No Longer Required			Mag, Ppr		GC §60200

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
ADMINISTRATION										
Engineering / Planning	WOA-01	Construction Project Files, Including Ops Center	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & 30 days Upon Completion	Engineering is OFR for project; GC §60200
Customer Service	WOA-02	Customer Service Reports (CSRs)	Copies - When No Longer Required		Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & 30 days Upon Completion	Copies; GC §60200
Water Operations / Admin.	WOA-03	Disaster Plan - Emergency Operations Center (EOC)	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S/I	Yes: After QC & 30 days 2-years	Department Preference; GC §60201
Water Operations / Admin.	WOA-04	Duck Club Facility Reservations	When No Longer Required (minimum 4 years)		When No Longer Required (minimum 4 years)	-	Ppr			Department preference; Covers Statute of Limitations for written contracts; CCP §§336(a), 337 et. seq., GC §60201
Water Operations / Admin.	WOA-05	Emergency Directory	When Superseded		When Superseded	-	Mag, Ppr			Transitory Record; GC §60201

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
Water Operations / Admin.	WOA-06	Emergency Exercises / Drills	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S/H	Yes: After QC & 30 days 2 years	Department Preference; GC §60201
Water Operations / Admin.	WOA-07	Encroachment Permits issued by outside agencies (e.g. for District construction)	Expiration of Permit + 2 4 years		Expiration of Permit + 2 4 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2 years	Covers Statute of Limitations for written contracts; CCP §§336(a), 337 et. seq., GC §60201
Water Operations / Admin.	WOA-08	Encroachment Permits issued by the District	P		P	-	Mag, Mfr, OD, Ppr	S/H	Yes: After QC & 30 days 2 years	Department preference; GC §60201
Water Operations / Admin.	WOA-09	Fleet Survey (Customer Satisfaction)	2 years		2 years	-	Ppr			GC §60201
Water Operations / Admin.	WOA-10	Fuel Usage Database (Gas Boy) Reports	Minimum 5 years		Minimum 5 years		Mag, Ppr			Meets municipal government auditing standards; GC §60201
Water Operations / Admin.	WOA-11	Hazard Mitigation Plan	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S / H	Yes: After QC & 30 days 2 years	Department Preference; GC §60201
Water Operations / Admin.	WOA-12	Incidents / Waste Discharge Reports: Recycled Water Violations, Spills, Investigations and Corrective Actions ALL, over 50,000 or under 50,000 gallons, private property	Last Action + 5 years		Last Action + 5 years	Yes: Before Resolution	Mag, Mfr, OD, Ppr			Department Preference; Code of Federal Regulations requires 3 years: 40 CFR 122.41(j)(2) & 40 CFR 141.33(b)

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>									
Water-Operations / Admin.	WOA-13	Incidents / Waste Discharge Reports - Regional Board Reports	Last Action +5 years		Last Action +5 years	Yes: Before Resolution	Mag, Mfr, OD, Ppr		Department Preference; Code of Federal Regulations requires 3 years; 40 CFR 122.41(j)(2) & 40 CFR 141.33(b)
Engineering / Planning	WOA-14	Manuals: Operations and Projects	When No Longer Required		When No Longer Required	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S/I	Yes: After QC & 30 days Upon Completion Copies; GC §60200
Water Operations / Admin. / Water Resources / Admin. & San Joaquin Marsh	EQ-04	Permits & Certifications: AQMD, Section 404, Section 401, Section 1602, pressure vessels, and generators	Expiration of Permit + 2 years		Expiration of Permit + 2 years		Ppr		GC §60201
Water Operations / Admin. / Water Resources / Admin.	EQ-07	Reports to OCSD (Industrial Waste)	3 years		3 years		Mag, Ppr		NPDES Monitoring records required for 3 years; 40 CFR §§122.21, 122.41

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
Water Operations / Admin. & Water Resources / Admin. & Environ. Quality	EQ-08	Reports to Regulatory Agencies	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Department Preference; GC §60201
Water Operations / Admin.	WOA-15	Rideshare Participant Agreements	2 years		2 years		Mag, Ppr			Department Preference; GC §60201
Water Operations / Admin.	WOA-16	Rideshare Program (Administration file)	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)		Mag, Ppr			Department Preference; GC §60201
Recycling & WOA / Admin. Engineering / Plann. Construct. Services	WOA-18 WVO-14 ECS-02	Underground Service Alerts (USA): Utility Cuts, etc. for Repairs	3 2 years		3 2 years		Mag, Ppr			Required for 3 years; the warrantee period for work done is usually 5 years, the Statute of Limitations for some work may be up to 10 years; CCP §337 et seq., GC §§4216.2(d) & 4216.3(d), 60201
Human Resources	WOA-17	Vanpool Program (Drivers Statements / Class B Medicals)	Send to Human Resources		Send to Human Resources		Mag, Ppr			Drivers must redo Class B medicals every 2 years; Human Resources is OFR; GC §60200, 60201 et seq.

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
CONSTRUCTION & REPAIR SERVICES										
Engineering / Planning	C&R-01	Manuals: Operations & Maintenance / Project Manuals	When No Longer Required		When No Longer Required	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S/I	Yes: <u>After QC & 30 days</u> Upon Completion	Copies; GC §60200
Lead Dept.	C&R-02	Self-contained Breathing Apparatus (SCBA) - <u>Frames, Tanks, etc.</u>	Expiration of Certificate (minimum 2 years)		Expiration of Certificate (minimum 2 years)		Mag, Ppr			Certificates are issued for 3-5 years; GC §60201 et. seq.
<u>Lead Dept.</u>	<u>C&R-03</u>	<u>Self-contained Breathing Apparatus (SCBA) - Monthly Inspections</u>	<u>2 years</u>		<u>2 years</u>		<u>Mag, Ppr</u>			<u>District Preference; GC §60201 et. seq.</u>

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
FACILITIES SERVICES										
Water Operations / Facilities Services	FS-01	Facility Inspections	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)		Ppr			Department Preference; GC §60201
Water Operations / Facilities Services	FS-02	Fire Inspections, Maintenance	2 years		2 years		Mag, Ppr			Department Preference; GC §60201
Engineering / Planning	FS-03	Manuals: Operations & Maintenance / Project Manuals	When No Longer Required		When No Longer Required	Yes: Until Superseded	Mag, Mfr, OD, Ppr	S/I	Yes: <u>After QC & 30 days</u> Upon Completion	Copies; GC §60200
Water Operations / Facilities Services	FS-04	Monthly Inspections (on TabWare)	When No Longer Required		When No Longer Required		Ppr			Drafts / Source / Transitory records entered into Tabware; GC §60200, 60201
Water Quality	FS-05	NPDES Permits (storage tanks)	Expiration + 4 years		Expiration + 4 years	Yes: Until Expiration	Mag, Ppr			Department Preference (Water Quality maintains original); Covers various statute of limitations; Monitoring records required for 3 years; 40 CFR §§122.21, 122.41; CCP §337 et seq.; GC §60200

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
Engineering / Plann. - Engineering Library	FS-06	Plans - Landscaping, Engineering	<u>Copies - When No Longer Required</u> No Activity for 3 years	P	<u>Copies - When No Longer Required</u> P		Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u> 1-year	Transfer to Engineering Library; Department Preference; GC §60201
Lead Dept.	FS-07	Self-contained Breathing Apparatus (SCBA) - <u>Frames, Tanks, etc.</u>	Expiration of Certificate (minimum 2 years)		Expiration of Certificate (minimum 2 years)		Mag, Ppr			Certificates are issued for 3-5 years; GC §60201 et. seq.
Lead Dept.	FS-09	<u>Self-contained Breathing Apparatus (SCBA) - Monthly Inspections</u>	<u>2 years</u>		<u>2 years</u>		<u>Mag, Ppr</u>			<u>District Preference, GC §60201 et. seq.</u>
Water Operations / Facilities Services	FS-08	Weed and Brush Abatement	3 years		3 years		Mag, Ppr			Same as work orders; District Clerk maintains originals that are presented to Board (for liens); GC §60201

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
(OFR)									
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>									
FLEET SERVICES									
Water Operations / Fleet Services	FL-01	Bit Inspection (CHP Commercial Vehicle Inspection)	Life of the Vehicle – Minimum 2 years		Life of the Vehicle - Minimum 2 years		Mag, Ppr		Department preference: If a motor carrier, required for 3 and 14 months; 49 CFR 396.21(b)(1); 49 CFR 396.11(c)(2); GC §60201
<u>Water Operations / Fleet Services</u> <i>Lead Dept</i>	<u>FL-11</u> <i>S&S-13</i>	<u>Overhead Crane Certifications and Inspections</u>	<u>5 years</u>		<u>5 years</u>		<u>Mag, Ppr</u>		Department Preference: OSHA records are required to be retained for 5 years; 8 CCR 14300.33(a); GC §60201 et seq.; LC §6429c
Human Resources	FL-02	Drivers License for Commercial Drivers	<u>Copies -</u> When No Longer Required		<u>Copies -</u> When No Longer Required		Mag, Ppr		Copies; GC §60200
Water Operations / Fleet Services	FL-03	Fuel Tax Records / Fuel Logs	5 years		5 years		Mag, Ppr		Summary sent to Accounting; Meets municipal government auditing standards; GC §60201
Water Operations / Fleet Services	FL-04	Generator Operation Logs: Mobile / Portable Generators	<u>2 years</u> Disposal of Vehicle or Equipment		<u>2 years</u> Disposal of Vehicle or Equipment		Mag, Ppr		Department Preference (log indicates run time only); GC §60201
Water Operations / Fleet Services	FL-05	RTA System: Includes vehicle masters, parts inventory and repair history	Life of the Vehicle (minimum 2 years)		Life of the Vehicle (minimum 2 years)		Mag, Ppr		Department Preference; GC §60201

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
(OFR)									
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Water Operations / Fleet Services	FL-06	Two-Way Radio Licensing and Information	Expiration + <u>2</u> years		Expiration + <u>2</u> years		Mag, Ppr		Covers statute of limitations for written contracts (4 years); Statewide guidelines propose Permanent; CCP § 337 et. Seq.; GC § 60201
Water Operations / Fleet Services	FL-07	Vehicle and Equipment Folders: Includes Maintenance History, Inspections, etc.	<u>When No Longer Required (In RTA database) Disposal of Vehicle or Equipment + 4 years</u>		<u>When No Longer Required (In RTA database) Disposal of Vehicle or Equipment + 4 years</u>		Mag, Ppr		Department Preference to cover all statute of limitations; If a motor carrier, required for 18 months after vehicle is sold; Covers all statute of limitations; CHP requires life of vehicle; OSHA requires 1 year; 8 CCR § 3203(b)(1); 49 CFR 396.21(b)(1); 49 CFR 396.3(c); CCP §337 et. Seq., GC §60201
Water Operations / Fleet Services	FL-08	Vehicle Specifications	When No Longer Required		When No Longer Required		Mag, Ppr		Copies; GC §60200
Water Operations / Fleet Services	FL-09	Vehicle <u>Assignment</u> Utilization Records	<u>When No Longer Required 2 years</u>		<u>When No Longer Required 2 years</u>		Mag, Ppr		GC §60201
Water Operations / Fleet Services	FL-10	Work Order System for Fleet (RTA)	Indefinite		Indefinite		Mag		Data is interrelated; system qualifies as a "trusted system"; GC §§60201, 12168.7

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
SAN JOAQUIN MARSH / NATURAL TREATMENT SYSTEM (NTS)										
GM / District Secretary	SJM-01	Encroachment Permits - Permanent (e.g. discharge of wells into storm drains, etc.)	Copies - When No Longer Required		Copies - When No Longer Required		Mag. Mfr. OD. Ppr	S / I	Yes: After QC & 30 days 1-year	GC §60200
Engineering / Planning	SJM-02	Encroachment Permits - Temporary	Copies - When No Longer Required		Copies - When No Longer Required		Mag. Mfr. OD. Ppr	S / I	Yes: After QC & 30 days 1-year	GC §60200
Water Operations / San Joaquin Marsh / NTS Water Resources / San Joaquin Marsh / NTS	SJM-03	EPA Methods Files	When No Longer Required - Minimum 2 years		When No Longer Required - Minimum 2 years		Mag. Ppr			GC §60200, 60201
Water Operations / San Joaquin Marsh / NTS Water Resources / San Joaquin Marsh / NTS	SJM-04	Field Monitoring Equipment Manuals / Instrument Manuals / Laboratory Equipment Manuals / Mechanical Manuals	Upon Disposal of Equipment		Upon Disposal of Equipment		Mag. Ppr			GC §60201

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
Water Operations / San Joaquin Marsh / NTS Water Resources / San Joaquin Marsh / NTS	SJM-05	Mitigation Reports	Completion + 10 years	P	P	Yes: Until Project Completed	Mag. Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Department Preference: Final EIRs are required to be kept a "reasonable period of time"; 14 Cal Code Regs §15095(c); GC §60201
Water Operations / San Joaquin Marsh / NTS Water Resources / San Joaquin Marsh / NTS	SJM-06	Operation and Maintenance Manuals	When Superseded		When Superseded	Yes	Mag. Mfr, OD, Ppr	S / I	No	Manuals are updated constantly; GC §60201
Water Operations / San Joaquin Marsh / NTS Water Resources / San Joaquin Marsh / NTS	SJM-07	Orange County Vector Control Files	When No Longer Required		When No Longer Required		Mag. Ppr			Non-records; GC §60200

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>									
Water Operations / San Joaquin Marsh / NTS Water Resources / San Joaquin Marsh / NTS	SJM-08	Permits: AQMD, Section 404, Section 401, Section 1602, pressure vessels, and generators	<u>Expiration of Permit + 2 years</u>		<u>Expiration of Permit + 2 years</u>		Ppr		GC §60201
Water Operations / San Joaquin Marsh / NTS Water Resources / Admin.	WRA-02	Plan Monitoring & Reports - NTS (Natural Treatment System)	P		P		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Department Preference (Water Quality Lab does the test, then sends report to Water Resources); GC §60201
Water Operations / San Joaquin Marsh / NTS Water Resources / San Joaquin Marsh / NTS	SJM-09	San Joaquin Marsh Files	<u>When No Longer Required - Minimum 2 years</u>		<u>When No Longer Required - Minimum 2 years</u>		Mag, Ppr		GC §60200, 60201
Water Operations / San Joaquin Marsh / NTS Water Resources / San Joaquin Marsh / NTS	SJM-10	SCADA - Supervisory Control and Data Acquisition (Water Quality)	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 4-year Department Preference to study on demand and rainfall; GC §60200

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
Water Operations / San Joaquin Marsh / NTS Water Resources / Admin.	WRA-04	Soils Reports (NTS)	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days	Used to determine landscaping: GC §60201
Water Operations / San Joaquin Marsh / NTS Water Resources / San Joaquin Marsh / NTS	SJM-11	Special Project Files / Subject File	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)		Mag, Ppr			GC §60200, 60201
Water Operations / San Joaquin Marsh / NTS Water Resources / San Joaquin Marsh / NTS	SJM-13	Water Quality Monitoring Reports (NTS)	P		P		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Inactive	Department Preference: GC §60201

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
PREVENTATIVE MAINTENANCE										
Water Operations / Preventative Maintenance	PM-01	Cross-Connection Backflow Device Inspections and Maintenance (Potable Water)	<u>5</u> 3 years		<u>5</u> 3 years		Mag, Mfr, OD, Ppr	S	Yes: <u>After QC & 30 days</u>	Meets California Department of Health requirements; GC §60201; 17 CCR 7605
Water Operations / Preventative Maintenance	PM-02	Equipment Repair Orders (Pumps, Pump Stations, Well Logs, etc.)	Life of Equipment		Life of Equipment		Mag, Ppr			Department Preference; GC §60201
Water Operations / Preventative Maintenance	PM-03	Fire Hydrant Flush / Valve Maintenance / Main Repairs	Indefinite		Indefinite		Mag, Ppr			Stored on Tabware or AS 400 (data is interrelated); GC §60201
Water Operations / Preventative Maintenance	PM-04	Preventative Maintenance System (for cross-connection locations and backflow tests)	Indefinite		Indefinite		Mag			Data is interrelated; system qualifies as a "trusted system"; GC §§60201, 12168.7
Lead Dept.	PM-05	Self-contained Breathing Apparatus (SCBA) - Frames, Tanks, etc.	Expiration of Certificate (minimum 2- years)		Expiration of Certificate (minimum 2- years)		Mag, Ppr			Certificates are issued for 3-5 years; GC §60201 et. seq.
Lead Dept.	PM-06	Self-contained Breathing Apparatus (SCBA) - Monthly Inspections	<u>2 years</u>		<u>2 years</u>		Mag, Ppr			District Preference; GC §60201 et. seq.

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>										
SYSTEM OPERATIONS										
Engineering / Planning	SO-01	Design Review for New Facilities	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2-years	Copies; GC §60200
Water Operations / System Ops	SO-02	Inspection Schedule and Logs	3 years		3 years		Mag, Ppr			WC §13263.2(b) et seq.; GC §60201
Engineering / Planning	SO-03	Library	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2-years	Copies of final designs; GC §60200
Water Operations / System Ops	SO-04	Reservoir, Dam Maintenance (includes Dam Safety reports, corrosion reports, surveillance reports, etc.)	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2-years	Infrastructure; GC §60201
Water Operations / System Ops or Wastewater	SO-05	SCADA Alarm & Status Printouts / Charts	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2-years	Database is original, printouts are drafts / copies. Data is interrelated; system qualifies as a "trusted system"; GC §§60200, 12168.7
Water Operations / System Ops or Wastewater	SO-06	SCADA: Supervisory Control and Data Acquisition Database	Indefinite		Indefinite		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2-years	Data is interrelated; system qualifies as a "trusted system"; GC §§60201, 12168.7
Lead Dept.	SO-07	Self-contained Breathing Apparatus (SCBA) - Frames, Tanks, etc.	Expiration of Certificate (minimum 2-years)		Expiration of Certificate (minimum 2-years)		Mag, Ppr			Certificates are issued for 3-5 years; GC §60201 et. seq.

RECORDS RETENTION SCHEDULE: WATER OPERATIONS

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
(OFR)									
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion)</i>									
Lead Dept.	SO-10	Self-contained Breathing Apparatus (SCBA) - Monthly Inspections	2 years		2 years		Mag, Ppr		District Preference; GC §60201 et. seq.
Water Operations / System Ops Engineering / Plan - Technical Services & Water Operations	SO-08	Summary of Cross-Connection Devices	Indefinite		Indefinite		Mag, Ppr		Stored on AS 400 (data is interrelated); GC §60201
	SO-09	Wells, Well Data , Depth to Water measurements, Sounding, Compiled reports	^P When No Longer Required		^P When No Longer Required		Mag, Mfr, OD, Ppr	S / I Yes: After QC & 30 days 2 years	Department Preference; GC §60201

RECORDS RETENTION SCHEDULE: WATER QUALITY and ENVIRONMENTAL COMPLIANCE

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
<p><i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i></p> <p><i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i></p> <p><i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i></p>										
WATER QUALITY CENTRAL LIBRARY										
Engineering	WQL-01	Water Quality Project Files (Engineering Library) — Administration File: Project Administration, Performance Bonds/Surety, Project Schedules, Invoices, Logs, Insurance Certificates from Contractors, Correspondence, Advertising, Daily Reports, etc.	Upon Completion	10 years or After-Funding-Agency-Audit, if required, whichever is longer	Completion + 10 years or After-Funding-Agency-Audit, if required, whichever is longer	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 1 year	Statute of Limitations for written contracts are four years from the date of breach; errors and omissions is 10 years; Death during construction is 10 years; CCP §§337., 337.1(a), 337.15 GC §60200, Contractor has retention requirements in 48 CFR 4.703
Engineering	WQL-02	Water Quality Project Files (Engineering Library) — Permanent File: Plans, Specifications, Change Orders, Materials Testing Reports, Environmental, Feasibility Studies, Notice of Completion, Record Drawings ("As-Builts"), Regulatory Agency Approvals, SAMP, Soils Reports, Structural Calculations, Submittals, Surveys, etc.	Upon Completion	P	P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 1 year	For disaster preparedness purposes; GC §60201 et seq.
Water Resources / Environ-Quality	WQL-03	GEQA / NEPA Documents: — Prepared by District (Environmental Impact Reports (EIRs), Environmental Assessments, Negative Declarations, etc)	Copies — When No Longer Required		Copies — When No Longer Required	Yes: Until Project Completed	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1 year	Copies usually filed in Project File (Water Resources is OFR); GC §60200
Water Resources / Environ-Quality	WQL-04	GEQA / NEPA Documents: — Prepared by Others (District comments) (Environmental Impact Reports (EIRs), Environmental Assessments, Negative Declarations, etc)	Copies — When No Longer Required		Copies — When No Longer Required	Yes: Until Project Completed	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1 year	Copies usually filed in Project File (Water Resources is OFR); GC §60200

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Water Quality	WQL-05 (A-)	Administrative Records	When No Longer Required (minimum 5 years)		When No Longer Required (minimum 5 years)		Mag, Ppr		Department Preference; GC §60201
Water Quality	WQL-06 (A-)	Customer Concerns: Odor / Taste / Visual Complaints (most are stored on CSR system)	5 years		5 years		Mag, Mfr, OD, Ppr	S / I Yes: After QC & 30 days 5 years	5 years is required in State and Federal law for any complaints; 40 CFR 122.41(j)(2) & 40 CFR 141.33(b); 22 CCR 66470
Water Quality	WQL-07 (B-)	Biology: Worksheets, Reports & Sampling	5 years After Placed in a Tabular Summary When No Longer Required - Minimum 5 years		5 years After Placed in a Tabular Summary When No Longer Required - Minimum 5 years		Mag, Mfr, OD, Ppr	S / I Yes: After QC & 30 days 5 years	Lab Reports may be destroyed if data is transferred to a "tabular summary" meeting legal requirements; 40 CFR 141.33(a); 22 CCR 66470 et seq.
Water Quality	WQL-08 (E-)	Environmental Agencies / Regulatory Agencies	When No Longer Required - Minimum 5 years		When No Longer Required - Minimum 5 years		Mag, Ppr		GC §60201
Water Quality	WQL-09 (E-)	Unauthorized Discharges / Violations	When No Longer Required - Minimum 5 years		When No Longer Required - Minimum 5 years		Mag, Mfr, OD, Ppr	S / I Yes: After QC & 30 days 5 years	NPDES records are required for 3 years; 40 CFR 122.41(j)(2); 40 CFR 141.33(b); 22 CCR 66470 et seq.

RECORDS RETENTION SCHEDULE: WATER QUALITY and ENVIRONMENTAL COMPLIANCE

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Water Quality	WQL-10 (E-)	NPDES Monitoring Reports	When No Longer Required - Minimum 5 years		When No Longer Required - Minimum 5 years		Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> <u>5-years</u>	Monitoring records required for 3 years; 40 CFR §§122.21, 122.41, <u>122.44</u>
Water Quality	WQL-11 (E-)	NPDES Permits	Expiration	P	P	Yes: Until Expiration	Mag, Ppr			Department Preference; Covers various statute of limitations; Monitoring records required for 3 years; 40 CFR §§122.21, 122.41; <u>122.44</u> ; CCP §337 et seq.
Water Quality	WQL-12 (E-)	Lead & Copper: <u>Customer Certification Letters</u> , Worksheets, Reports & Sampling	When No Longer Required - Minimum 5 years	<u>13 7</u> years	When No Longer Required - Minimum 18 12 years		Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> <u>5-years</u>	<u>Lead and Copper are required for 12 years or 2 compliance cycles (some compliance cycles are nine years); 22 CCR 64400.25; 22 CCR §64470, 40 CFR 141.33(a); 40 CFR 141.91 Lab Reports may be destroyed if data is transferred to a "tabular summary" meeting legal requirements; 40 CFR 141.91; 40 CFR 141.33(a); 22 CCR 66470; 22 CCR 64692</u>
Water Quality	WQL-13 (F-)	Facilities	P		P		Mag, Ppr			Department Preference; GC §60201
Water Quality	WQL-14 (F-)	Customer Service Logs / Requests (consistent with Customer Concerns in Admin.)	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2-years	5 years is required in State and Federal law for any complaints; 40 CFR 122.41(j)(2) & 40 CFR 141.33(b); 22 CCR 66470

RECORDS RETENTION SCHEDULE: WATER QUALITY and ENVIRONMENTAL COMPLIANCE

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference	
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(OFR)									
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Water Quality Water Operations - Admin.	WOA-12	Incidents / Waste Discharge Reports: Recycled Water Violations, Spills, Investigations and Corrective Actions - ALL, over 50,000 or under 50,000 gallons, private property	Last Action + 5 years		Last Action + 5 years	Yes: Before Resolution	Mag, Mfr, OD, Ppr		Department Preference: Code of Federal Regulations requires 3 years; 40 CFR 122.41(j)(2) & 40 CFR 141.33(b)
Water Quality Water Operations - Admin.	WOA-13	Incidents / Waste Discharge Reports: Regional Board Reports	Last Action + 5 years		Last Action + 5 years	Yes: Before Resolution	Mag, Mfr, OD, Ppr		Department Preference: Code of Federal Regulations requires 3 years; 40 CFR 122.41(j)(2) & 40 CFR 141.33(b)
Water Quality	WQL-15 (L-)	LIMS (Laboratory Information Management System)	Indefinite		Indefinite		Mag		Data is interrelated; GC §60201
Water Quality	WQL-16 (L-)	LIMS Receipts (list of daily samples - ELAP - audit trail)	5 years		5 years		Mag, Mfr, OD, Ppr	S / I	Lab Reports may be destroyed if data is transferred to a "tabular summary" meeting legal requirements; 40 CFR 141.33(a); 40 CFR 141.91; 22 CCR 66470 et seq.; 22 CCR 64692
Water Quality	WQL-17 (L-)	Laboratory Analysis (ALL) Bench Sheets - Bacteriological, Chemical, Lead & Copper, Organics	5 years After Placed in a Tabular Summary		5 years After Placed in a Tabular Summary		Mag, Mfr, OD, Ppr	S / I	Lab Reports may be destroyed if data is transferred to a "tabular summary" meeting legal requirements; 40 CFR 141.33(a); 40 CFR 141.91; 22 CCR 66470 et seq., 22 CCR 64692 , 22 CCR 64470

RECORDS RETENTION SCHEDULE: WATER QUALITY and ENVIRONMENTAL COMPLIANCE

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference	
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
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Water Quality	WQL-18 (L-)	Certification / Calibration Records	5 years	7-years	5-12 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2-years	Consistent with Laboratory Analysis / Bench Sheets Lead & Copper Analysis; 40 CFR 141.33(a); 40 CFR 141.91; 22 CCR 66470 et seq., 22 CCR 64692 , 22 CCR 64470
Water Quality	WQL-19 (S-)	Association Records	When No Longer Required		When No Longer Required		Mag, Ppr			Non-Records used for administrative purposes; GC §60201
Water Quality	WQL-20	Manuals - Operation and Maintenance for various equipment	Life of Equipment		Life of Equipment		Mag, Mfr, OD,	S	No	Administrative value; GC §60201
Water Quality	WQL-21	Hazardous Waste Disposal Manifests	5 years	P	P	Yes: Before Resolution	Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 2-years	Department preference; Claims can be made for 30 years for toxic substance exposure; 8 CCR §3204(d)(1) et seq., 5 years is required in State and Federal law for any complaints; 40 CFR 122.41(j)(2) & 40 CFR 141.33(b); 22 CCR 66470; GC §§12946, 60201
Water Quality	WQL-22	Hazardous Materials Inventory / Disclosures (for Local Fire Authorities / Districts)	5 years		5 years		Mag, Ppr			Department Preference (this is performed annually); GC §60201
Water Quality	WQL-23	Regulatory Agency Reports / Compliance Reports: Monthly and Quarterly Reports, including backup data	When No Longer Required - Minimum 5 years		When No Longer Required - Minimum 5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 2-years	Department Preference; Hazmat discharge records are required for 3-5 years; 40 CFR 122.41(j)(2)

RECORDS RETENTION SCHEDULE: WATER QUALITY and ENVIRONMENTAL COMPLIANCE

Office of Record	Records Series No.	Records Description	Retention / Disposition					Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options		Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?
(OFR)										
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>										
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Water Quality	WQL-24	Underground Storage Tanks (UST) Compliance: Permits & Correspondence	5 years	P	P		Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> <u>2 years</u>	Department Preference; GC §60201
<u>Water Quality</u>	<u>WQL-25</u>	<u>Underground Storage Tanks (UST) Monitoring and Maintenance, Release Detection Systems, Cathodic Protection Maintenance Records</u>	<u>3 years</u>	<u>4 years</u>	<u>7 years</u>		<u>Mag, Ppr</u>			<u>Monitoring and Maintenance records are required on site for 3 years, 6 ½ years for cathodic protection maintenance, 5 years for calibration & maintenance of release detection systems; 23 CCR 2712(b); H&S §25284.24(i)</u>
<u>Water Quality</u>	<u>WQL-26</u>	<u>Well Monitoring (OCSD Wells)</u>	<u>5 years</u>	<u>P</u>	<u>P</u>		<u>Mag, Mfr, OD, Ppr</u>	<u>S / I</u>	Yes: <u>After QC & 30 days</u> <u>2 years</u>	Department Preference; GC §60201

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
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(OFR)										
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WATER RESOURCES & POLICY / ADMINISTRATION										
Engineering / Planning	WRA-01	Capital Project Files (Design & Construction)	Send to Engineering Library upon Completion		Send to Engineering Library upon Completion	Yes: Before Completion	Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 1-year	Department Preference; GC §60201
Water Resources & Policy Environ- Quality	EQ-01	Environmental / CEQA / NEPA Documents: Prepared for by-IRWD (Environmental Impact Reports (EIRs), Environmental Assessments, Negative Declarations, Notice of Exemption, etc)	Completion + 10 years	P	P	Yes: Until Project Completed	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Department Preference; Final EIRs are required to be kept a "reasonable period of time"; 14 Cal Code Regs §15095(c); GC §60201
Water Resources & Policy Environ- Quality	EQ-02	Environmental / CEQA / NEPA Documents: Prepared for by- Others (IRWD comments) (Environmental Impact Reports (EIRs), Environmental Assessments, Negative Declarations, Notice of Exemption, etc)	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Non-records; GC §60201
Water Resources & Policy Environ- Quality	EQ-03	Environmental Subject Files / Reference Manuals	When No Longer Required <i>(minimum 2 years)</i>		When No Longer Required <i>(minimum 2 years)</i>		Mag, Ppr			GC §60200, 60201
Water Resources & Policy Environ- Quality	WRA-06 PA-02	Legislation (Proposed): County, State or Federal Governments	2 years		2 years		Mag, Ppr			GC §60201

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(OFR)										
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>										
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
Water Resources & Policy Public Affairs	WRA-07 PA-03	Lobbyist Registration and Reporting (FPPC Form 635)	2 years	5 years	7 years		Mag, Mfr, OD, Ppr	S	Yes	GC §81009(e) and (g)
Water Resources / Admin. & Environ. Quality & San Joaquin Marsh	EQ-04	Permits & Certifications: AQMD, Section 404, Section 401, Section 1602, pressure vessels, and generators	Expiration of Permit + 2 years		Expiration of Permit + 2 years		Ppr			GC §60201
Water Resources / Admin.	WRA-02	Plan Monitoring & Reports - Conservation, NTS (Natural Treatment System)	P		P		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 1 year	Department Preference (Water Quality Lab does the test, then sends report to Water Resources); GC §60201
Water Resources / Admin. & Policy	WRA-03	Planning Studies / Non Capital Projects	P Completion +10 years		P Completion +10 years		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & 30 days Completion	Department Preference; Govers E&O Statute of Limitations (insurance certificates are filed with agreement); Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers must retain their records for completion + 10 years; CGP §§336(a), 337 et. seq.; GC §60201

Office of Record	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
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Water Resources / Admin. & Environ. Quality & Recycled Water	EQ-05	Plans - Landscaping (Recycled Water Only)	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Submitted by private entities; Department Preference (small residential systems may not be necessary to retain, large commercial plans may be retained permanently); GC-§60201
Water Resources & Policy / Environ. Quality	EQ-06	Project Manuals	P		P	Yes	Mag, Mfr, OD, Ppr	S / I	Yes: After <u>QC & 30 days</u> 1-year	Department Preference; GC §60201
Water Resources & Policy / Environ. Quality	EQ-07	Reports to OCSD (Industrial Waste)	3 years		3 years		Mag, Ppr			NPDES Monitoring records required for 3 years; 40 CFR §§122.21, 122.41
Water Resources & Policy / Environ. Quality	EQ-08	Reports to Regulatory Agencies	<u>When No Longer Required - Minimum 5 years</u> P		<u>When No Longer Required - Minimum 5 years</u> P		Mag, Mfr, OD, Ppr	S / I	Yes: After <u>QC & 30 days</u> 1-year	Department Preference; GC §60201
Water Resources / Admin.	WRA-04	Soils Reports	When No Longer Required (minimum 10 years)		When No Longer Required (minimum 10 years)	Yes: Until Completed	Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 1-year	Used to determine landscaping; GC-§60201

Office of Record (OFR)	Records Series No.	Records Description	Retention / Disposition							Comments / Reference
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Water Resources & Policy Environ- Quality	WRA-05	Water Supply Assessments / Water Supply Verifications / Water Banking	P		P		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 1-year	Department Preference; GC §60201

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WATER OPERATIONS / WATER RESOURCES AND POLICY NTS (NATURAL TREATMENT SYSTEM)										
Water Operations / Water Resources & Policy Resources / NTS & San Joaquin Marsh	NTS-01	Mitigation Reports	Completion + 10 years	P	P	Yes: Until Project Completed	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Department Preference; Final EIRs are required to be kept a "reasonable period of time"; 14 Cal Code Regs §15095(c); GC §60201
Water Operations / Water Resources & Policy Resources / NTS & San Joaquin Marsh	NTS-02	NTS Certifications and Consistency of Determination Letters	P		P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & 30 days 1-year	Department Preference; GC §60201
Water Operations / Water Resources & Policy Resources / NTS & San Joaquin Marsh	NTS-03	NTS General Files	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)		Mag, Ppr			GC §60200, 60201

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(OFR)											
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Water Operations / Water Resources & Policy Resources / NTS & San Joaquin Marsh	NTS-04	NTS Mailings for Comment / Master Calendar	2 years		2 years			Mag, Ppr		GC §60201	
Water Operations / Water Resources & Policy Resources / NTS & San Joaquin Marsh	NTS-05	NTS Project Files	P		P			Mag, Mfr, OD, Ppr	S / I	Yes: <u>After QC & 30 days</u> 1-year	Department Preference; GC §60201
GM / District Secretary	NTS-06	Plans—NTS (Natural Treatment System)	P		P			Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days 1-year	Department Preference; GC §60200

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ENVIRONMENTAL-QUALITY								

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(OFR)										
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RECYCLED WATER PROGRAM DEVELOPMENT										
Water Resources Recycled Water	RCW-01	Irrigation Plans for Recycled Water	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Inactive	Submitted by private entities; Department Preference (small residential systems may not be necessary to retain, large commercial plans may be retained permanently); GC §60201
Water Resources Recycled Water	RCW-02	Landscaping and Irrigation Studies and Reports	P		P		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Inactive	Department Preference; GC §60201
Water Resources Recycled Water	RCW-03	<u>Essential Project Files: Recycled Water Retrofits / Approvals</u> Non-Capital Projects	<u>P</u> Completion +10 years		<u>P</u> Completion +10 years		Mag, Mfr, OD, Ppr	S/I	Yes: After QC & 30 days Completion	Department Preference; Covers E&O Statute of Limitations (insurance certificates are filed with agreement); Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. +5 years, Developers must retain their records for completion +10 years; GGP §§336(a), 337 et. seq.; GC §60201

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<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>										
SAN JOAQUIN MARSH / NATURAL TREATMENT SYSTEM (NTS)										
GM / District Secretary	SJM-01	Encroachment Permits – Permanent (e.g. discharge of wells into storm drains, etc.)	When No-Longer-Required		When No-Longer-Required		Mag, Mfr, OD, Ppr	S/H	Yes: After QC & 30 days 1 year	GC §60200
Engineering / Planning	SJM-02	Encroachment Permits – Temporary	When No-Longer-Required		When No-Longer-Required		Mag, Mfr, OD, Ppr	S/H	Yes: After QC & 30 days 1 year	GC §60200
Water Resources / San Joaquin Marsh – NTS	SJM-03	EPA Methods Files	When No-Longer-Required (minimum 2 years)		When No-Longer-Required (minimum 2 years)		Mag, Ppr			GC §60200, 60201
Water Resources / San Joaquin Marsh – NTS	SJM-04	Field Monitoring Equipment Manuals / Instrument Manuals / Laboratory Equipment Manuals / Mechanical Manuals	Upon Disposal of Equipment		Upon Disposal of Equipment		Mag, Ppr			GC §60201
Water Resources / San Joaquin Marsh – NTS	SJM-05	Mitigation Reports	Completion + 10 years	P	P	Yes: Until Project Completed	Mag, Mfr, OD, Ppr	S/H	Yes: After QC & 30 days 1 year	Department Preference; Final EIRs are required to be kept a "reasonable period of time"; 14 Cal Code Regs §15095(c); GC §60201
Water Resources / San Joaquin Marsh – NTS	SJM-06	Operation and Maintenance Manuals	When Superseded		When Superseded	Yes	Mag, Mfr, OD, Ppr	S/H	No	Manuals are updated constantly; GC §60201
Water Resources / San Joaquin Marsh – NTS	SJM-07	Orange County Vector Control Files	When No-Longer-Required		When No-Longer-Required		Mag, Ppr			Non-records; GC §60200

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>									
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>									
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
Water Resources / Environ-Quality & San Joaquin Marsh NTS	SJM-08	Permits: AQMD, Section 404, Section 401, Section 1602, pressure vessels, and generators	Expiration of Permit + 2 years		Expiration of Permit + 2 years		Ppr		GC §60201
Water Resources / San Joaquin Marsh NTS	SJM-09	San Joaquin Marsh Files	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)		Mag, Ppr		GC §60200, 60201
Water Quality	SJM-10	SCADA— Supervisory Control and Data Acquisition (Water Quality)	5 years		5 years		Mag, Mfr, OD, Ppr	S/H	Yes: After QC & 30 days 1 year Department Preference to study on demand and rainfall; GC- §60200
Water Resources / San Joaquin Marsh NTS	SJM-11	Special Project Files / Subject File	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)		Mag, Ppr		GC §60200, 60201
Water Resources / San Joaquin Marsh NTS	SJM-12	Subject Files	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)		Mag, Ppr		GC §60200, 60201
Water Resources / San Joaquin Marsh NTS	SJM-13	Water Quality Monitoring Reports	P		P		Mag, Mfr, OD, Ppr	S	Yes: After QC & 30 days Inactive Department Preference; GC- §60201

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i> <i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i> <i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
WATER USE EFFICIENCY CONSERVATION									
Water Resources / <u>Water Use Efficiency Conserv.</u>	WC-01	Base Water Rate Allocations, and Allocation Reviews, <u>Studies</u>	P 2-years		P 2-years		Mag, Ppr		Department preference; Base allocations are entered into Customer Service Database; GC §60201
Engineering / Planning	WC-02	Capital Project Files (Design & Construction)	Send to Engineering upon Completion		Send to Engineering upon Completion		Mag, Mfr, OD, Ppr	S Yes: After QC & 30 days 1 year	Department Preference; GC §60201
Finance / Accounts- Receivable	WC-03	ET / Weather Station Information	When No Longer Required		When No Longer Required		Mag, Mfr, OD, Ppr	S / I Yes: After QC & 30 days 1 year	Finance maintains permanently; GC §60200
GM / District Secretary	WC-04	Plans & <u>Studies</u> - Conservation	P		P		Mag, Mfr, OD, Ppr	S Yes: After QC & 30 days 1 year	Department Preference; GC §60200
Water Resources / <u>Water Use Efficiency Conserv.</u>	WC-05	Project Files: <u>Water Use Efficiency</u> (Non-capital projects)	P Completion +10-years		P Completion +10-years		Mag, Mfr, OD, Ppr	S/I Yes: After QC & 30 days Completion	Department Preference; Covers E&O-Statute of Limitations (insurance certificates are filed with agreement); Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years; Wrongful Death-comp. + 5 years; Developers must retain their records for completion + 10-years; CCP §§336(a), 337 et. seq., GC §60201

Office of Record	Records Series No.	Records Description	Retention / Disposition						Comments / Reference		
			Active (in office)	Inactive (Off-site, OD or Mfr)	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan		Destroy Paper after Imaged & QC'd?	
(OFR)											
<i>If the record is not listed here, refer to the Retention for District-Wide Standards. Retention periods also apply to CID, LAWD, SAHWD, SCWD & OPAMWC records.</i>											
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>											
<i>Litigation, complaints, claims, audits, pending public records act requests, and/or federal investigations suspend normal retention periods (retention resumes after settlement or completion).</i>											
Water Resources / Water Use Efficiency Conserv.	WC-06	Weather Station Maintenance (outside contract)	Completion + 5 10 years		Completion + 5 10 years			Mag, Mfr, OD, Ppr	S/I	Yes: <u>After QC & 30 days</u> Completion	Covers E&O Statute of Limitations (insurance certificates are filed with agreement); Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers must retain their records for completion + 10 years; CCP §§336(a), 337 et. seq., GC §60201
WATER RESOURCES											
Water Resources / Water Resources	WR-01	Resource Files	When No Longer Required (minimum 2 years)		When No Longer Required (minimum 2 years)			Mag, Ppr			GC §60200, 60201

Department:

Date:

**RECORDS DESTRUCTION / DISPOSITION REQUEST FORM
IRVINE RANCH WATER DISTRICT**

The records listed below are scheduled to be destroyed. The records are not the subject of any claim, litigation, investigation, or audit.

(Refer to you records retention schedule for the Records Series No & Retention Period)

Records Series No	Records Description	Retention Period	First Date	Last Date	Shred / Recycle / Delete*
FIN-034	Accounts Payable Invoices (sample)	7 years	07/01/1992	06/30/1993	S

*Delete is for original electronic records. Shredding is required whenever the record contains private data (e.g., customer name, address, usage data or other personal information; social security or drivers license numbers); or contains attorney-client communications or other privileged material.

DOCUMENTS HAVE BEEN REVIEWED AND APPROVED FOR DESTRUCTION

_____	_____
Employee Originating Request	Date
_____	_____
Authorized Department Head	Date
_____	_____
District Secretary (for claims / litigation)	Date
_____	_____
Program Administrator / Purchasing Office (for retention schedule compliance)	Date

(Complete after destruction has been performed, if done by District employees. If destruction is performed by a commercial vendor, have them provide a certificate.)

I HEREBY CERTIFY that the items listed above have been destroyed in accordance with District policies and procedures:

_____	_____
Employee	Date

Return this form to the Purchasing Office after it has been completed.

EXHIBIT "B"

RESOLUTION 2014 –

RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRVINE RANCH WATER DISTRICT RESCINDING RESOLUTION NO. 2004-57 AND ADOPTING A RECORDS RETENTION SCHEDULE, AND AUTHORIZING DESTRUCTION OF CERTAIN DISTRICT RECORDS

WHEREAS, the Irvine Ranch Water District's maintenance of numerous records is expensive, slows document retrieval and, in the case of certain records, is unnecessary after a certain period of time for effective and efficient operation of the District, and

WHEREAS, Section 60201 of the California Government Code provides that the legislative body of a district may authorize the destruction or disposition of any record or document that is not expressly required by Section 60201(d) or other law to be filed and preserved, by adopting and complying with a record retention schedule that complies with specified guidelines provided by the Secretary of State, that classifies all of the district's records by category and that establishes a standard protocol for records destruction or disposition; and

WHEREAS, the Board of Directors desires to replace and supersede the existing records retention schedule and destruction protocol as adopted by Resolution No. 2004-57;

NOW THEREFORE, the Board of Directors of Irvine Ranch Water District DOES HEREBY RESOLVE, DETERMINE and ORDER as follows:

Section 1. The Records Retention Schedules of the Irvine Ranch Water District ("Schedules"), in the form presented to this meeting which form is incorporated herein by this reference are adopted, to be effective upon adoption of this resolution and remain in effect until they are amended or superseded. Resolution No. 2005-57 is rescinded in its entirety, effective upon adoption hereof.

Section 2. Without further authorization from this Board, the records of the District are hereby authorized to be destroyed or disposed of in accordance with the Schedules, upon the completion of a Records Destruction/Disposal Request Form, which shall: (a) be signed by the originating staff member, department head, and District Secretary; (b) list, by the applicable Schedules category(ies) or series, the types of records being destroyed or disposed of in a manner that reasonably identifies the information contained in the records being destroyed or disposed of; and (c) specifies the destruction or disposition procedure, such as shredding, recycling, or deletion from electronic media.

Section 3. The term "records" as used herein shall mean any record consisting of a "writing" as defined by Government Code Section 6252(f), including documents, instructions, books, microforms, electronic files, magnetic tape, optical media and papers.

ADOPTED, SIGNED AND APPROVED this 8th day of September, 2014.

President, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

Secretary IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

APPROVED AS TO FORM:

Legal Counsel
Bowie, Arneson, Wiles & Giannone

September 8, 2014

Prepared by: Gretchen Ronin 

Submitted by: Jenny Roney 

Approved by: Paul Cook 

ACTION CALENDAR

2015 MEDICAL INSURANCE COVERAGE RENEWAL

SUMMARY:

CalPERS Health Benefits Services has notified participating agencies of premiums for the 2015 contract year. Staff is recommending that the Board:

- Extend coverage through CalPERS medical insurance program for calendar year 2015.
- Adjust employee contributions as described below.

BACKGROUND:

The District currently utilizes the CalPERS medical insurance program and receives premium rates each year in advance of open enrollment in September. For the 2015 calendar year, CalPERS has notified the District of premium increases for each of the specific plans from which IRWD employees can choose.

Medical Insurance Premium Changes:

The District has been notified that for the 2015 contract year, premiums for the District's plans will change, compared to previous years, as follows:

	<u>2015 Premiums</u>	<u>2014 Premiums</u>
PERS Care	2.99% increase	-35.70% decrease
PERS Choice	-2.92% decrease	0.16% increase
PERS Select	-0.13% decrease	31.32% increase
Blue Shield Access+ HMO	10.21% increase	-15.64% decrease
Blue Shield Net Value HMO	22.73% decrease	-16.88% decrease
Kaiser Permanente	-3.81% decrease	7.84% increase
Anthem Traditional HMO	25.48% increase	New Plan in 2014
Anthem Select HMO	21.78% increase	New Plan in 2014
Health Net Salud y Mas	6.28% increase	New Plan in 2014
Health Net SmartCare HMO	2.00% increase	New Plan in 2014
United HealthCare HMO	-13.8% decrease	New Plan in 2014
Sharp Health Plan HMO	4.82% increase	New Plan in 2014

Plan Design Changes:

Staff has not been notified of any substantive changes to the plan designs or benefits available to employees under the current CalPERS health plan offerings. Employees will be notified of any changes that may affect their health plan choices prior to open enrollment. The CalPERS open enrollment period is September 15, 2014 through October 10, 2014. Information about CalPERS health plans was mailed to employees at home during the last week of August. Open enrollment

health plans was mailed to employees at home during the last week of August. Open enrollment meetings to review plan design changes, new plan offerings, and making open enrollment elections are scheduled for the week of September 15, 2014. Healthcare providers have also been invited to attend the District's Benefits and Wellness Fair scheduled for October 1, 2014.

Proposed Changes to Employee and Employer Contributions:

Staff recommends that changes be made to employee contributions for calendar year 2015 based on the District's past practice of using the high enrollment PPO plan (PERS Choice) to set employee and employer contributions, and setting the employee and employer contributions for the other plans by using the calculated employer contribution for the PERS Choice plan. This also aligns with the negotiated terms of the IRWD Employee Association Memorandum of Understanding (MOU). Because the premiums for the PERS Choice plan are decreasing by 2.92% for 2015, District contributions will decrease slightly from 2015 levels. Attached is Exhibit "A" which outlines the proposed employee and employer costs for this recommendation by plan and in the aggregate.

Employee and employer contributions for 2014 and proposed contributions for 2015 as shown in Exhibit "A" for 2014 are summarized in the tables below.

2014 and Proposed 2015 Monthly Contributions and Premiums

Plan Providers	2015 Premium Change	2014 Employee Contribution (Emp/E+I/Fam)	2014 District Contribution (Emp/E+I/Fam)	Proposed 2015 Employee Contribution (Emp/E+I/Fam)	Proposed 2015 District Contribution (Emp/E+I/Fam)	Total 2015 Premium (Emp/E+I/Fam)
PERS Care PPO	2.99%	\$86/\$172/\$228	\$552/\$1104/\$1431	\$122/\$245/\$319	\$535/\$1069/\$1390	\$657/\$1314/\$1709
PERS Choice PPO	-2.92%	\$60/\$120/\$160	\$552/\$1104/\$1431	\$59/\$119/\$155	\$535/\$1069/\$1390	\$594/\$1188/\$1545
PERS Select PPO	-0.13%	\$34/\$68/\$93	\$552/\$1104/\$1431	\$50/\$101/\$132	\$535/\$1069/\$1390	\$585/\$1171/\$1522
Blue Shield Access +	10.21%	\$7/\$15/\$33	\$536/\$1071/\$1379	\$63/\$128/\$166	\$535/\$1069/\$1390	\$598/\$1197/\$1556
Blue Shield NetValue	22.73%	\$7/\$15/\$33	\$450/\$899/\$1156	\$26/\$53/\$68	\$535/\$1069/\$1390	\$561/\$1122/\$1458
Kaiser Permanente	-3.81%	\$50/\$101/\$136	\$552/\$1104/\$1431	\$44/\$90/\$117	\$535/\$1069/\$1390	\$579/\$1159/\$1507
Anthem Traditional HMO	25.48%	\$40/\$80/\$108	\$552/\$1104/ \$1431	\$208/\$417/\$542	\$535/\$1069/\$1390	\$743/\$1486/\$1932
Anthem HMO Select	21.78%	\$7/\$15/\$33	\$530/\$1059/ \$1363	\$118/\$238/\$310	\$535/\$1069/\$1390	\$654/\$1307/\$1700
Health Net Salud y Mas	6.28%	\$7/\$15/\$33	\$483/\$964/ \$1240	\$0/\$0/\$0	\$521/\$1041/\$1353	\$521/\$1041/\$1353
Health Net SmartCare	2.00%	\$16/\$33/\$47	\$552/\$1104/ \$1431	\$44/\$90/\$117	\$535/\$1069/\$1390	\$579/\$1159/\$1507
United HealthCare	-13.80%	\$7/\$15/\$33	\$514/\$1027/ \$1321	\$0/\$0/\$0	\$449/\$898/\$1167	\$449/\$898/\$1167
Sharp Health Plan	4.82%	\$7/\$15/\$33	\$531/\$1062/ \$1367	\$29/\$60/\$77	\$535/\$1069/\$1390	\$564/\$1129/\$1467

CalPERS Administrative Fees and Reserves:

On July 1, 2012, the CalPERS administrative fee was reduced to 0.25%. The administrative fee is calculated on total active and total retired health premiums each month. Staff has not been notified of a proposed change to the administrative fee. CalPERS can also charge up to 4% for a contingency reserve fund but has not charged once since 1985. There was no contingency reserve fee charged for the 2014 calendar year, and to date the District has not been notified of any contingency reserve fees for 2015.

FISCAL IMPACTS:

Renewal of the District's current health insurance coverage with CalPERS, as represented in Table A, will result in total projected expenses for FY 2014-15 of \$4,020,000. The District's budget for this coverage for FY 2014-15 is \$4,574,700. Projected annual medical insurance premiums for FY 2014-15 will be approximately \$554,700 (13.8%) under budget.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee on September 2, 2014.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE STAFF TO CONTINUE THE DISTRICT'S HEALTH CARE COVERAGE WITH CALPERS FOR CALENDAR YEAR 2015 WITH CHANGES IN EMPLOYEE AND DISTRICT CONTRIBUTION LEVELS AS RECOMMENDED IN TABLE A.

LIST OF EXHIBITS:

Exhibit "A" – Medical Premium Comparison with Recommended Payroll Deductions

EXHIBIT "A"

Irvine Ranch Water District 2015 CalPERS Monthly Medical Insurance Premiums Comparison and Proposed IRWD Payroll Deductions

	Current 2014 Enrollment	2014 Medical Premiums	2015 Medical Premiums	2015 Premium Increases		2014 P/R Deductions	Proposed 2015 P/R Deductions	Proposed 2014 IRWD Contribution
				\$	%			
<u>PERS Care PPO</u>								
Single	6	\$638.22	\$657.32	\$19.10	2.99%	\$86.00	\$122.00	\$535.32
Two Party	3	\$1,276.44	\$1,314.64	\$38.20	2.99%	\$172.00	\$245.00	\$1,069.64
Family	<u>13</u>	<u>\$1,659.37</u>	<u>\$1,709.03</u>	<u>\$49.66</u>	<u>2.99%</u>	<u>\$228.00</u>	<u>\$319.00</u>	<u>\$1,390.03</u>
	22	\$29,230.45	\$30,105.23			\$3,996.00	\$5,614.00	\$24,491.23
<u>PERS Choice PPO</u>								
Single	15	\$612.25	\$594.40	(\$17.85)	-2.92%	\$60.00	\$59.00	\$535.40
Two Party	16	\$1,224.50	\$1,188.80	(\$35.70)	-2.92%	\$120.00	\$119.00	\$1,069.80
Family	<u>27</u>	<u>\$1,591.85</u>	<u>\$1,545.44</u>	<u>(\$46.41)</u>	<u>-2.92%</u>	<u>\$160.00</u>	<u>\$155.00</u>	<u>\$1,390.44</u>
	58	\$71,755.70	\$69,663.68			\$7,140.00	\$6,974.00	\$62,689.68
<u>PERS Select PPO</u>								
Single	5	\$586.32	\$585.58	(\$0.74)	-0.13%	\$34.00	\$50.00	\$535.58
Two Party	2	\$1,172.64	\$1,171.16	(\$1.48)	-0.13%	\$68.00	\$101.00	\$1,070.16
Family	<u>5</u>	<u>\$1,524.43</u>	<u>\$1,522.51</u>	<u>(\$1.92)</u>	<u>-0.13%</u>	<u>\$93.00</u>	<u>\$132.00</u>	<u>\$1,390.51</u>
	12	\$12,899.03	\$12,882.77			\$771.00	\$1,112.00	\$11,770.77
<u>Blue Shield Acces+</u>								
Single	31	\$543.21	\$598.66	\$55.45	10.21%	\$7.00	\$63.00	\$535.66
Two Party	14	\$1,086.42	\$1,197.32	\$110.90	10.21%	\$15.00	\$128.00	\$1,069.32
Family	<u>52</u>	<u>\$1,412.35</u>	<u>\$1,556.52</u>	<u>\$144.17</u>	<u>10.21%</u>	<u>\$33.00</u>	<u>\$166.00</u>	<u>\$1,390.52</u>
	97	\$105,491.59	\$116,259.98			\$2,143.00	\$12,377.00	\$103,882.98
<u>Blue Shield NetValue</u>								
Single	6	\$457.17	\$561.09	\$103.92	22.73%	\$7.00	\$26.00	\$535.09
Two Party	0	\$914.34	\$1,122.18	\$207.84	22.73%	\$15.00	\$53.00	\$1,069.18
Family	<u>9</u>	<u>\$1,188.64</u>	<u>\$1,458.83</u>	<u>\$270.19</u>	<u>22.73%</u>	<u>\$33.00</u>	<u>\$68.00</u>	<u>\$1,390.83</u>
	15	\$13,440.78	\$16,496.01			\$339.00	\$68.00	\$15,728.01
<u>Kaiser Permanente</u>								
Single	14	\$602.79	\$579.80	(\$22.99)	-3.81%	\$50.00	\$44.00	\$535.80
Two Party	11	\$1,205.58	\$1,159.60	(\$45.98)	-3.81%	\$101.00	\$90.00	\$1,069.60
Family	<u>43</u>	<u>\$1,567.25</u>	<u>\$1,507.48</u>	<u>(\$59.77)</u>	<u>-3.81%</u>	<u>\$136.00</u>	<u>\$117.00</u>	<u>\$1,390.48</u>
	68	\$89,092.19	\$85,694.44			\$7,659.00	\$6,637.00	\$79,057.44
<u>Anthem Traditional HMO</u>								
Single	0	\$592.20	\$743.12	\$150.92	25.48%	\$40.00	\$208.00	\$535.12
Two Party	0	\$1,184.40	\$1,486.24	\$301.84	25.48%	\$80.00	\$417.00	\$1,069.24
Family	<u>1</u>	<u>\$1,539.72</u>	<u>\$1,932.11</u>	<u>\$392.39</u>	<u>25.48%</u>	<u>\$107.00</u>	<u>\$542.00</u>	<u>\$1,390.11</u>
	1	\$1,539.72	\$1,932.11			\$107.00	\$542.00	\$1,390.11
<u>Anthem Select HMO</u>								
Single	0	\$536.99	\$653.97	\$116.98	21.78%	\$7.00	\$118.00	\$535.97
Two Party	0	\$1,073.98	\$1,307.94	\$233.96	21.78%	\$15.00	\$238.00	\$1,069.94
Family	<u>3</u>	<u>\$1,396.17</u>	<u>\$1,700.32</u>	<u>\$304.15</u>	<u>21.78%</u>	<u>\$33.00</u>	<u>\$310.00</u>	<u>\$1,390.32</u>
	3	\$4,188.51	\$5,100.96			\$99.00	\$930.00	\$4,170.96
<u>Health Net Salud y Mas</u>								
Single	0	\$489.82	\$520.59	\$30.77	6.28%	\$7.00	\$0.00	\$520.59
Two Party	0	\$979.64	\$1,041.18	\$61.54	6.28%	\$15.00	\$0.00	\$1,041.18
Family	<u>0</u>	<u>\$1,273.53</u>	<u>\$1,353.53</u>	<u>\$80.00</u>	<u>6.28%</u>	<u>\$33.00</u>	<u>\$0.00</u>	<u>\$1,353.53</u>
	0	\$0.00	\$0.00			\$0.00	\$0.00	\$0.00

	Current 2014 Enrollment	2014 Medical Premiums	2015 Medical Premiums	2015 Premium Increases		2014 P/R Deductions	Proposed 2015 P/R Deductions	Proposed 2014 IRWD Contribution
				\$	%			
Health Net SmartCare								
Single	0	\$568.51	\$579.88	\$11.37	2.00%	\$16.00	\$44.00	\$535.88
Two Party	0	\$1,137.02	\$1,159.76	\$22.74	2.00%	\$33.00	\$90.00	\$1,069.76
Family	0	\$1,478.13	\$1,507.69	\$29.56	2.00%	\$47.00	\$117.00	\$1,390.69
	0	\$0.00	\$0.00			\$0.00	\$0.00	\$0.00
United HealthCare								
Single	2	\$521.01	\$449.10	(\$71.91)	-13.80%	\$7.00	\$0.00	\$449.10
Two Party	0	\$1,042.02	\$898.20	(\$143.82)	-13.80%	\$15.00	\$0.00	\$898.20
Family	1	\$1,354.63	\$1,167.66	(\$186.97)	-13.80%	\$33.00	\$0.00	\$1,167.66
	3	\$2,396.65	\$2,065.86			\$47.00	\$0.00	\$2,065.86
Sharp Health Plan								
Single	0	\$538.59	\$564.57	\$25.98	4.82%	\$7.00	\$29.00	\$535.57
Two Party	0	\$1,077.18	\$1,129.14	\$51.96	4.82%	\$15.00	\$60.00	\$1,069.14
Family	0	\$1,400.33	\$1,467.88	\$67.55	4.82%	\$33.00	\$77.00	\$1,390.88
	0	\$0.00	\$0.00			\$0.00	\$0.00	\$0.00
No coverage								
Single	1	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00
Two Party	6	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00
Family	7	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00
	14	\$0.00	\$0.00			\$0.00	\$0.00	\$0.00
Monthly Premium		\$345,792.42	\$354,984.79					
Less: Employee Contributions		23,956.00	35,006.00					
Net Monthly Premium		321,836.42	319,978.79					
Net Annual Premium		3,862,037.04	3,839,745.48	(22,291.56)	-0.58%			

Note: Costs for FY2014-15 will consist of 6 months at current 2014 premiums (\$321,836/month) and 6 months at new 2015 premium levels (\$319,979/month) plus additional premiums as 21 vacant positions are filled over the next several months. Estimated premiums for FY2014-15 of \$4,020,000 are \$554,700 (13.8%) under the budgeted amount of \$4,574,700.

September 8, 2014

Prepared by: Gretchen Ronin

Submitted by: Jenny Roney

Approved by: Paul Cook

ACTION CALENDAR

DENTAL INSURANCE COVERAGE FOR CALENDAR YEAR 2015

SUMMARY:

The Association of California Water Agencies' Joint Powers Insurance Authority (ACWA/JPIA) has negotiated rates with Delta Dental for the plan year beginning January 1, 2015 which resulted in a slight decrease in the premiums for IRWD's current dental plan, Plan A. Staff recommends that the Board extend IRWD's existing contract with ACWA for Delta Dental Plan A coverage for calendar year 2015.

BACKGROUND:

IRWD's current dental coverage is provided by Delta Dental Plan of California through ACWA/JPIA. Delta Dental offers two different Delta Preferred Option (DPO) plans which are summarized in Exhibit "A." The major coverage differences between Plan A and Plan B include a higher level of diagnostic and preventive benefits and a higher annual maximum benefit under Plan B. IRWD currently contracts through ACWA for DPO Plan A with child and adult orthodontic coverage added on.

ACWA has negotiated rates with Delta Dental for calendar year 2015. Premiums for Plan A with child and adult orthodontic coverage, in which the District is currently enrolled, will decrease by approximately 5% from 2014 rates. Premiums last increased in January 2013 by 2.01%.

The District's current monthly rates are \$37.74 for employee only, \$76.18 for employee plus one, and \$143.10 for family coverage. ACWA will renew coverage for the District's current plan at the monthly rates of \$35.97 for employee only, \$72.48 for employee plus one, and \$136.06 for family coverage. Monthly rates for the upgraded DPO Plan B are \$48.52 for employee only, \$98.17 for employee plus one, and \$183.20 for family coverage. These rates are 35% higher than the rates for the current coverage. Exhibit "B" details the estimated costs for the two dental plan options available to the District.

ACWA's administration fee was last increased in July 2008 from \$1.65 to \$1.72 per enrollee per month. There will be no change to the administration fee for calendar year 2014. The administration fee is included in the premiums shown above and in Exhibit "B." Staff recommends that the Board extend the District's existing contracts with ACWA for Dental Plan A.

FISCAL IMPACTS:

Staff budgeted \$440,500 for FY 2014-15 dental premiums. Renewal of the District's current dental insurance coverage with the 5% decrease in premiums based on current enrollment would result in total projected expenses for FY 2014-15 of \$419,920 or \$20,580 (4.7%) under budget. Renewal of the District's dental insurance coverage with an upgrade to Plan B based on current enrollment would result in total projected expenses for FY 2013-14 of \$485,740 or \$45,240 (10.3%) over budget.

ENVIRONMENTAL IMPACTS:

This item is not a project as defined in the California Environmental Quality Act Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee on September 2, 2014.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXTEND THE DISTRICT'S CONTRACT WITH THE ASSOCIATION OF CALIFORNIA WATER AGENCIES' JOINT POWER INSURANCE AUTHORITY FOR DELTA PREFERRED OPTION PLAN A WITH CHILD AND ADULT ORTHODONTIC COVERAGE.

LIST OF EXHIBITS:

- Exhibit "A" – Dental Plan Benefits Comparison
- Exhibit "B" – Dental Plan Premiums Comparison

EXHIBIT "A"

IRVINE RANCH WATER DISTRICT JANUARY 2015 DENTAL PLAN RENEWAL COMPARISON

IRVINE RANCH WATER DISTRICT DENTAL PLAN BENEFITS	ACWA DELTA PREFERRED PLAN A		ACWA DELTA PREFERRED PLAN B	
	In Network	Out of Network	In Network	Out of Network
Individual Deductible	\$25		\$25	
Family Deductible	\$50		\$50	
Dependent Coverage Maximum Age	26 years		26 years	
Calendar Year Maximum	\$1,500		\$2,000	
Diagnostic & Preventive Treatments	85% Deductible waived	80% Deductible waived	100% Deductible waived	100% Deductible waived
Basic Treatments	80% after deductible	80% after deductible	85% after deductible	80% after deductible
Crowns, Jackets, & Casts	50% after deductible	50% after deductible	50% after deductible	50% after deductible
Prosthodontic Treatments*	50% after deductible	50% after deductible	50% after deductible	50% after deductible
Orthodontic Treatments*	50%	50%	50%	50%
Orthodontia Lifetime Maximum	\$2,000	\$2,000	\$2,000	\$2,000

* 12 month waiting period from date of eligibility

**IRVINE RANCH WATER DISTRICT
2015 DENTAL RENEWAL -- FINANCIAL COMPARISON
CURRENT AND RENEWAL OPTION RATES**

EXHIBIT "B"

	<i>Current Plan A w/ Child & Adult Ortho</i>		<i>Option 1 Calendar Year 2014 Plan A w/ Child & Adult Ortho</i>			<i>Option 2 Calendar Year 2014 Plan B w/ Child & Adult Ortho</i>		
	<i>Enrollment</i>	<i>Premium</i>	<i>Enrollment</i>	<i>Premiums</i>	<i>% Increase</i>	<i>Enrollment</i>	<i>Premiums</i>	<i>% Increase</i>
	ACWA Delta Dental							
Single	75	\$37.74	75	\$35.97	-4.69%	75	\$48.52	28.56%
Two Party	71	\$76.18	71	\$72.48	-4.86%	71	\$98.17	28.87%
Family	183	<u>\$143.10</u>	183	<u>\$136.06</u>	-4.92%	183	<u>\$183.20</u>	28.02%
Monthly Dental Premium		\$34,427		\$32,743			\$44,135	
% Change to Current Monthly Premium				-4.89%			28.20%	
NET ANNUAL PREMIUM		\$413,119		\$392,914			\$529,616	
% Change to Current Annual Premium				-4.89%			28.20%	

Note: Costs for FY2014-15 for Plan A consist of 6 months at current premiums (\$34,427/month) and 6 months at new premium levels (\$32,743/month) plus additional premiums as 21 vacant position are filled for a total projected expense of \$419,920.

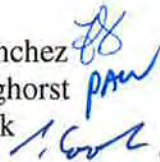
Note: Costs for FY2014-15 for Plan B consist of 6 months at current premiums (\$33,270/month) and 6 months at new premium levels (\$44,135/month) plus additional premiums as 21 vacant positions are filled for a total projected expense of \$485,740.

September 8, 2014

Prepared by: Fiona Sanchez

Submitted by: Paul Weghorst

Approved by: Paul Cook



ACTION CALENDAR

STATEWIDE DROUGHT AND LEVEL ONE WATER SHORTAGE DECLARATION

SUMMARY:

In response to the Governor's declaration of a statewide drought emergency, the Board adopted a resolution in February 2014 calling for voluntary conservation to reduce demands on water supplies. Since then, the statewide drought situation has continued to worsen, and IRWD has effectively implemented all of the measures that are to be undertaken in a Level One Shortage as specified in IRWD's Water Shortage Contingency Plan (WSCP). As a result of the implementation of these measures, Staff recommends that the Board formally declare a Level One Shortage and authorize staff to implement the associated measures specified in the Water Shortage Contingency Plan.

BACKGROUND:

The State of California is experiencing a severe statewide drought which is one of the worst in state history. The state has had three consecutive years of dry winters, with 2013 being the driest year on record and 2014 resulting in record-breaking heat. Throughout the state, water storage levels are dropping and saving water has become imperative to extend water reserves in anticipation of another dry winter. The Governor declared a statewide drought emergency in January 2014 and the State Water Resources Control Board (SWRCB) adopted Emergency Drought Regulations in July 2014 in response to worsening conditions.

In accordance with the District's WSCP, which is attached as Exhibit "A", a response to water supply shortages varies depending on the magnitude and nature of the shortfall. In response to the Governor's January 2014 emergency drought declaration, the Board adopted a resolution calling for a 20 percent voluntary reduction in demand. Since February, the District has increased its public outreach, expanded its conservation efforts and implemented changes to the District's Allocation-based Rate Structure, all of which are measures identified under a Level One Shortage in IRWD's WSCP. Level One is a shortage warning and low level shortage condition with supply reductions of up to 10%. The measures that have been implemented by the District and that are included in a Level One Shortage are described below.

Prohibitions on Water Waste:

The following prohibitions against wasteful water use are permanently in effect even in years without shortages. These prohibitions are still in effect and comply with the requirements of the SWRCB's Emergency Drought Regulations:

- Prevention of irrigation run-off and water waste;
- Leak prevention;

- Ban on washing down hard or paved surfaces, except when necessary to alleviate safety or sanitary hazards;
- Ban on the use of non-recirculating decorative fountains or water features;
- Ban on single-pass cooling; and
- Ban on the use of a hose for vehicle washing unless the hose has a positive, automatic shut-off device.

Customer and Public Outreach:

Anyone observing potential overuse within IRWD's service area is encouraged to call IRWD's Customer Service Department for assistance. Staff will follow up on any reports of water waste and take the following actions:

- Staff will review water use, contact the customer to investigate the report of water waste and offer assistance as appropriate, and
- Should the water waste continue, staff will send the customer a letter requesting that the water waste problem be corrected and offer further assistance. The customer will also be advised that if the water waste problem is not corrected, IRWD will not be able to protect the customer's water use information from public record requests.

The following additional Level One Shortage measures have been implemented:

Targeting Over-allocation Customers:

Staff has ramped up its ongoing outreach efforts to more aggressively target over-allocation customers. Over-allocation use is considered wasteful use. Customers in these tiers are contacted via letter, telephone, e-mail and other means. On-site assistance/audits are offered to help identify the source of the over-allocation use and staff provides recommendations to address the problem.

Drought Messaging:

Staff has developed drought messaging and dedicated pages on the District's website. Information is also provided in the *Pipelines* customer newsletter. IRWD staff and Board members are regularly giving drought-related presentations to groups such as the city council, community associations, chambers of commerce, business groups, and schools.

Staff has prepared fact sheets about the drought and is well prepared to respond to continued requests from the media.

Other Measures:

Rate Structure Modifications:

Under the District’s allocation-based rate structure, customer monthly water allocations are limited to the amount that is reasonable for customers’ needs, property characteristics and weather conditions. The rate structure provides a financial disincentive for wasteful water use. During a shortage, IRWD can adjust the allocations, tighten the tiers and adjust the rates to achieve necessary demand reductions. Such an adjustment was implemented by the District on July 1, 2014. Additionally, the Proposition 218 Customer Notice communicated the adjustments and advised customers that an additional 10% tightening of the tiers could be implemented at the District's discretion after January 2015, if necessary, to obtain further demand reductions.

Water Conservation Logo:

The WSCP states that a water conservation or shortage response logo will be adopted and vigorously promoted as a symbol to influence public attitudes toward water use. Staff has developed the “Take the Pledge” and the “One More Thing to Save Water” outreach campaigns that incorporate a water conservation-related logo. The goal of these campaigns is to raise water-saving awareness and create a constant visual reminder that IRWD customers are taking action to save water.

As a result of the implementation of the above prohibitions on water waste, public outreach and other measures, staff recommends that the Board formally declare a Level One Shortage and authorize staff to implement the associated measures specified in the Water Shortage Contingency Plan.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not Applicable.

COMMITTEE STATUS:

This item was review by the Water Resources and Policy Committee on September 4, 2014.

RECOMMENDATION:

THAT THE BOARD DECLARE A LEVEL ONE WATER SHORTAGE AND AUTHORIZE STAFF TO IMPLEMENT THE ASSOCIATED MEASURES SPECIFIED IN THE WATER SHORTAGE CONTINGENCY PLAN.

LIST OF EXHIBITS:

Exhibit “A” - Water Shortage Contingency Plan

EXHIBIT "A"

WATER SHORTAGE CONTINGENCY PLAN February 2009

PART I: EXECUTIVE SUMMARY

Background

IRWD's response to a water supply shortage varies depending on the magnitude and nature of the shortfall. A supply shortage is defined as a reduction in total supplies, typically resulting from one of two conditions:

- Drought conditions that limit availability of imported water or local supplies.
- System interruptions that result from emergency outage conditions.

IRWD's response to any water supply shortage depends on the cause, severity and anticipated duration of the shortage. Use of local supplies, storage and other supply augmentation measures can mitigate shortages, and are assumed to be in use to the maximum extent possible during declared shortage levels. The resultant net shortage levels can be addressed by demand reduction programs, as described in this Plan. This document is intended primarily to address drought supply shortages, however at the discretion of the Board, this Plan may also be used to address system outages, although these are more explicitly addressed in IRWD's Water Supply Reliability Study (June 2008).

Supply Shortage Conditions

Given the assumption that the level of water supply shortage experienced at any point in time is net of mitigating supply factors, two basic considerations emerge in formulating a water shortage plan: (1) the shortage must be offset by demand reduction, and (2) the demand reduction program must be incremental in nature since shortage conditions are normally progressive. This means that a shortage contingency plan should be designed to address varying levels of supply deficits with recommended actions predicated upon the actual deficit level. Therefore this plan develops a shortage response based upon four levels of supply cutbacks:

- *Level One* is a shortage warning and low level shortage condition with supply reductions of up to 10%.
- *Level Two* is a significant shortage condition indicated by shortages between 10 to 25%.
- *Level Three* is a severe shortage condition indicated by shortages ranging from 25 to 40%.
- *Level Four* is a crisis shortage condition resulting when shortages exceed 40%.

Each shortage level will trigger a set of response measures aimed at reducing demand to the level of supply. Steps taken within each level should be considered cumulative; that is, Level Two responses will include most if not all the responses in Level One plus the additional actions necessary to meet the Level Two condition. Level Three will include most if not all the responses in Level Two plus the additional measures necessary to meet a Level Three condition, and so on.

However, if a shortage condition persisted over an extended period of time, it may be necessary to implement a higher level response to sustain required reductions. Thus both the severity of supply reductions and the duration over which the reductions are experienced will determine the appropriate response.

Supply Shortage Response Measures

In addition to basic measures which are always in effect, there are three types of response measures that can be implemented by the District in the event of a supply shortage.

- Voluntary measures through increased public outreach, education and awareness (V)
- Demand management through the use of the District's allocation-based rate structure (D).
- Mandatory measures through restrictions on use and enforcement (M).

In general terms, voluntary customer responses and demand management through the use of the allocation-based rate structure will be used in all four shortage levels identified in this plan. A combination of voluntary and demand management strategies are likely to be sufficient to address virtually all shortage levels. Responses to shortages in Levels Three and Four may also include restrictions on use and enforcement. Below is a summary of anticipated supply shortage response measures.

Supply Shortage Response Measure	IRWD Supply Shortage Level	Voluntary (V), Demand Management (D) or Mandatory (M)
Public Education	Always In Effect	
Prohibition of Gutter Flooding	Always In Effect	
Prohibition of Leaks	Always In Effect	
Prohibition of Water Waste	Always In Effect	
Enhanced Public Awareness Campaign	Level One	V
Target Over-Allocation Customers for Surveys/Assistance	Level One	V
Review and Adjust Customer Allocations and/or Tiers as necessary	Level One/Two	D
Reduce Potable and Untreated Irrigation and Agricultural Allocations by 30% or other percentage specified in the shortage level declaration	Level Two	D
Reduce Potable and Untreated Irrigation Allocations by 60% or other percentage specified in the shortage level declaration	Level Three	D
Reduce Commercial, Industrial and Institutional Potable Allocations by 10% or other percentage specified in the shortage level declaration	Level Three	D
Increase Rates for Over-Allocation Use Tiers	Level Three/Four	D
Further reduction of allocations, tightening of tiers and rate increases to achieve necessary demand reductions	Level Four	D/M
Eliminate Outdoor Use (100% reduction)	Level Four	D/M
Mandatory restrictions and enforcement	Level Four	M

These response measures may be applied singly or in combination and may vary according to the severity and duration of the shortage. Other measures may be applied in lieu of or in addition to those described in this plan. The application of shortage level response measures or restrictions may vary as to type of water service. In the implementation of measures or restrictions on potable water service through the declaration of a shortage level, the District will determine and set forth how and to what extent, if any, such measures or restrictions, or different measures or restrictions, will be applied to non-potable water services furnished by the District. IRWD's Board of Directors will declare the level of shortage based on water supply conditions.

Imported Water Supply Shortage

An imported water supply shortage represents one of the main causes of a supply shortage for the District. In 2008 approximately one-third of IRWD’s water supply was imported through Metropolitan Water District of Southern California (MWD). While potential reductions in imported water deliveries from MWD can be mitigated to some extent by the addition of other local supplies, such as increased pumping from groundwater facilities, or the conversion of certain potable water uses to recycled water (see IRWD's Water Resources Master Plan (WRPM) and Urban Water Management Plan (UWMP)), the range of shortages projected herein is assumed to be net of those supply augmentation measures. That is, supply shortages identified as, say 20%, is the actual shortage confronted by the District's customers after supply augmentation factors have been implemented. This plan is intended to develop a set of options to reduce demand; the development of supply augmentation options is outside the scope of this analysis and is addressed in the WRMP and UWMP.

In February 2008 the MWD adopted a Water Supply Allocation Plan based on its declared level of shortage. IRWD has performed analysis relating to varying hydrologic conditions, availability of supply augmentation measures and additional conservation. Based on the results of the modeling, Table 1 illustrates IRWD water shortage levels correlated with MWD’s allocation shortage plan.

Table 1: IRWD Water Shortage Levels Correlated with MWD Allocation Stages:

MWD Stage	MWD Supply Shortage	IRWD Reliability Range	IRWD Shortage Level
1	5%	97-100%	1
2	10%	95-100%	1
3	15%	93-100%	1
4	20%	91-100%	1
5	25%	88-99%	1 or 2
6	30%	86-97%	2
7	35%	84-95%	2
8	40%	82-92%	2
9	45%	79-89%	2
10	50%	77-88%	2 or 3

The above table assumes a dry local hydrology for multiple years and limited access to groundwater. Actual correlations may differ depending on local hydrology at the time of the shortage.

PART II: SHORTAGE RESPONSE STRATEGIES

Basic Measures Always In Effect

The following basic measures are considered good water management practices, and are always in effect regardless of whether a shortage level is declared. These measures are contained in IRWD's Rules and Regulations (Section 15):

- (a) *Gutter Flooding* - No person shall cause or permit any water furnished to any property within the District to run or to escape from any hose, pipe, valve, faucet, sprinkler, or irrigation device into any gutter or otherwise to escape from the property if such running or escaping can reasonably be prevented.
- (b) *Leaks* - No person shall permit leaks of water that he has the authority to eliminate.
- (c) *Washing Hard Surface Areas* - Washing down hard or paved surfaces, including, but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards.
- (d) *Waste* - No person shall cause or permit water under his control to be wasted. Wasteful usage includes, but is not limited to, the uses listed in Section 13(a) of Exhibit 1 to the Memorandum of Understanding Regarding Urban Water Conservation in California, dated December 11, 2002, as amended from time to time, or the counterpart of said list contained in any successor document.

Under the District's allocation-based conservation rate structure that is in effect during non-shortage conditions, customer allocations are limited to the amount that is reasonable for the customer's needs and property characteristics, and reflect the exclusion of these types of wasteful water uses.

Water Supply Shortage Response Measures

IRWD would employ a range of measures in response to potential shortages depending on the level and duration. While the measures will be applied incrementally, this Plan builds in a level of flexibility to adopt additional measures to ensure the appropriate level of demand reduction. The use of IRWD's allocation-based rates and the assessment of higher rates for over-allocation or wasteful use provides IRWD with an additional strategy to help achieve demand reductions.

For illustration purposes, Table 2 shows water reductions requirements that would be required during three shortage conditions, using water demand data from 2007 (See Appendix A for total treated and untreated water demands).

Table 2: Water Conservation Requirements – Acre-Feet:

Shortage Percentage	10%	25%	40%
Treated and Untreated Water	6,673	16,683	26,693
Treated Water Only	5,874	14,686	23,497

In order to achieve the necessary demand reductions, IRWD’s measures will progress from voluntary reductions to reduction of discretionary uses through financial incentives or restrictions to reduction of non-discretionary uses through financial incentives or restrictions based on the level of the shortage. Most shortages, unless extreme (Level Four or system outage), can be addressed with a combination of voluntary measures and a reduction of discretionary uses through financial incentives.

Response Measures: Voluntary

The single most important step the District can take in implementing voluntary measures is to inform the public consciousness in order to help reduce water demand. It should be noted that the District has implemented on-going water use efficiency and outreach programs since the early 1990’s, and those efforts combined with the allocation-based tiered rates, have resulted in somewhat hardened levels of demand. The District will employ additional strategies to achieve the necessary demand reductions in a shortage situation. Most of the effort will be focused on providing additional outreach to high usage tier customers.

1. *Public Outreach:* An outreach program will educate the public and local leaders on the water supply situation; what actions are proposed; what the intended achievements are; and how these actions are to be implemented. This will be accomplished by having key District personnel present to groups such as the city council, community associations, chambers of commerce, business groups, etc. An endorsement of proposed District plans by these groups will assist in obtaining the public support essential in confronting water shortages.

The public at large will be informed through press releases, billing inserts, water conservation booths, community association meetings, newsletters, church groups, etc. Literature will be provided on the shortage condition, conservation methods, and water-saving devices and be distributed through the fire and police stations, libraries, city hall, schools, shopping center,

recreation facilities, etc. Certain behavior modifications, such as those listed below, can help address the need for immediate conservation.

- Survey plumbing every two months and eliminate water loss resulting from leaky plumbing fixtures.
 - Restrict showers to five minutes or less; fill the bath tub no more than one-quarter full.
 - Do not run water unnecessarily while shaving, brushing teeth, bathing, preparing food, etc.
 - Run only full loads of laundry and dishes.
 - Reduce landscape watering.
 - Fill swimming pools to a lower level to minimize water loss due to splashing.
2. *Education Programs:* School programs will focus on the water shortage situation. In addition to the usual District background information, the supply situation and conservation methods will be highlighted. Demonstrations using sample water-saving devices can be given; literature will be distributed.
 3. *Logo:* A water conservation or shortage response logo will be adopted and vigorously promoted as a symbol to influence public attitudes toward water use.
 4. *Media:* Extensive use of all available forms of media will be employed and coordinated with other agencies. This includes public service messages on radio and television and press releases in local newspapers. The messaging and level of response will be correlated with the need for demand reductions.
 5. *Target Over-Allocation Customers:* District staff will ramp up its ongoing outreach efforts to more aggressively target over-allocation customers. Over-allocation use is considered wasteful use; customers in these tiers will be contacted via letter, telephone, e-mail and other means. On-site assistance/audits will help identify the source of the over-allocation use and provide recommendations to address the problem.
 6. *Customer Service:* Anyone observing potential over-use within IRWD's service area will be encouraged to call in to IRWD's Customer Service Department for assistance. A customer

service representative will generate a customer service request (CSR) linked to the account to ensure appropriate follow-up and resolution by the District.

Response Measures: Demand Management and Use of Allocation-Based Rates

The allocation-based tiered rate structure adopted by IRWD in 1991 is intended to function as a tool to promote ongoing water use efficiency. Water is allocated on an individual customer basis established upon specific indoor uses and outdoor irrigation needs. The structure includes a five-tiered system for residential customers and a four-tiered system for non-residential customers, and charges progressively higher rates for progressively higher amounts of water used. Use within a customer's allocation is encouraged through a significantly tiered commodity pricing system which discourages wasteful use. The allocation-based tiered rates provide IRWD with an effective mechanism to alter demand through pricing.

Analysis of Usage and Tiers

A detailed analysis of the usage and tiers, with the most recently available data, is one of the first steps that should be undertaken in developing demand management strategies, including potential adjustments to the tiers and allocations. Appendix A: 2007 Annual Usage and Tier Break-Down shows the annual usage and tier break-down information for treated and untreated water sources, based on data from calendar year 2007. The first two tiers shown (1 and 2) indicate usage within allocation. Tiers 3 to 5 indicate over-allocation use.

Basic water allocations should be reviewed on a periodic basis taking into consideration changes since the most recent review of these allocations, including changes to the plumbing code that improve water use efficiency, water conservation devices and more efficient irrigation systems available to the average customer. Beyond this, there are several mechanisms that can be employed either separately or in combination to achieve the necessary level of demand reductions.

Allocation Adjustment Strategies for Demand Management

1. Adjusting the Tier Thresholds: This strategy does not adjust the actual allocation formula itself, but rather adjusts the percentage thresholds for the over-allocation tiers. The current tiers and thresholds for the various account types are shown in Table 3. Adjusting the tier thresholds downward would have the effect of shifting more use into the higher over-allocation tiers. Customers in these tiers would be subjected to increased rates depending on the extent of their use (percentage of use above allocation). Reducing the tier thresholds would send stronger price signals by moving over-using customers into the higher tiers.

Table 3: Allocation-Based Rates Tier Thresholds

Tier	Percentage of Allocation		
	Residential	Irrigation	Non-Residential
Low Volume	0-40%	0-40 %	N/A
Base	41-100%	41 – 100%	0-100%
Inefficient	101 – 150%	101 – 110%	101 – 110%
Excessive	151 -200%	111 -120%	111 -120%
Wasteful	201% +	121% +	121% +

2. Allocation Adjustments: An adjustment to the allocation entails refining the allocation formula. This can be done either as a simple percentage adjustment or by adjusting a specific portion of the formula. For example, residential allocations are made up of an indoor plus an outdoor allocation component. It is possible to adjust the outdoor component downward to allow for less outdoor irrigation or eliminate it altogether depending on the need for demand reductions. Water allocations could also be set to levels that would eliminate all outdoor water use including irrigation, car washing, pool filing, agricultural use of non-recycled water etc. Under this scenario the indoor component could be left the same or could be altered as necessary.
3. Rate Increases for Over-Allocation Use: This approach entails adopting higher rates for over-allocation use, and would be linked to purchases of imported water at Metropolitan’s penalty rates, among other things.

These three types of allocation adjustments can be established and refined based on customer response in such a way that specified uses are discouraged. The allocations can be established in such a way that

certain uses are not included in the allocation. Customers engaging in these uses would receive over-allocation tier charges on their water bill.

In Levels One and Two, a combination of adjusting the tier thresholds and/or the allocations, as necessary, is likely to be sufficient to achieve the required demand reductions. In Levels Three and Four, those strategies, plus the use of rate increases with stronger price signals for over-allocation use, could be used to achieve further demand reductions. In all cases, adjustments to the allocations, tiers and rates will be at the discretion of the Board, and will be based on an assessment of the supply shortage, customer response and need for demand reductions.

Enforcement Mechanism:

Application of any or a combination of the allocation adjustment strategies will place customers into the higher usage tiers, which acts as a reporting and enforcement mechanism by creating a strong financial incentive for customers to reduce demands. The higher rates for above allocation use reflect and incorporate the cost of additional demand management measures, as well as the additional cost to IRWD of acquiring water supplies in a shortage.

Response Measures: Mandatory

Extreme shortage conditions (severe Level Three and Level Four) may require that the District adopt restrictions and/or ration water for health and safety purposes only. A system outage requires a rapid response based on the fact that there is typically a need for more immediate action to deal with an emergency situation. In a system outage emergency, the IRWD Board of Directors will declare a shortage based upon the projected impact of the system outage. Since adjustments to tiers and allocations typically have a time lag in implementation and effect, those measures will be of limited usefulness in a system outage. Therefore, in addition to the measures always in effect, the Board may impose any combination of the following mandatory measures and rationing to alleviate demands.

1. *Potable Irrigation Ban:* Outdoor irrigation would be the initial target for any demand reductions. Demand reductions or eliminations that cannot be met through voluntary measures and financial incentives related to adjustments in the allocation based rate structure, would be attained through a ban on potable irrigation. Table 4 indicates the potential demand reductions that could be

attained from 30%, 60% and complete elimination of outdoor irrigation. This includes dedicated landscapes, mixed use commercial accounts and residential outdoor irrigation.

Table 4: Potential Water Savings (AF) Based on Irrigation Cutbacks:

% Irrigation Cutback	30%	60%	100%
Potable Irrigation	8,980	17,959	29,932
Untreated Irrigation	351	701	1,169
Total	9,330	18,660	31,101

2. *Ban on car-washing and pool-filling:* Demand reductions on car-washing and pool filling that cannot be achieved through voluntary measures and financial incentives related to adjustments in the allocation-based rate structure would be attained through a ban on these actions.

Enforcement Measures

1. *Flow restrictors:* Under extreme conditions of noncompliance, the District could install flow restrictors in individual service lines. Thus, water would be available for drinking, cooking, sponge baths, and slow fill of toilet tanks, but showers and other high volume type uses would not be possible. Under these conditions individual customer reaction would be severe. It would probably be necessary to augment the customer service field service staff to maintain surveillance of these services to assure that unauthorized changes are not made by the customer.
2. *Mandatory Restrictions and Fines:* The District's ability to establish restrictions on water use and to possibly discontinue non-health and safety related service in the case of repeat violators is provided for under the Water Code of the State of California Chapters 3 and 3.5).

PART III: SHORTAGE RESPONSE PLAN

IRWD Water Supply Shortage Levels

In the event of a shortage, IRWD's Board of Directors, in accordance with the provisions of the California Water Code, will determine and declare the shortage level based on an assessment of the available supplies and demands, and may adjust the measures applied based on response in order to achieve the appropriate level of reduction. The following are the levels of shortage which may be declared; the approximate ranges of conditions the levels represent; and the reductions to be achieved:

Level One (Shortage Warning - up to 10% shortage):

Measures selected would be designed to achieve the following objectives:

Objectives:

- Public awareness of water supply situation and conservation opportunities
- Encourage diligent repair of water leaks
- Reduce over-allocation use
- Reduce outdoor over-irrigation

Measures: The measures used in Level One are primarily voluntary actions that modify customer behavior resulting from an enhanced public awareness campaign. In addition, increased outreach targeted toward over-allocation customers to help them identify the source of their overuse, and correct the problem should be sufficient to meet the objectives in Level One.

Costs and Outcomes: Based on 2007 data, a supply shortage of 10% represents approximately 6,600 AF. Information from the 2007 Annual Usage and Tier Break-Down presented in Appendix A indicates that over allocation use (sum of usage in tiers 3-5) accounts for approximately 4,200 AF of non-recycled water usage. Therefore, reducing the over-allocation use, combined with a strong public awareness campaign is expected to be sufficient to achieve the necessary reductions in Level One. The cost to implement voluntary responses is minimal, especially considering the return in reduced demand on the investment. None of the recommended steps would be difficult to implement or administer. The District has the basic infrastructure to pursue most voluntary measures through the Public Affairs and Conservation Departments. However, the District may need to conduct training and adjust its staff resources to effectively provide additional outreach to high usage tier customers.

Level Two (Significant Shortage Condition - 10-25% shortage): Measures selected would be designed to incorporate the objectives listed under Level One, and achieve the following further reduction in use:

Objectives:

- Review of allocations and potential adjustments to reduce outdoor irrigation and agricultural uses by 30%, or a percentage to be specified in the shortage declaration, based on a supply and demand analysis.
- Discourage filling of fountains, pools and water features and other discretionary uses.

Measures: Use of allocation and tier threshold adjustments is expected to be sufficient to achieve the necessary demand reduction objectives in a Level Two shortage. Adjustments to the allocations would employ the demand management/allocation adjustment strategies described in Part II of the document (pages 8-9).

Costs and Outcomes: A Level Two shortage can be offset by voluntary public response and perhaps minimal additional measures, such as reducing water allocations for non-crucial water uses including irrigation demands. Again using the 2007 Annual Usage and Tier Break-Down in Appendix A, a 30% reduction in potable irrigation and agricultural use (potable and untreated) would reduce the demands by an additional 9,300 AF , which combined with the Level One measures would result in a reduction in total demand of approximately 25%. Currently, there are some agricultural users using treated water within IRWD's service area. However, in the future, this demand is anticipated to decline to zero, in which case additional measures and adjustments to the allocations may be necessary to achieve the necessary Level 2 reductions. Depending on the duration and severity of the Level Two shortage, additional temporary staff in water conservation may be required to increase water awareness campaigns and assist customers with reduced irrigation allocations.

Level Three (Severe Shortage Condition - 25-40% shortage): Measures selected would be designed to incorporate the objectives listed under Level Two, and achieve the following further reduction in use.

Objectives:

- Further reductions in and/or eliminations of non-essential uses.
- Further reduce outdoor irrigation and agricultural uses by 60%, or a percentage to be specified in the shortage declaration, based on an analysis of supply and demand.
- Reduction in commercial, industrial and institutional use by 10%, or a percentage to be specified in the shortage declaration, based on an analysis of supply and demand.

- Elimination of specific municipal uses such as street cleaning, hydrant flushing, water-based recreation, etc.
- Activation of a District Task Force to investigate and consult with high-volume users (i.e. public authorities, universities, community associations, etc.) to assist in reducing the water demands of their properties.

Measures: Again, use of the demand management/allocation-based rate adjustment strategies described in Part II of this document (pages 8-9) will be used as a key tool to achieve these objectives. For example, allocations can be reduced to minimize outdoor use and other discretionary uses by excluding those types of uses from the allocation. If necessary, higher rates for over-allocation use could also be adopted, at the discretion of the Board.

Costs and Outcomes: While it is difficult to precisely estimate the total reduction in demand that would be realized from the cumulative measures taken in Levels One, Two and Three, a Level Three shortage condition could entail significant adjustments to allocations and the implementation of mandatory measures to meet the District's reduction needs. In addition to increasing over-allocation tier charges, all common area landscape irrigation and agricultural irrigation should be reduced drastically, or eliminated completely if necessary by adjusting the water use allocations. Reduction of allocations of treated and untreated water serving irrigation (including residential landscapes) by 60% would reduce total demand by approximately 27% (see Appendix A: 2007 Annual Usage and Tier Break-Down). When one meter serves both internal use and landscaping, monitoring and public support would be needed to ensure that no irrigation takes place. An expanded irrigation group would be effective in these efforts. Untreated or recycled water use would only be reduced as needed based on the impact of reduced wastewater flows to recycled water production. Commercial, industrial and institutional customer allocations would be reduced by up to 10%.

Level Four (Crisis Shortage Condition - more than 40% shortage): Measures selected would be designed to incorporate the objectives listed under Level Three, and achieve the following further reductions in use:

Objectives:

- Cease all outdoor water uses for landscape and agriculture, subject to reserved rights relating to local wells.

Measures: A Level Four shortage would likely require further adjustments to allocations and the use of all the Demand Management/Allocation-Based Rates strategies described in Part II (pages 8-9) at the discretion of the Board. In addition, the Board may determine that it is necessary to use mandatory restrictions and possible discontinuation of non-health and safety related service in order to achieve the necessary demand reductions in a Level Four shortage.

Costs and Outcomes: If over-allocation charges had been previously avoided, this tool would almost certainly be needed at this level of supply deficiencies. Increasing the over-allocation tier charge, formulated upon projected penalty charges imposed by outside supply agencies, could be added to the allocation-based tiered rate structure, sufficient to encourage demand reduction to required levels, pay for an equivalent water conservation project designed to meet the required reduction in demands and provide a source of revenue to purchase additional supplies at penalty rates. Over-allocation usage tier charges would also offset the additional administrative and implementation costs to the district including increased staffing to address shortages and enhancement and expansion of the District's water conservation programs and projects.

Appendix A

2007 Annual Treated and Untreated Water Usage
and Tier Break-Down

USER DESCRIPTION	TOTAL (AFY)	Allocation Tier (AFY)				
		1	2	3	4	5
AG-TREATED	975	975	0	0	0	0
AG-UNTREATED	6,669	6,669	0	0	0	0
COMM-TREATED	8,431	8,153	163	114		0
COMM-UNTREATED	9	9	0	0	0	0
CONSTRUCTION	882	882	0	0	0	0
INDUST-TREATED	5,273	5,034	50	32	156	0
LAKE	141	141	0	0	0	0
IRRIG-TREATED	6,313	4,442	1,450	81	60	280
IRRIG-UNTREATED	1,164	647	396	22	16	83
MULTI-RESIDENTIAL	10,681	6,608	3,473	425	93	82
PUBLIC AUTHORITY-TREATED	2,652	2,463	26	21	142	0
SINGLE-RESIDENTIAL	23,537	13,138	7,784	1,878	450	287
TOTAL Acre-Feet	66,731	49,166	13,341	2,575	917	733
Percentage	100%	75%	20%	4%	2%	1%

September 8, 2014

Prepared by C. Compton *CC*

Submitted by: P. Weghorst *PW*

Approved by: Paul Cook *Paul Cook*

ACTION CALENDAR

2015 COUNTY OF ORANGE LEGISLATIVE PLATFORM REQUEST FOR COMMENTS

SUMMARY:

Each August the County of Orange begins a process to develop its legislative platform for the next year. As part of that process, the County invites interested community partners to comment on the proposed legislative platform and suggest priorities or policy statements for inclusion in the document. Comments on the 2015 County of Orange Legislative Platform are due by September 26, 2014. Staff recommends that IRWD submit comments for consideration by the County of Orange, as deemed appropriate by the Board, before September 26, 2014.

BACKGROUND:

The County of Orange Legislative Platform communicates the key legislative priorities and policies for the County in both Sacramento and Washington, DC. It also provides policy direction and guidance to County agencies/departments and staff.

For each of the last several years, the County has invited IRWD to comment on the proposed legislative platform. IRWD has accepted that invitation, and has taken advantage of the opportunity to suggest additional priorities or policies for the County's consideration.

On August 21, 2014, the District received correspondence from the County of Orange Legislative Affairs Office inviting the District to provide comments for the County's consideration as it drafts the 2015 County of Orange Legislative Platform. The invitation included a copy of the 2014 County of Orange Legislative Platform, which is attached as Exhibit "A". Comments on and suggestions for the 2015 Legislative Platform are due by September 26, 2014.

IRWD seeks to advance innovative and effective water resources public policy and governance at the state and federal level. As part of that effort, the District has engaged and will continue to be engaged on issues such as protecting local property tax revenues, the implementation of the Water Resources Reform and Development Act, the implementation of the Bay Delta Conservation Plan, and, if approved by the voters, the implementation of Proposition 1. The adopted version of the County of Orange 2014 Legislative Platform does not include policy guidance on all of these topics.

Given the importance of these policy areas to all of Orange County and the impact their outcome will have on Orange County's water infrastructure and water supply reliability, staff recommends that IRWD respectfully request the inclusion or modification of policy principles in the County of Orange 2015 Legislative Platform as follows:

- Support a more equitable reallocation of property tax revenue to County of Orange government that provides funding for countywide public services reflecting an allocation that is in line with similarly urbanized counties. *A reallocation of greater property tax revenues to the County should not be gained through a redistribution of locally controlled property tax revenues, or in a way that harms the property tax revenues of other local entities.* (Proposal to modify policy principle found on page A-15 of Exhibit “A” or page 10 of the County of Orange Legislative Platform for 2014.)
- The shifting of tax revenues from the County to the State or other local entities harms Orange County’s ability to service its residents; *likewise the shifting of tax revenues from a local entity to the State, County or other governmental agencies harms the local entity’s ability to service its residents, and means that Orange County taxpayers pay more and get less because they must either pay new taxes and fees or lose core services.* (Proposal to modify policy principle found on page A-16 of Exhibit “A” or page 11 of the County of Orange Legislative Platform for 2014.)
- Support ~~enactment~~ *the quick and collaborative implementation* of the Water Resources Reform and Development Act. ~~in the current Congress, and.~~ *Support congressional efforts to enact a water resources bill every two-years which includes the authorization of projects of benefit to the Orange County community.* (Proposal to modify policy principle found on page A-27 of Exhibit “A” or page 22 of the County of Orange Legislative Platform for 2014.)
- Support the quick and streamlined appropriation and award of Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014, funding to beneficial projects throughout the entire state in an equitable, balanced and reasonable manner.
- A reliable and high quality imported water supply is a vital component of Orange County’s water resources portfolio despite efforts to reduce reliance on the Bay Delta. Support implementation of the Bay Delta Conservation Plan to ensure a sustainable water supply for millions of Californians and the protection of the Delta as a unique natural asset.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on September 4, 2014.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE STAFF TO SUBMIT COMMENTS FOR CONSIDERATION IN THE COUNTY OF ORANGE 2015 LEGISLATIVE PLATFORM BY THE COUNTY OF ORANGE, AS DEEMED APPROPRIATE BY THE BOARD, BEFORE SEPTEMBER 26, 2014.

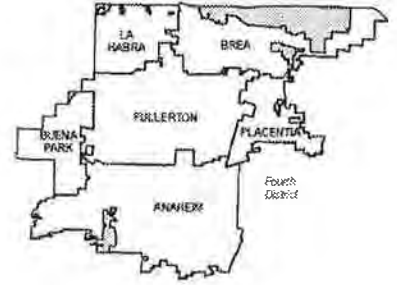
LIST OF EXHIBITS:

Exhibit "A" – Adopted County of Orange 2014 Legislative Platform



EXHIBIT "A"
SHAWN NELSON
SUPERVISOR, FOURTH DISTRICT
ORANGE COUNTY BOARD OF SUPERVISORS

ORANGE COUNTY HALL OF ADMINISTRATION
333 W. SANTA ANA BLVD.
SANTA ANA, CALIFORNIA 92701
PHONE (714) 834-3440 FAX (714) 834-2045
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December 11, 2013

Dear Friends,

On behalf of the Orange County Board of Supervisors, I am sending you a copy of the "County of Orange Legislative Platform for 2014," adopted by the Board on December 10, 2013. This document communicates the key legislative priorities and policies for the County in both Sacramento and Washington D.C., and provides policy direction and guidance to County agencies/ departments and staff.

We hope that you will find the document helpful in understanding the County's perspective on the major issues facing us this coming year. My colleagues and I look forward to working with many of you in the near future.

If you or members of your staff have questions regarding the attached Platform, please contact Cymantha Atkinson, Manager of Government & Community Relations at (714)-834-7219.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shawn Nelson".

Shawn Nelson
Chairman, Board of Supervisors

Enclosure

cc: Members, Board of Supervisors
Members, Orange County State and Federal Legislative Delegation
City Managers, Orange County Cities
Michael B. Giancola, County Executive Officer
CEO's Executive Team
County of Orange Agency/ Department Heads and Legislative Coordinators
Cymantha Atkinson, Government & Community Relations
Jesus Perez, CEO/ Legislative Affairs
James McConnell, Washington, D.C., Legislative Advocate
Platinum Advisors, Sacramento Legislative Advocates
Matt Cate, Executive Director, CSAC
Jolena L. Voorhis, Executive Director, UCC



COUNTY OF ORANGE LEGISLATIVE PLATFORM FOR 2014

Adopted by the Board of Supervisors
December 10, 2013

Shawn Nelson
Chairman of the Board of
Supervisors, Fourth District

Janet Nguyen
Supervisor, First District

John M. W. Moorlach
Supervisor, Second District

Todd Spitzer
Supervisor, Third District

Patricia C. Bates, Vice-Chairwoman
Supervisor, Fifth District

**COUNTY OF ORANGE
LEGISLATIVE PLATFORM
FOR 2014**

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COUNTY OF ORANGE

2014 State and Federal Outlooks

COUNTY OF ORANGE
2014 STATE AND FEDERAL OUTLOOKS

STATE LEGISLATIVE OUTLOOK

Overview

The 2013-14 legislative session kicked off with more than 30 new legislators and a supermajority of Democrats that will have the opportunity to serve under the new term-limits law, which now allows a maximum of 12 years of service in the State Legislature. Like many new legislative sessions, several topics were recurring throughout the year, such as pension, health care and CEQA reform, and prison overcrowding. In preparing for the second half of the Legislative session, the County of Orange must position itself to identify critical problems to be addressed in 2014, prioritize essential policy statements and create a plan to continuously protect existing resources. The 2014 State outlook provides a forecast of essential subject areas that likely will be debated, negotiated and possibly solved in 2014.

In 2014, legislative leadership will be transitioning with both Senate Pro Tem Darrell Steinberg and Assembly Speaker John Pérez termed out. The Assembly and Senate are still experiencing the effects of legislators transitioning from State government to local government positions. Therefore, the Assembly currently has three vacancies (AD45, 52 and 54) that are expected to be filled in early 2014 after special elections in December 2013. Both houses maintain a supermajority of Democrats.

GENERAL GOVERNMENT

Revenues

The State Controller's office confirmed that the first three months of the fiscal year, General Fund revenues reached \$20.2 billion -- about \$100 million more than the Budget Act estimate. Personal income revenues for the remaining months of 2013 were up by \$458 million, and sales tax revenues were up \$170 million above projections.

The California State Auditor released a report at the end of 2013 notifying the Governor and Legislature of high-risk areas needing legislative attention in 2014:

The State Budget

Although experts agree that the State has a surplus, there is disagreement about its size and how to prioritize spending. Constraints to the budgeting process, including State constitutional amendments passed by initiative and federal mandates complicate how funds may be spent. The State has a history of budget shortfalls being addressed through short-term solutions. Over the last 12 years, 59% of deficits were closed by

increasing revenue or making cuts, while the other 41% were addressed by increasing debt, shifting funds or deferring expenditures. California's population grew 4.36% between the 2005-06 and 2011-12 budget years; however, the low-income population increased at a disproportionate rate. In the same time period, the number of people eligible for MediCal grew by 17%.

Funding for the California State Teachers' Retirement System (CalSTRS)

The CalSTRS board does not have the authority to adjust contribution rates and has suffered low returns due to the economic recession. As a result, between 2001 and 2012, the plan funding ratio decreased from 98% to 67%. A ratio of 80% is considered fiscally sound. Currently, members contribute 8%, employers contribute 8.25% and the State contributes about 2%. To avoid depleting funds and reaching a 100% funding ratio in 31 years, contributions would have to increase by an additional 14.62% of total salaries.

Retiree Health Benefits for State Employees

The State has an unfunded liability of almost \$64 billion for retiree health benefits. The liability increased from \$59.9 billion in 2010 to \$63.85 billion in 2012 due to a growing number of retirees and increases in health care premiums. The State covers only the current year costs of the benefits and has not set aside funds for future obligations. San Jose Mayor Chuck Reed submitted an initiative proposal to enact the Pension Reform Act of 2014. Title and summary are expected to be complete by December 5, at which time, the signature gathering process will start to place this proposal on the November 2014 ballot. The proposal would amend the California Constitution to remove the contractual right that pension and retiree health care benefits cannot be changed once the employee is hired.

The County of Orange should continuously refine its legislative priorities to reflect the Board's current positions relating to pension reform and the budget.

Dissolution of RDAs

When local redevelopment agencies (RDAs) were dissolved by the state last year, millions of dollars that would have gone towards the creation of desperately needed affordable homes throughout California were lost. RDA's were funded by incremental property tax earnings in redevelopment areas, 20% of which was required to go towards creating affordable homes. With the dissolution of RDAs, one of the best tools for providing homes that everyday working people can afford was suddenly gone. Among other cities and counties grappling with the financial aftermath of RDA dissolution is faced with a deficiency in funding to assist in their efforts to comply with the state Regional Housing Needs Assessment requirements along with the 10-year Plan to End Homelessness. The 2014 legislative session is expected to continue to bring many alternatives for direct funding as well as cost-savings to backfill this deficiency in local affordable housing funds.

PUBLIC PROTECTION

Prison overcrowding will be a priority for the state to address in 2014. A three- judge panel is ordering the State of California to reduce the number of inmates due to unreasonable living conditions impacting the health of inmates. The Court extended the date by which the State is required to reduce the prison population (to about 110,000 inmates) from January 27, 2014, to February 24, 2014. Until otherwise directed by the Court, the State may not send more inmates out of state to comply with that order; however, the Administration recently signed two contracts to house 3,700 inmates in Kern County and San Bernardino County at an annual cost of \$58.5 million. Governor Brown has requested that the ordered prison population reduction to 137.5% of design capacity not be implemented until January 1, 2017.

In late 2013, a newly formed Assembly Select Committee on Justice Reinvestment heard testimony from representatives of the Legislative Analyst's Office (LAO) and Prison Law Office. The hearing provided lawmakers with a baseline of prison population growth over time and its impact on health care in prisons.

2011 Realignment

The State has very little data about the success and progress of the public safety, health and human-services programs realigned from the State to Counties in 2011. Although reporting is required on various data, realignment's recent implementation curbs the amount of information available. The Department of Social Services issued its first report in April 2013, but the information is of limited use without having access to long-term trends examining expenditures and outcomes.

The State created the Board of State and Community Corrections in July 2012 to collect realignment data as well as data on the impact of State and community correctional, juvenile justice and gang related policies and practices. Limitations of the information are evident in that some of it is voluntary; each county has its own system for tracking offenders, counties may have different interpretations of definitions and there may be missing or overlapping data. Some notable concerns exist with the realignment of low-level offenders to counties:

- a. Many counties have limited jail capacity.
 - i. The average daily population of jails went from 72,285 in October 2011 to 80,864 in September 2012 – an increase of 12%.
 - ii. In September 2012, 21 counties had an average daily population greater than the jail's rated capacity and 18 counties had at least one jail with a court ordered population cap.
 - iii. Between October 2011 and September 2012, the number of prisoners released from jail each month due to overpopulation increased by 13.5 %, and inmates released monthly to early supervision programs increased from 3,527 to 5,700 – or 62%.

- b. Jails aren't designed to hold prisoners for more than a year and lack programs found in state prisons to help rehabilitate inmates.
- c. Long-term medical and mental health care has presented challenges in many jails.

INFRASTRUCTURE & ENVIRONMENT

CEQA

Senate Pro Tem Steinberg did not accomplish all of the California Environmental Quality Act (CEQA) reforms as intended. Senate Pro Tem Steinberg didn't accomplish all of the California Environmental Quality Act (CEQA) reforms he had originally intended, but did manage to pass legislation making it easier to build a new Kings arena in downtown Sacramento. SB 743 will streamline the judicial review of lawsuits related to the project. SB 743 also addresses the findings of an Alameda Superior Court decision that found provisions of AB 900 unconstitutional. AB 900 was the CEQA streamlining effort from a couple years ago that attempted to accelerate judicial review of CEQA cases by moving the cases to the Appellate Court level. In addition, SB 743 was amended to include provisions of Senator Steinberg's CEQA modernization bill, SB 731. The provisions added to SB 743 would change the standard for determining traffic impacts for infill projects by eliminating the level of service standard currently used and it would develop standards based on vehicle miles travelled. Despite the changes in SB 743, we anticipate more CEQA reform measures in 2014.

Transportation

In its Statewide Transportation System Needs Assessment for the years 2011-2020, the California Transportation Commission projected that \$536 billion was needed to maintain, manage, and expand the State's transportation infrastructure – \$290 billion more than what the State plans to spend. A workgroup of state and local transportation stakeholders have convened to prioritize needs, determine how to measure outcomes, and evaluate the costs and benefits of policy options to better use existing funding.

AB 32 Scoping Plan

The California Air Resources Board held its only workshop on the recently released discussion draft of the AB 32 Scoping Plan Update in late 2013. Adoption of the updated plan will be scheduled for spring 2014.

The discussion plan continues to focus on the same six areas – Energy, Transportation-Land Use-Fuels & Infrastructure, Agriculture, Water, Waste Management and Natural & Working Lands. The contents of the final plan will influence the priorities for allocating cap-and-trade auction revenue.

Water

The 2012 infrastructure report by the American Society of Civil Engineers estimated an additional annual investment of \$4.6 billion is needed for the next 10 years to address preventative maintenance, rehabilitation and repair of California's water infrastructure. The Department of Finance is working on a five-year infrastructure plan, which hasn't been completed since 2008 due to the Department's focus on the State Budget.

A revised water bond was expected to be voted on but has been delayed until 2014. The bond, originally set for the ballot in 2010 and again in 2014, was delayed due to concerns about voter reception. The goal now is for the measure to scale back the \$11 billion bond proposal currently on the November 2014 ballot to a more palatable \$6-8 billion package.

HEALTH

Covered California Launch

On October 1, California's Health Care Exchange, known as Covered California, opened its website and phone lines to allow eligible individuals to enroll in health plans and determine whether they are eligible for subsidies. Pre-enrollment for health coverage through Covered California opened on October 1 and will continue through March 31. Coverage begins on January 1, 2014 for those who enroll by December 15th. Covered California is estimating that between 500,000 and 700,000 people eligible for subsidies will sign up for coverage during open enrollment, with that number increasing to between 840,000 and 1.2 million by January 1, 2015. Ultimately, Covered California expects that up to 4 million Californians will be eligible for subsidies.

Individuals who will be newly eligible for Medi-Cal may also pre-enroll now, but the opportunity for enrollment will not close. At the end of 2014, Covered California is estimating that more than 1 million new individuals will enroll in Medi-Cal, many of them because their current insurance plans would cost more. About 550,000 consumers who would have otherwise received expensive insurance through their employers or purchased their own on the private market will be newly eligible.

Although there are many challenges facing the Exchange, one of the larger hurdles will be to enroll enough healthy individuals to balance the number of sicker people enrolling for coverage. Should healthy people fail to enroll, insurance companies will be forced to raise their rates, which could have the effect of pushing healthier people who are already enrolled to dis-enroll. As part of the effort to spread information and encourage enrollment, Covered California is utilizing a range of organizations and methods to provide the public with opportunities to enroll. Traditional media including newspapers, magazines, television and the internet are carrying Covered California's message, but grassroots efforts are also an important piece of convincing people to enroll.

Republican Assemblyman Brian Nestande, representing Riverside and San Bernardino counties, intends to introduce legislation next year that would require lawmakers to obtain coverage through Covered California if they opt-in to the Legislature's health care

benefits. Although he opposed the Affordable Care Act, he believes that legislators should experience the same care as their constituents.

FEDERAL LEGISLATIVE OUTLOOK, 113th CONGRESS, 2nd SESSION

Overview

Optimists hope that a spirit of cooperation will replace the bitterness of the 2 ½ -week closure of the Federal Government in October 2013, which resulted in negative publicity for Congress in general and the Republican Party in particular. The hyper-partisan atmosphere that has prevailed in Washington for the last four years has taken a toll on Americans' faith in government. In any event, the agreement that led to reopening the government and avoiding a default on the National Debt will be short-lived, and must be renewed or extended early in 2014. Both sides agree that either Congress and the Administration cooperate or they will be forced to relive the events of the fall of 2013.

The temporary agreement enacted in October had three components requiring congressional action in the short term: House and Senate Budget Committees must report back by December 13, 2013, on a possible agreement on final budget spending for Fiscal Year 2014; new funding of government operations must be enacted before the current Continuing Resolution expires on January 15, 2014, on which date Round II of Sequestration also kicks in; and, the next ceiling on the National Debt will be reached and must be extended before February 7, 2014.

National Issues

Congressional Democrats implicitly agreed to House Republicans' discretionary spending limits—\$986 billion—for FY 2014 as part of the October agreement. This is some \$70 billion less than the amount the Democratic Senate's Budget Committee approved in the spring of 2013. Nonetheless, this figure is still \$19 billion above the statutory spending ceiling set by the Budget Control Act of 2011 (P.L. 112-25). The October 2013 charge to the House and Senate Budget Committees to arrive at an agreement by December 13 is broad enough to encompass authority to review, and propose reform of, federal mandatory spending programs. Two-thirds of the federal budget is mandatory spending—Social Security, Medicare, Medicaid, interest on the National Debt, veterans' benefits and federal welfare programs.

December 13 may be too close in time to permit the House and Senate committees to come to agreement on reining in spending on mandatory programs. Democrats have agreed to discuss changes in mandatory spending, but only in conjunction with increased revenue. To Republicans, "increased revenue" translates as tax increases, which is something they will not countenance.

The expiration of the Continuing Resolution (CR) on January 15 coincides with the date when Round II of Sequestration begins, unless the spending levels required by the Budget Control Act of 2011 (BCA) are met, or the law itself is amended. Discretionary spending for 2014 is capped by BCA at \$967 billion—\$19 billion above the spending

level contained in the CR agreed to in October. While Republicans would ordinarily be expected to support the lower spending figures mandated by the BCA, that may not be the case this time. The Continuing Resolution enacted in October provides for domestic discretionary spending at the BCA-mandated level. The defense discretionary spending level, however, is above the BCA-mandated level. Thus the remaining \$19 billion in spending cuts must come primarily from the Pentagon's budget—to the great dissatisfaction of Republican Members of Congress.

The third leg of the budgetary stool is the next cap on the National Debt ceiling, which will be reached on February 7. President Obama believes—and demonstrated in the fall of 2013—that he must not negotiate on paying federal obligations authorized by acts of Congress in the past. He has the firm support of the financial community in this regard. While the next solution to raising the National Debt ceiling has yet to be proposed, there is little appetite, after October 2013, among the majority in Congress for going over the default precipice.

Until these three fiscal issues are addressed and resolved, it is unlikely that the President's Budget for 2015 will be prepared or delivered to Congress, nor will Congress be able to begin to address funding priorities for 2015 and beyond. Once these three issues are resolved, Congress may be willing to take a serious look at mandatory spending programs and the need to overhaul the federal tax code. However, 2014 is also a congressional election year with all 435 seats in the House of Representatives and one-third of the Senate up for election, and thus the will to do anything substantive beyond what is absolutely required is tamped down by the realities of political survival.

Orange County Issues

Orange County has fared better in its federal agenda than many local jurisdictions during the Great Recession and the federal budget battles of the past four years. One reason is that with the elimination of congressional earmarks many federal funding decisions have been made at the administrative level by career civil servants, rather than by congressionally-directed spending. As a result, federal funds have gone to projects based on merit rather than the political power of a project's congressional sponsor. Orange County's public works projects and policy requests have fared well because they have measured up to objective scrutiny by staff of the departments and agencies administering the programs in question.

Lobbying by Members of the Board of Supervisors of the Corps of Engineers and the Office of Management and Budget (OMB), together with a visit to Prado Dam by the Assistant Secretary of the Army for Civil Works, has resulted in a substantial improvement in the amount of funds going to the Corps for the Santa Ana River Mainstem Project. The President's budget for FY 2015 will be released in late winter 2014. If OMB recommends a reasonable amount of funding for the project, the County will work to see that recommendation enacted in the 2015 appropriations bills. If an insufficient amount is recommended, the County will lobby OMB and the Corps for

increased funding through both the appropriations process and development of the Corps' FY 15 work plan.

Re-designation of John Wayne Airport (JWA) as a Port of Entry is a priority for 2014 and one that will require the support of the Congressional Delegation and the local business community. The Department of Homeland Security, Customs and Border Protection (CPB) faces budgetary constraints along with all departments of the Federal Government. Assuming the costs associated with Port of Entry status is not something CBP is seeking. However, passenger levels at JWA justify its reclassification.

Representative Loretta Sanchez, the sponsor of the County's pension reform legislation, remains committed to trying to move her bill in 2014, as do co-sponsors, Representatives John Campbell and Ed Royce. Any chance of success depends on action on a comprehensive tax reform package, as individual bills of this sort rarely advance on their own. California's Senators would like to see a legislative solution that addresses pension reform issues and concerns statewide, if not nationwide, which could be difficult to craft legislatively. Tax reform in an election year is also a heavy lift; but, in the current partisan climate any opportunity for bi-partisan cooperation may be seized upon.

The rollout of the federal health insurance exchanges in late 2013 provided an inept and ill-prepared start to the Affordable Care Act (ACA). The County will be responsible for the health care for those persons not covered by the expansion of ACA who otherwise are being enrolled in CalOptima. The coordination between the County and CalOptima will be of interest to Congress and the Congressional Delegation. Comparisons between the operation of Covered California and the federal exchanges will also be of interest.

If Congress is unable to agree on replacing sequestration, then federal grant programs such as local emergency shelter and homeless assistance, workforce training programs, welfare assistance, student loans among many others will be cut. Even with reform or elimination of sequestration, legislation to move towards a balanced federal budget or, at least, continuing to reduce the size of the annual budget deficit could reduce formula grant programs and eliminate many categories of competitive grants.

Efforts to streamline the 404 permitting process and speed up the process of other environmental permits are being taken more seriously by both the Republican House and Democratic Senate than for many years in the past. Enactment of a new Water Resources Development Act (WRDA) holds potential for movement in these areas. Other WRDA reforms could help move along the Westminster-East Garden Grove Feasibility Study.

The Second Session of the 113th Congress has a narrow window of opportunity to move ahead on fiscal, budgetary, and authorizing priorities before fulltime electoral politics becomes the order of the day.



COUNTY OF ORANGE

2014 Legislative Priorities and Policy Statements

COUNTY OF ORANGE
2014 LEGISLATIVE AND ADMINISTRATIVE PRIORITIES AND
POLICY STATEMENTS

The County of Orange Board of Supervisors recognizes the need to promote and protect its interests in Sacramento and Washington, DC. To be effective in this mission, the County of Orange reviews and establishes priorities and policy statements at the beginning of each legislative year. The Legislative Priorities set forth the County's goals for the current Legislative Session and the Policy Statements provide general direction to the Legislative advocates as they advance County interests during the year.

The four primary guiding principles for the overall legislative platform, which cross department and agency lines, include the following:

- Protect Local Government Funding – In the event local revenue is jeopardized or reallocated, the State must provide alternative funding sources to local governments.
- Fiscal Parity - Establishing an dependable and predictable revenue stream with distribution formulas for local revenues that address parity with other counties;
- Cost Recovery - Seek revenue-neutral funding alternatives, without tax increases, to fully-fund cost reimbursement for all federal and/or state mandated programs
- Operational Efficiency – ensure that proposed changes to state law do not negatively impact the County's operational efficiency in providing quality public services, and promote regulatory reform and measures that reduce burdensome and unnecessary regulations.

1. GENERAL GOVERNMENT

OVERVIEW

The agencies/departments comprising this program are Assessor, Auditor-Controller, Board of Supervisors, Clerk of the Board, Clerk-Recorder, County Counsel, County Executive Office, Human Resources, Internal Audit, Office of the Performance Audit Director, Registrar of Voters, and Treasurer-Tax Collector.

LEGISLATIVE AND ADMINISTRATIVE PRIORITIES

State

- Support a more equitable reallocation of property tax revenue to County of Orange government that provides funding for countywide public services reflecting an allocation that is in line with similarly urbanized counties.

- Local elected officials should be able to develop pension systems that meet the needs of their workforce and demonstrate sound fiduciary management.
- Support legislation that allows for flexibility and local control over addressing employee and labor relations issues.
- Support legislation that attracts a quality workforce within the County's ability to pay.
- Pursue revisions to the current Commission on State Mandates process.
- Supports legislation that extends the time period for processing vote-by-mail ballots from the 7th business day prior to an election, as currently mandated by state law, to a time specific that is no later than 15 days prior to an election in order to account for the significant increase in vote by mail ballots cast in Orange County.

No Federal Priorities

POLICY STATEMENTS – GENERAL GOVERNMENT

Revenues and Taxation

- The establishment of equitable, consistent, dependable, and predictable revenue streams with distribution formulas for local revenues that address equity are necessary for the stability of services provided by local government. Proposed funding allocations to counties must be based upon common factors (population, poverty statistics, caseload, or other objective measures of need) applied evenly among counties. Below are other criteria to consider:
 - Per capita
 - Caseload
 - Situs (dedicated taxes)
 - Realignment Equity
 - Cost of Living in High Cost Counties
 - Other Objective Measures of Need
 - Unmet Needs/Service Gaps
- The shifting of tax revenues from the County to the State or other local entities harms Orange County's ability to serve its residents.
 - Protect local property tax revenues and oppose any measure aimed at reducing the protections afforded to local governments under Proposition 1A;

- Protect Proposition 63 funds from the State or others seeking to appropriate these funds to backfill or subsidize programs not currently allowed;
- Protect/increase AB 109 funding based on the County's service levels and population.
- Support legislation aimed at protecting local and state revenues for existing and new communities.
- Oppose legislation proposing to reduce the voter threshold necessary to enhance revenues as a means of balancing the State's budget.

Economic Growth and Development

- Promote the attraction of new and retention of existing businesses in Orange County.
- Support tourism and its role in creating jobs and economic benefits in Orange County.

Elections

- Support legislation that aims to promote and increase voter registration and access to the ballot for as many eligible votes as possible.
- Support legislation that protects against unfunded election mandates, provides adequate funding to administer election services, and establishes a consistent funding mechanism for new voting systems.

Employee Relations and Retention

- Monitor legislation that impacts County employees' terms and conditions of employment.
- Oppose legislation that negatively impacts the County's ability to recruit and retain a quality workforce, or imposes unreasonable/unsustainable salary and employee benefit costs or additional unreimbursed costs on the County.

2. PUBLIC PROTECTION

OVERVIEW

The agencies/department comprising this program are District Attorney, Probation, Public Defender, Public Guardian, Public Administrator, and Sheriff-Coroner.

LEGISLATIVE AND ADMINISTRATIVE PRIORITIES

State

- Advocate for full State funding of all costs associated with Public Safety Realignment. Each public protection department must have sufficient funding to carry out statutory responsibilities.
- Support revisions to AB 109, "Public Safety Realignment Formulas" that more equitably covers the actual costs the County incurs for incarcerating inmates on behalf of the state.
 - Seek funding to support both in-custody programming and facilities in order to enhance the County's rehabilitation and treatment programs for inmates.
 - Support revisions to AB 109, or "clean-up" language, to address various unexpected consequences, such as in-custody medical costs of AB 109 inmates, and long-term County jail commitments due to sentence enhancements.
 - Seek additional support and funding for in-custody medical care and expenses.
 - Support measures that prevent or minimize early release of inmates.
- Seek and support measures and legislation that aims at preventing early release of inmates.
- Pursue efforts to ensure criminal sentences are fully carried out.
- Pursue a test claim with the Commission on State Mandates regarding AB 109 funding. Coordinate these efforts with urban counties.
- Pursue options to retain Sexual Violent Predator (SVP) State funding through reimbursement to counties. This SVP funding has now been eliminated due to the recent Commission on State Mandates decision. Prevent SVP program from becoming an unreimbursable state mandate. Join with San Diego and/or other counties/agencies that will pursue litigation in this matter.
- Support legislation aimed at increasing penalties for Driving Under the Influence (DUI) and resources for programs which will assist in Driving Under the Influence of Drugs (DUID) Prevention efforts.

- Seek and support additional financial resources, which would allow for more persons with mental illness who exhibit criminal tendencies to be provided with an alternative to the treatment received under a Lanterman-Petris-Short Act (LPS) Conservatorship.

No Federal Priorities

POLICY STATEMENTS – PUBLIC PROTECTION

- Support a public safety system that includes local law enforcement services, crime prevention, prosecution of crime, and confinement of high-risk adults, Evidence Based Practice programs aimed at rehabilitation and lowering the recidivism rate.
- Seek and support reforms to streamline the appeals process in criminal cases, including those cases involving special circumstances.
- Support funding for probation monitoring, Evidence Based Programming and other Evidence Based Practices that are cost effective, in the supervision of adults and juveniles placed on court ordered formal probation. Support options to promote community safety and reduce recidivism shall be pursued.
- Support legislation or administrative action which would emphasize the importance of the Public Guardian's and Public Administrator's judicial responsibility under Probate Code section 7600-7604, which authorizes deputies to perform duties to protect individuals and potential victims on behalf of the department.
- Support legislation which would reaffirm the Public Guardian and Public Administrator's existing authority under Probate code Section 2900-2903, that authorizes the Public Guardian and Public Administrator to access vital information from financial institutions that will allows the deputies to properly administer their cases.
- Homeland security and emergency response efforts should be coordinated among the federal, state, and local governments with clearly defined roles and responsibilities for each. Support continued funding to enhance and maintain local homeland security infrastructure.

3. COMMUNITY SERVICES

OVERVIEW

The agencies/departments comprising this program are Department of Child Support Services, Health Care Agency, OC Community Resources, OC Public Administrator, and Social Services Agency.

LEGISLATIVE AND ADMINISTRATIVE PRIORITIES

State & Federal

- Support legislative initiatives which promote public-sector performance management, with an emphasis on the process and compliance, that focus on producing results that benefit the public and give the public confidence that government has produced those results.
- Support In-Home Supportive Services (IHSS) legislation that guarantees full funding by the State and Federal governments to lessen the financial burden on local governments.
- Orange County will support measures that enable seniors and the adult disable population to stay in their own homes.
- Support legislation that ensures all mandates required of counties receive adequate funding to fully implement and maintain as mandated. Counties must be given the authority, flexibility, and adequate funding to administer programs and service customer needs within their local jurisdictions (no unfunded mandates). For example:
 - Revise the Federal criteria for receiving 340B drug-pricing to include all Orange County operated health care programs and/or Orange County-contracted providers. As a major provider to low income persons, the County would likely save up to \$4.8 million per year.
 - Integrate primary care and behavioral health care as the model of services for individuals living with Severe and Persistent Mental Illness by authorizing Medi-Cal reimbursement to Federally Qualified Health Centers for a maximum of two medical visits for one patient on the same day.
 - Advocate for shifting the oversight of Drug Medi-Cal (DMC) from DHCS to counties, which includes authority to certify, monitor and de-certify providers of this service.
- Support legislation that ensures Health Care Reform is cost-neutral to the Health Care Agency and Social Services Agency and allows these agencies to carry out their mandated services and County responsibilities with no increase in Net County Cost. HCA will continue to meet the County's obligations under California's Welfare and Institutions Code Section 17000 for a "medical safety-net program." Funding for this safety-net program has been reduced by the State through realignment.

Support State and Federal legislation to safeguard the ability of child welfare agencies to use Another Planned Permanency Living Arrangements (APPLA) for children under the age of 13 years.

- Orange County will support measures that protect the public against disease and disability, and promote health.

State

- Support legislation aimed at reducing regulatory barriers, increasing costs savings and seeking alternative funding sources and incentives for the development of affordable housing and year-round emergency homeless shelter/multi-service centers and the counties ability to comply with their 10-year plan to end homelessness.
- Support additional funding for Older Californians Act and other programs that assist older adults and caregivers.
- Support funding for a new regional animal shelter in Orange County.
- Ensure that the implementation of State FY 13/14 Budget Trailer Bill regulations requiring the CalWORKs Program to increase Family Stabilization and create a Robust Assessment are fully funded with no increase to Net County Costs.
- Ensure that SNAP (CalFresh) administrative funding is commensurate with County workloads, regardless of program changes or reductions in grants to clients.
- Ensure that California Department of Education (CDE) Child Development Division (CDD) expansion funds are equally distributed to all county regions, including those which have been historically underfunded, until CDD funds within each county are equitable, based on their respective CDD income-eligible populations.
- Support efforts to ensure that the County Maintenance of Effort (MOE) for CalFresh and CalWORKs is protected and preserved.
- Ensure that implementation of the Katie A. Settlement Agreement is fully funded with no increase to Net County Costs.
- Continue to sponsor AB 1187 (Mansoor) and support legislative proposals which would authorize the use of either County funds or California Department of Education (CDE) non-maintenance of effort (non-MOE) funds for purposes of claiming the Title IV-E 50-percent federal match for foster child care.

Federal

- Support additional federal funds to ensure the County's ability to comply with the federal mandate to implement the Affordable Care Act (ACA) and provide on-going funding for growth in Medi-Cal. Compliance with these federal mandates must be cost-neutral. ACA implementation should be fully funded to assist in hiring additional staff, purchasing equipment, procuring space, and expanding Call-In Centers.
- Support additional funding for Older Americans Act and other programs that assist older adults and caregivers.
- Support legislation and tax-neutral funding sources for affordable housing.
- Support Federal legislation and appropriations that require full renewal funding of all existing Housing Vouchers to ensure no reductions in the number of households assisted and adequate administrative funding for Public Housing Agencies to optimize utilization levels while meeting qualitative requirements for accuracy, timeliness, and quality control.
- Support full-funding of the Land and Water Conservation Fund (LWCF) State Assistance Program, which provides matching grants for funding trail projects on the Santa Ana River, Aliso Creek and other recreation amenities throughout the regional park system.
- Support legislation and funding for reimbursement from FEMA to local agencies for large animal rescue and housing during emergencies. For example, large animal rescue and housing is not currently reimbursable to local agencies through FEMA and should be addressed.

POLICY STATEMENTS – COMMUNITY SERVICES

Social Services

- Federal and state funding to support caseload growth must be continuous.
- Support measures that overall enhance the quality, affordability, capacity, accessibility, and safety of child care and development programs, as well as support legislation to allow counties and the State to utilize designated California Department of Education Child Development Division and Afterschool Safety and Education Services funds as the non-federal match to Title IV-E Child Care funds.

- Support measures that ensure equitable funding to support caseload growth for Adult Protection Services.
- Support Work Participation Rate legislation that ensures a scaled methodology to allow partial credit for those Welfare-To-Work (WTW) participants who work between 20 and 39 hours per week.
- Explore opportunities to realign the County's portion of costs for California Children's Service (CCS) back to State. Realignment proposals must only include programs for which counties have control over costs and program operations. Seek protections against any increased county program costs for CCS.
- Support legislation that safeguards the Single Allocation formula for CalWORKS, which provides an equitable revenue stream that is consistent.
- Support legislation that seeks to increase operating funding for County veterans service officers and reduce the federal veteran's claims backlog by creating a more efficient federal, state, and local government coordination for veteran's claims development.

Emergency Response

- Continue to support and strengthen intergovernmental planning and preparation coordination such as San Onofre Nuclear Generating Station (SONGS), Great California ShakeOut (Earthquake only drill), updated continuity plan, and Countywide subgroups.
- Support efforts to ensure that adequate funding is provided to local agencies tasked with responsibility for emergency preparedness and response efforts associated with nuclear facilities.
-
- Homeland security and emergency response efforts should be coordinated among the federal, state, and local governments with clearly defined roles and responsibilities for each.
- Provide adequate funding for the CDC's Cities Readiness Initiative (CRI), which requires the County to respond to a large-scale bioterrorist event by dispensing antibiotics to the entire population of the County within 48 hours.
- The County of Orange will pursue full cost recovery for all expenditures related to natural disasters.

- Support protection and continued maintenance and funding for operating generators for emergencies and flexibility of operation for essential public service providers to operate emergency generators, specialized rolling stock and other necessary equipment in anticipation of or during an emergency without the threat of suffering penalties.

Housing

- Support policies and legislation which requires RHNA to achieve fair distribution of housing requirements and provide for the transfer of housing allocations when annexations or incorporations occurs.
- Support removal and minimization of barriers to housing production, including fiscal reform for local government to address disincentives for residential development.
- Support the removal of barriers to local flexibility in the administration and allocation of federal homeless assistance funding and housing assistance funding, so as to allow the County to direct these funds toward innovative programs that will meet the specific needs of its homeless and very low income renter populations.

Workforce

- Workforce Investment Act (WIA). WIA reauthorization should allow Orange County to retain local control in the areas of service delivery design and oversight of Board leadership maintaining composition of a majority of locally appointed business representatives. Oppose any efforts to remove local control provisions allowed under existing legislation at the Federal or State level. WIA reauthorization should include new provisions that promote/incentivize regional planning, service delivery and administrative efficiencies.
- CalWORKS – Federal Maintenance of Effort requirements, as well as federal penalties and sanctions, should remain the responsibility of the State and must not be passed on to the local governments.

Animal Control

- Support funding, programs, and/or legislation that work towards the goal of reducing pet overpopulation. Support and advocate for programs that increase the number of pets identified by tags and/or microchips.

Healthcare Services

- Protect local decision-making and accountability for County Proposition 10 Commissions (Funding for Early Childhood Development) when statewide financial reporting and fiscal practices are established. Seek protection from any further reduction of funding for Proposition 10.

4. INFRASTRUCTURE & ENVIRONMENTAL RESOURCES

OVERVIEW

The agencies/departments comprising this program are John Wayne Airport, OC Dana Point Harbor, OC Public Works, OC Community Resources and OC Waste & Recycling.

LEGISLATIVE AND ADMINISTRATIVE PRIORITIES

State

- Protect the Highway Users Tax Account(HUTA), also referred to as “gas tax”, from being diverted to the State General Fund or for purposes other than County transportation
- Support development of a simplified habitat or water quality banking process for local governments to perform advance mitigation and receive credit for its sole use.
- Pursue maximizing the capacity and efficiency of all County’s Cogeneration (Cogen) and Central Utility Plant facility by providing its excess thermal and electric loads to other governmental agencies within the Santa Ana Civic Center and/or to County and other governmental agencies within the County of Orange geographical boundaries.
- Promote policies and legislation that clarify California Public Utilities Commission (PUC) Tariff Rule 20 that all related undergrounding costs are eligible under Rule 20. Ensure new CPUC tariffs do not shift utility costs from utility owners to counties.
- Oppose attempts to include publicly owned landfills in cap and trade. Support landfill methane capture and destruction as an approved offset category in CARB’s cap and trade program.
- Support legislation that protects John Wayne Airport and existing landfills from liabilities associated with new and encroaching development and other non-compatible land uses.

- Support legislation that allows post-recycled feedstock for conversion technology facilities to receive 100 percent diversion credits as it redirected from the landfill.
- Oppose legislation that exempts green waste, which is currently being used for beneficial reuse as Alternative Daily Cover (ADC) and/or Alternative Intermediate Cover (AIC), from diversion credit.
- Support a change in the California Water Code to bring ex parte communication for the members of the State Water Resources Control Board and Regional Water Quality Control Boards in line with other state boards and commissions.
- Support revisions to the limitation on a Water Board member's income so that individuals who receive income from an entity subject to National Pollutant Discharge Elimination System (NPDES) permit requirements may serve on the State Water Resources Control Board and Regional Water Quality Control Boards while recusing themselves from matters pertaining to any entity in which they have a direct or indirect financial interest.
- Support legislation that gives local governments and agencies greater flexibility to use design-build contracts (i.e. extend or delete current sunset provision, expand range of eligible projects, reduce minimum contract thresholds, etc.).
- Support consistent regulatory efforts and oversight within Orange County boundaries.

Federal

- Support legislation to implement the provisions of MAP-21 in an equitable manner that promotes traditional funding levels, programming roles, and local discretion in allocation decisions
- Increase programs and funding opportunities for purchasing of coastal habitat and resource conservation, preservation and maintenance. Support federal funding for beach nourishment and erosion control for all Orange County shoreline from the mouth of the San Gabriel River to San Mateo Creek. Support sharing of Federal Outer Continental Shelf (OCS) revenues with coastal states to support conservation and wildlife protection programs.
- Support legislative or administrative changes to clarify the requirements for regulatory permits for the maintenance of flood control and drainage facilities, including mitigation requirements; and for streamlining the process when maintenance permits are required.

- Support expedited permit process for flood protection projects, including maintenance and operation work.
 - Support improvements to the Clean Water Action (CWA), Section 404 permit process.
 - Remove routine maintenance of public flood protection facilities from the Section 404 permit process when no endangered species habitat are present.
 - Extend the CWA general permit term for routine maintenance from five to ten years.
- Support enactment of the Water Resources Development Act in the current Congress, and the authorization of projects of benefit to the Orange County community.

POLICY STATEMENTS - INFRASTRUCTURE & ENVIRONMENTAL RESOURCES

Infrastructure

- Protect funding mechanisms in place that support construction of county infrastructure projects, capital improvements, maintenance, and preserve a sufficient Road Fund reserve.
- CEQA Reform:
 - Promote revisions to CEQA that seek to modernize, simplify and streamline the law, but not dismantle it or create new and equally complicated processes. The County supports the balance of sound environmental protection with the need to complete projects that promote economic prosperity and social equity.
 - Support statutory exemptions under CEQA for routine flood protection maintenance activities.
- Promote policies that support better coordination between the County and state and federal regulatory agencies.
- Support proposals that maintain the same level of funding for bridges as in previous years and oppose any formula that would discriminate against urban counties.

Transportation:

- Support state and federal legislation and programs, which accelerate funding for transportation infrastructure projects and thereby create additional jobs and economic activity in Orange County.
- Support streamlining of the Caltrans review process for Federally funded projects, simplification of processes, and reduction of red tape, without compromising environmental safeguards.
- Support extension of the 241 Toll road, as it effects all transportation decisions as well as Air Quality Management Districts (AQMD) measurements for the County.
- Support efforts within the surface transportation reauthorization legislation, or other appropriate legislation, that direct state departments of transportation to give consideration to the condition and effectiveness of local evacuation routes in high risk areas when setting priorities for disbursement of highway funding.
- Oppose the proposed transfer of operational and financial responsibility for exit lane staffing from the Transportation Security Administration (TSA) to John Wayne Airport.

Water

- Support the efforts of County water agencies to insure that a reliable water supply exists to support planned future development in unincorporated areas and the incorporated cities of Orange County.
- Support collaborative solutions in addressing regional issues and completion of vital flood control, beach erosion control, and watershed projects such as the Santa Ana River Main stem Project (including Prado Dam), Santa Ana River Interceptor Line (SARI) relocation, Aliso Creek Mainstem Project, Surfside Sunset Newport Beach and other projects as may be appropriate.
- Support state and federal funding for Clean Water Act implementation and Porter-Cologne Act implementation and for state and federal agency collaboration with locals on watershed management strategies.

- Support the State playing a strong role in:
 - Financing water and flood protection infrastructure that is of demonstrated statewide significance and benefit including projects that enhance and optimize statewide equity reliability and quality.
 - Placing before the voters proposed water bond or water and flood protection infrastructure funding measure that are fiscally responsible and politically viable.
 - Transparency and accountability in all bond or funding measures.
- Support the reduction of regulatory burdens on regional flood protection projects and advanced treatment water recycling in California. Support for funding for regional flood protection projects, groundwater projects, advanced treatment water recycling, desalination and water storage in any state water bond proposal.
- Support for ecosystem restoration, increasing stormwater capture, and sediment management activities throughout Orange County and the Santa Ana River Watershed.
- Support for greater control of water pollution sources by state and federal agencies at the product approval or registration stage.

Parks, Beaches and Recreation

- Ensure recreation programs and amenities are available for public enjoyment. Unencumber public parks from CEQA review for recreation activity.
- Support State and Federal appropriations and Alternative Transportation Programs to expand and improve the County's regional trails and bikeways system.
- Preserve beach and coastal resources for recreation. Support Federal funding for beach nourishment and erosion control for all Orange County shoreline with priority given to projects that enhance County recreation facilities.

Energy:

- Support legislation that educates, promotes and creates incentives for the residents, builders, and businesses of Orange County regarding the adoption, use, and economic benefits of green technology, recycled products and eco-friendly products where economically feasible.

- Support legislation that promotes renewable energy and alternative technology projects by minimizing burdensome and or contradictory requirements and legal obstacles.

Waste and Recycling:

- Support policies that maximize local control over solid waste management and operational efficiencies at solid waste facilities, and minimize burdensome and duplicative regulation. The County supports measures that maintain and expand existing diversion credits.
- Support funding for organics recycling/repurpose infrastructure.



COUNTY OF ORANGE

2014 County-Sponsored State Legislative Proposals

COUNTY OF ORANGE
2014 COUNTY-SPONSORED STATE LEGISLATIVE PROPOSALS (New)
EXECUTIVE SUMMARY

STATE PROPOSALS

MEDI-CAL REIMBURSEMENT FOR FEDERALLY QUALIFIED HEALTH CENTERS (FQHC)

This proposal is to authorize Medi-Cal reimbursement to FQHCs for a maximum of two medical visits for one patient on the same day. Current law only allows multiple billable visits in a single day if they are for medical and dental services. Mental health visits are currently coded for Medi-Cal billing purposes as a medical visit for which only one visit per patient per day is allowed. Prohibiting same-day services billing for separate practitioners has been identified as a barrier to improved access to mental health services for persons with public insurance. This proposal is to allow clinic primary care providers to make same day referrals for mental health treatment, thus increasing the chances that patients will actually make the appointments and get the services they need.

ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM (OCERS) ALTERNATE TO THE APPOINTED BOARD MEMBER

This proposal would amend a provision of the County Employees Retirement Law of 1937 Act ("CERL"), applicable only to Orange County, to permit an alternate for the Board appointed members. It would also allow the alternate appointed member to have the same rights, privileges, responsibilities, and access to closed sessions as the elected members of the Board and that they may hold positions on committees independent of the elected members and participate in deliberations whether or not the elected members are present.

COUNTY SEARCHES: COSTS

The proposal would allow the County to recover the actual cost of extraordinary search or rescue efforts from a resident who is 16 years of age or older and whose act in violation of any federal or state law or local ordinance, or any act or omission that shows wanton and reckless misconduct in disregard for their safety, was a contributing factor to the need for the County's search or rescue or for another county's search or rescue of that resident.

**PROPOSAL FOR COUNTY SPONSORED LEGISLATION
2013-2014 LEGISLATIVE SESSION**

AGENCY/DEPARTMENT: HEALTH CARE AGENCY

CONTACT PERSON: Holly Fraumeni Phone: 916.443. 8891

Fax: 916.443.8819 email address: hcf@platinumadvisors.com

SUBJECT: **MEDI-CAL REIMBURSEMENT FOR FEDERALLY QUALIFIED HEALTH CENTERS (FQHC)**

AFFECTED DEPARTMENT(S)/AGENCY(IES):

HCA and local community based providers.

CODE SECTION AFFECTED:

Section 14132.100 in the Welfare & Institutions Code

DESCRIPTION OF CURRENT LAW:

FQHC services are reimbursed by Medi-Cal on a fixed "per visit" rate rather than by individual services. Current law only allows billing for one medical visit per day.

PROPOSAL:

This proposal is to authorize Medi-Cal reimbursement to FQHCs for a maximum of two medical visits for one patient on the same day.

DISCUSSION:

Research has shown that individuals living with severe and persistent mental illness (SPMI) have, on the average, a 25+ year shorter life span due to multiple health conditions and risk factors. We also know that only one in four individuals with SPMI referred by primary care physicians to mental health setting ever make it to their appointment.

Integration of primary care and behavioral health care is the model of services for individuals living with SPMI. Current law only allows multiple billable visits in a single day if they are for medical and dental services. Mental health visits are currently coded for Medi-Cal billing purposes as a medical visit for which only one visit per patient per day is allowed. Prohibiting same-day services billing for separate practitioners has

been identified as a barrier to improved access to mental health services for persons with public insurance. This proposal is to allow clinic primary care providers to make same day referrals for mental health treatment, thus increasing the chances that patients will actually make the appointments and get the services they need.

FISCAL IMPACT:

This proposal would improve revenue for community clinics designated as FQHC's. With SPMI clients receiving more frequent and more appropriate care through community clinics, there would be reduced incidence of hospitalization, emergency services, and high levels of care. HCA would realize cost savings from these reductions.

PROPOSED SPECIFIC LANGUAGE: (As approved by County Counsel)

Welfare & Institution Code Section 14132.100¹

(a) The federally qualified health center services described in Section 1396d(a)(2)(C) of Title 42 of the United States Code are covered benefits.

(b) The rural health clinic services described in Section 1396d(a)(2)(B) of Title 42 of the United States Code are covered benefits.

(c) Federally qualified health center services and rural health clinic services shall be reimbursed on a per-visit basis in accordance with the definition of "visit" set forth in subdivision (g).

(d) Effective October 1, 2004, and on each October 1, thereafter, until no longer required by federal law, federally qualified health center (FQHC) and rural health clinic (RHC) per-visit rates shall be increased by the Medicare Economic Index applicable to primary care services in the manner provided for in Section 1396a(bb)(3)(A) of Title 42 of the United States Code. Prior to January 1, 2004, FQHC and RHC per-visit rates shall be adjusted by the Medicare Economic Index in accordance with the methodology set forth in the state plan in effect on October 1, 2001.

(e)(1) An FQHC or RHC may apply for an adjustment to its per-visit rate based on a change in the scope of services provided by the FQHC or RHC. Rate changes based on a change in the scope of services provided by an FQHC or RHC shall be evaluated in accordance with Medicare reasonable cost principles, as set forth in Part 413 (commencing with Section 413.1) of Title 42 of the Code of Federal Regulations, or its successor.

(2) Subject to the conditions set forth in subparagraphs (A) to (D), inclusive, of paragraph (3), a change in scope of service means any of the following:

¹ The proposed changes are in **bold** text.

(A) The addition of a new FQHC or RHC service that is not incorporated in the baseline prospective payment system (PPS) rate, or a deletion of an FQHC or RHC service that is incorporated in the baseline PPS rate.

(B) A change in service due to amended regulatory requirements or rules.

(C) A change in service resulting from relocating or remodeling an FQHC or RHC.

(D) A change in types of services due to a change in applicable technology and medical practice utilized by the center or clinic.

(E) An increase in service intensity attributable to changes in the types of patients served, including, but not limited to, populations with HIV or AIDS, or other chronic diseases, or homeless, elderly, migrant, or other special populations.

(F) Any changes in any of the services described in subdivision (a) or (b), or in the provider mix of an FQHC or RHC or one of its sites.

(G) Changes in operating costs attributable to capital expenditures associated with a modification of the scope of any of the services described in subdivision (a) or (b), including new or expanded service facilities, regulatory compliance, or changes in technology or medical practices at the center or clinic.

(H) Indirect medical education adjustments and a direct graduate medical education payment that reflects the costs of providing teaching services to interns and residents.

(I) Any changes in the scope of a project approved by the federal Health Resources and Service Administration (HRSA).

(3) No change in costs shall, in and of itself, be considered a scope-of-service change unless all of the following apply:

(A) The increase or decrease in cost is attributable to an increase or decrease in the scope of services defined in subdivisions (a) and (b), as applicable.

(B) The cost is allowable under Medicare reasonable cost principles set forth in Part 413 (commencing with Section 413) of Subchapter B of Chapter 4 of Title 42 of the Code of Federal Regulations, or its successor.

(C) The change in the scope of services is a change in the type, intensity, duration, or amount of services, or any combination thereof.

(D) The net change in the FQHC's or RHC's rate equals or exceeds 1.75 percent for the affected FQHC or RHC site. For FQHCs and RHCs that filed consolidated cost reports for multiple sites to establish the initial prospective payment reimbursement rate, the 1.75-percent threshold shall be applied to the average per-visit rate of all sites for the

purposes of calculating the cost associated with a scope-of-service change. "Net change" means the per-visit rate change attributable to the cumulative effect of all increases and decreases for a particular fiscal year.

(4) An FQHC or RHC may submit requests for scope-of-service changes once per fiscal year, only within 90 days following the beginning of the FQHC's or RHC's fiscal year. Any approved increase or decrease in the provider's rate shall be retroactive to the beginning of the FQHC's or RHC's fiscal year in which the request is submitted.

(5) An FQHC or RHC shall submit a scope-of-service rate change request within 90 days of the beginning of any FQHC or RHC fiscal year occurring after the effective date of this section, if, during the FQHC's or RHC's prior fiscal year, the FQHC or RHC experienced a decrease in the scope of services provided that the FQHC or RHC either knew or should have known would have resulted in a significantly lower per-visit rate. If an FQHC or RHC discontinues providing onsite pharmacy or dental services, it shall submit a scope-of-service rate change request within 90 days of the beginning of the following fiscal year. The rate change shall be effective as provided for in paragraph (4). As used in this paragraph, "significantly lower" means an average per-visit rate decrease in excess of 2.5 percent.

(6) Notwithstanding paragraph (4), if the approved scope-of-service change or changes were initially implemented on or after the first day of an FQHC's or RHC's fiscal year ending in calendar year 2001, but before the adoption and issuance of written instructions for applying for a scope-of-service change, the adjusted reimbursement rate for that scope-of-service change shall be made retroactive to the date the scope-of-service change was initially implemented. Scope-of-service changes under this paragraph shall be required to be submitted within the later of 150 days after the adoption and issuance of the written instructions by the department, or 150 days after the end of the FQHC's or RHC's fiscal year ending in 2003.

(7) All references in this subdivision to "fiscal year" shall be construed to be references to the fiscal year of the individual FQHC or RHC, as the case may be.

(f)(1) An FQHC or RHC may request a supplemental payment if extraordinary circumstances beyond the control of the FQHC or RHC occur after December 31, 2001, and PPS payments are insufficient due to these extraordinary circumstances. Supplemental payments arising from extraordinary circumstances under this subdivision shall be solely and exclusively within the discretion of the department and shall not be subject to subdivision (l). These supplemental payments shall be determined separately from the scope-of-service adjustments described in subdivision (e). Extraordinary circumstances include, but are not limited to, acts of nature, changes in applicable requirements in the Health and Safety Code, changes in applicable licensure requirements, and changes in applicable rules or regulations. Mere inflation of costs alone, absent extraordinary circumstances, shall not be grounds for supplemental payment. If an FQHC's or RHC's PPS rate is sufficient to cover its overall costs,

including those associated with the extraordinary circumstances, then a supplemental payment is not warranted.

(2) The department shall accept requests for supplemental payment at any time throughout the prospective payment rate year.

(3) Requests for supplemental payments shall be submitted in writing to the department and shall set forth the reasons for the request. Each request shall be accompanied by sufficient documentation to enable the department to act upon the request. Documentation shall include the data necessary to demonstrate that the circumstances for which supplemental payment is requested meet the requirements set forth in this section. Documentation shall include all of the following:

(A) A presentation of data to demonstrate reasons for the FQHC's or RHC's request for a supplemental payment.

(B) Documentation showing the cost implications. The cost impact shall be material and significant, two hundred thousand dollars (\$200,000) or 1 percent of a facility's total costs, whichever is less.

(4) A request shall be submitted for each affected year.

(5) Amounts granted for supplemental payment requests shall be paid as lump-sum amounts for those years and not as revised PPS rates, and shall be repaid by the FQHC or RHC to the extent that it is not expended for the specified purposes.

(6) The department shall notify the provider of the department's discretionary decision in writing.

(g)(1) An FQHC or RHC "visit" means a face-to-face encounter between an FQHC or RHC patient and a physician, physician assistant, nurse practitioner, certified nurse-midwife, clinical psychologist, licensed clinical social worker, or a visiting nurse. For purposes of this section, "physician" shall be interpreted in a manner consistent with the Centers for Medicare and Medicaid Services' Medicare Rural Health Clinic and Federally Qualified Health Center Manual (Publication 27), or its successor, only to the extent that it defines the professionals whose services are reimbursable on a per-visit basis and not as to the types of services that these professionals may render during these visits and shall include a physician and surgeon, podiatrist, dentist, optometrist, and chiropractor. A visit shall also include a face-to-face encounter between an FQHC or RHC patient and a comprehensive perinatal services practitioner, as defined in Section 51179.1 of Title 22 of the California Code of Regulations, providing comprehensive perinatal services, a four-hour day of attendance at an adult day health care center, and any other provider identified in the state plan's definition of an FQHC or RHC visit.

(2)(A) A visit shall also include a face-to-face encounter between an FQHC or RHC patient and a dental hygienist or a dental hygienist in alternative practice.

(B) Notwithstanding subdivision (e), an FQHC or RHC that currently includes the cost of the services of a dental hygienist in alternative practice for the purposes of establishing its FQHC or RHC rate shall apply for an adjustment to its per-visit rate, and, after the rate adjustment has been approved by the department, shall bill these services as a separate visit. However, multiple encounters with dental professionals that take place on the same day shall constitute a single visit. The department shall develop the appropriate forms to determine which FQHC's or RHC rates shall be adjusted and to facilitate the calculation of the adjusted rates. An FQHC's or RHC's application for, or the department's approval of, a rate adjustment pursuant to this subparagraph shall not constitute a change in scope of service within the meaning of subdivision (e). An FQHC or RHC that applies for an adjustment to its rate pursuant to this subparagraph may continue to bill for all other FQHC or RHC visits at its existing per-visit rate, subject to reconciliation, until the rate adjustment for visits between an FQHC or RHC patient and a dental hygienist or a dental hygienist in alternative practice has been approved. Any approved increase or decrease in the provider's rate shall be made within six months after the date of receipt of the department's rate adjustment forms pursuant to this subparagraph and shall be retroactive to the beginning of the fiscal year in which the FQHC or RHC submits the request, but in no case shall the effective date be earlier than January 1, 2008.

(C) An FQHC or RHC that does not provide dental hygienist or dental hygienist in alternative practice services, and later elects to add these services, shall process the addition of these services as a change in scope of service pursuant to subdivision (e).

(h) If FQHC or RHC services are partially reimbursed by a third-party payer, such as a managed care entity (as defined in Section 1396u-2(a)(1)(B) of Title 42 of the United States Code), the Medicare Program, or the Child Health and Disability Prevention (CHDP) program, the department shall reimburse an FQHC or RHC for the difference between its per-visit PPS rate and receipts from other plans or programs on a contract-by-contract basis and not in the aggregate, and may not include managed care financial incentive payments that are required by federal law to be excluded from the calculation.

(i)(1) An entity that first qualifies as an FQHC or RHC in the year 2001 or later, a newly licensed facility at a new location added to an existing FQHC or RHC, and any entity that is an existing FQHC or RHC that is relocated to a new site shall each have its reimbursement rate established in accordance with one of the following methods, as selected by the FQHC or RHC:

(A) The rate may be calculated on a per-visit basis in an amount that is equal to the average of the per-visit rates of three comparable FQHCs or RHCs located in the same or adjacent area with a similar caseload.

(B) In the absence of three comparable FQHCs or RHCs with a similar caseload, the rate may be calculated on a per-visit basis in an amount that is equal to the average of the per-visit rates of three comparable FQHCs or RHCs located in the same or an adjacent service area, or in a reasonably similar geographic area with respect to relevant social, health care, and economic characteristics.

(C) At a new entity's one-time election, the department shall establish a reimbursement rate, calculated on a per-visit basis, that is equal to 100 percent of the projected allowable costs to the FQHC or RHC of furnishing FQHC or RHC services during the first 12 months of operation as an FQHC or RHC. After the first 12-month period, the projected per-visit rate shall be increased by the Medicare Economic Index then in effect. The projected allowable costs for the first 12 months shall be cost settled and the prospective payment reimbursement rate shall be adjusted based on actual and allowable cost per visit.

(D) The department may adopt any further and additional methods of setting reimbursement rates for newly qualified FQHCs or RHCs as are consistent with Section 1396a(bb)(4) of Title 42 of the United States Code.

(2) In order for an FQHC or RHC to establish the comparability of its caseload for purposes of subparagraph (A) or (B) of paragraph (1), the department shall require that the FQHC or RHC submit its most recent annual utilization report as submitted to the Office of Statewide Health Planning and Development, unless the FQHC or RHC was not required to file an annual utilization report. FQHCs or RHCs that have experienced changes in their services or caseload subsequent to the filing of the annual utilization report may submit to the department a completed report in the format applicable to the prior calendar year. FQHCs or RHCs that have not previously submitted an annual utilization report shall submit to the department a completed report in the format applicable to the prior calendar year. The FQHC or RHC shall not be required to submit the annual utilization report for the comparable FQHCs or RHCs to the department, but shall be required to identify the comparable FQHCs or RHCs.

(3) The rate for any newly qualified entity set forth under this subdivision shall be effective retroactively to the later of the date that the entity was first qualified by the applicable federal agency as an FQHC or RHC, the date a new facility at a new location was added to an existing FQHC or RHC, or the date on which an existing FQHC or RHC was relocated to a new site. The FQHC or RHC shall be permitted to continue billing for Medi-Cal covered benefits on a fee-for-service basis until it is informed of its enrollment as an FQHC or RHC, and the department shall reconcile the difference between the fee-for-service payments and the FQHC's or RHC's prospective payment rate at that time.

(j) Visits occurring at an intermittent clinic site, as defined in subdivision (h) of Section 1206 of the Health and Safety Code, of an existing FQHC or RHC, or in a mobile unit as defined by paragraph (2) of subdivision (b) of Section 1765.105 of the Health and Safety Code, shall be billed by and reimbursed at the same rate as the FQHC or RHC

establishing the intermittent clinic site or the mobile unit, subject to the right of the FQHC or RHC to request a scope-of-service adjustment to the rate.

(k) (1) For purposes of this subdivision, the following definitions shall apply:

(A) "Another health visit" means a face-to-face encounter between an FHQC or RHC patient and a clinical psychologist, licensed clinical social worker, dentist, dental hygienist, or registered dental hygienist in alternative practice.

(B) "Medical visit" means a face-to-face encounter between an FHQC or RHC patient and a physician, physician assistant, nurse practitioner, certified nurse midwife, visiting nurse, or a comprehensive perinatal services practitioner, as defined in Section 51179.7 of Title 22 of the California Code of Regulations, providing comprehensive perinatal services.

(2) A maximum of two visits, as defined in subdivision (g), taking place on the same day at a single location shall be reimbursed when one or more of the following conditions exist:

(A) After the first visit the patient suffers illness or injury requiring additional diagnosis or treatment.

(B) The patient has a medical visit and another health visit.

(3) (A) Notwithstanding subdivision (e), an FQHC or RHC that currently includes the cost of encounters with more than one health professional that take place on the same day at a single location as constituting a single visit for purposes of establishing its FQHC or RHC rate shall, by [fill in the date], apply for an adjustment to its per-visit rate, and, after the rate adjustment has been approved by the department, the FQHC or RHC shall bill a medical visit and another health visit that take place on the same day at a single location as separate visits.

(B) The department shall, by [fill in the date], develop and adjust all appropriate forms to determine which FQHC's or RHC's rates shall be adjusted and to facilitate the calculation of the adjusted rates.

(C) An FQHC's or RHC's application for, or the department's approval of, a rate adjustment pursuant to this paragraph shall not constitute a change in scope of service within the meaning of subdivision (e).

(D) An FQHC or RHC that applies for an adjustment to its rate pursuant to this paragraph may continue to bill for all other FQHC or RHC visits at its existing per-visit rate, subject to reconciliation, until the rate adjustment has been approved.

(4) The department shall, by [fill in the date], submit a state plan amendment to the federal Centers for Medicare and Medicaid Services reflecting the changes described in this subdivision.

(l) An FQHC or RHC may elect to have pharmacy or dental services reimbursed on a fee-for-service basis, utilizing the current fee schedules established for those services. These costs shall be adjusted out of the FQHC's or RHC's clinic base rate as scope-of-service changes. An FQHC or RHC that reverses its election under this subdivision shall revert to its prior rate, subject to an increase to account for all MEI increases occurring during the intervening time period, and subject to any increase or decrease associated with applicable scope-of-services adjustments as provided in subdivision (e).

(m) FQHCs and RHCs may appeal a grievance or complaint concerning ratesetting, scope-of-service changes, and settlement of cost report audits, in the manner prescribed by Section 14171. The rights and remedies provided under this subdivision are cumulative to the rights and remedies available under all other provisions of law of this state.

(n) The department shall, by no later than March 30, 2008, promptly seek all necessary federal approvals in order to implement this section, including any amendments to the state plan. To the extent that any element or requirement of this section is not approved, the department shall submit a request to the federal Centers for Medicare and Medicaid Services for any waivers that would be necessary to implement this section.

(o) The department shall implement this section only to the extent that federal financial participation is obtained.

Approved as to form:
Orange County Counsel

by James Harman
Deputy County Counsel

POTENTIAL SUPPORT:

This concept as proposed in AB 1445 (Chesbro) has the following organizations as registered supporters: California Primary Care Association (Sponsor)' Alliance for Rural Health, AltaMed Health Services, American College of Obstetricians and Gynecologists, California Association of Marriage and Family Therapists, California Association of Rural Health Clinics, California Chiropractic Association, California Hospital Association, California Psychiatric Association, California Psychological Association, California School Centers Association, California School Health Centers Association, California Society for Clinical Social Work, California State Association of Counties, California

State Rural Health Association, Community Clinic Association, County of San Bernardino, County of Contra Costa, County of Santa Clara, Disability Rights California, Eisner Pediatric & Family Medical Center, North Coast Clinics Network, Six Rivers Planned Parenthood, Urban Counties Caucus, 46 community clinics

POTENTIAL OPPOSITION:

The Department of Finance has historically opposed this proposal due to the increased state matching cost associated with reimbursing additional visits.

RECENT LEGISLATIVE ACTION ON THIS ISSUE:

The proposal was previously advanced in AB 1445 (Chesbro).

PERSONS RESPONSIBLE FOR TESTIMONY:

Mark Refowitz, Deputy Agency Director Health Care Agency

**PROPOSAL FOR COUNTY SPONSORED LEGISLATION
2013-2014 LEGISLATIVE SESSION**

AGENCY/DEPARTMENT: COUNTY EXECUTIVE OFFICE
CONTACT PERSON: Holly Fraumeni Phone: 916.443. 8891
Fax: 916.443.8819 email address: hcf@platinumadvisors.com

**SUBJECT: ORANGE COUNTY EMPLOYEES RETIREMENT SYSTEM (OCERS)
ALTERNATE TO THE APPOINTED BOARD MEMBER**

AFFECTED DEPARTMENT(S)/AGENCY(IES):

Members and Sponsors of the Orange County Employee Retirement System.

CODE SECTION AFFECTED:

Amend Government Code Section 31520.1

DESCRIPTION OF CURRENT LAW:

This proposal would amend a provision of the County Employees Retirement Law of 1937 Act ("CERL") applicable only to OCERS, to clarify that OCERS sponsors may implement new retirement formulas in the same manner as other CERL systems and for there not to be any conflict with new state law.

PROPOSAL:

This proposal would amend a provision of the County Employees Retirement Law of 1937 Act ("CERL"), applicable only to Orange County, to permit an alternate for the Board appointed members. It would also allow the alternate appointed member to have the same rights, privileges, responsibilities, and access to closed sessions as the elected members of the Board and that they may hold positions on committees independent of the elected members and participate in deliberations whether or not the elected members are present.

DISCUSSION:

County Employees Retirement Law of 1937 (CERL or '37 Act) does not provide for an alternate in the event that an **appointed** member of the board is absent. Currently, OCERS has an alternate for the elected board members, but the '37 Act does not contain authority for Orange County to appoint an alternate for the appointed members. Only one '37 Act county has authority for an alternate appointed member and that is Contra Costa County. This occurred pursuant to legislation sponsored by the County in 2005, AB 719. After the bill was enacted, the Contra Costa County sought voter approval in accordance with Article XVI, Section 17 of the California Constitution.

In Section 31520.1 of the Government Code, which is the section that defines OCERS' Board of Retirement, it states that the alternate seventh member has the same rights, privileges, responsibilities and access to closed sessions as the **elected** members of the board, and that they may hold positions on committees independent of the elected members and participate in deliberations whether or not the elected members are present. It is necessary to create this same standard for alternate appointed members of the board through legislation.

Once the legislation passes, the County must then obtain voter approval in Orange County. Below is an excerpt from the California Constitution which contains the voter ratification requirement.

“(f) With regard to the retirement board of a public pension or retirement system which includes in its composition elected employee members, the number, terms, and method of selection or removal of members of the retirement board which were required by law or otherwise in effect on July 1, 1991; shall not be changed, amended, or modified by the Legislature unless the change, amendment, or modification enacted by the Legislature is ratified by a majority vote of the electors of the jurisdiction in which the participants of the system are or were, prior to retirement, employed.”

FISCAL IMPACT:

Unknown at this time.

PROPOSED SPECIFIC LANGUAGE: (As approved by County Counsel)

Add New Section 31520.13 to Government Code:

(a) Notwithstanding Section 31520.1, and subject to the limitations of subdivision (d), the board of supervisors may, by resolution adopted by majority vote, appoint an alternate member for the fourth, fifth, sixth, and ninth members. The alternate member shall be a qualified elector of the county who is not connected with the county

government in any capacity. The term of office of the alternate member shall run concurrently with the term of office of the ninth member. The alternate member shall vote as a member of the board only in the event the fourth, fifth, sixth, or ninth member is absent from a board meeting for any cause. If there is a vacancy with respect to the fourth, fifth, sixth, or ninth member, the alternate member shall fill that vacancy until a successor qualifies.

(b) The alternate member for the fourth, fifth, sixth, or ninth member shall be entitled to the same compensation as the fourth, fifth, sixth, or ninth member for attending a meeting, pursuant to Section 31521, whether or not the fourth, fifth, sixth, or ninth member attends the meeting.

(c) The alternate member for the fourth, fifth, sixth, or ninth member shall be entitled to both of the following:

(1) The alternate member for the fourth, fifth, sixth, or ninth member shall have the same rights, privileges, responsibilities, and access to closed sessions as the fourth, fifth, sixth, or ninth member.

(2) The alternate member for the fourth, fifth, sixth, or ninth member may hold positions on committees of the board independent of the fourth, fifth, sixth, or ninth member and may participate in the deliberations of the board or any of its committees to which the fourth, fifth, sixth, or ninth member has been appointed whether or not the fourth, fifth, sixth, or ninth member are present.

(d) The alternate member appointed pursuant to subdivision (a) may not serve as an alternate for the fourth, fifth, sixth, or ninth member unless service by an alternate member for an appointed member is approved by the majority of the electors in the county.

(e) This section shall apply only to Orange County.

Approved as to form:
County Counsel

by Nikhil Daftary
Deputy County Counsel

POTENTIAL SUPPORT:

Unknown at this time.

POTENTIAL OPPOSITION:

Unknown at this time.

RECENT LEGISLATIVE ACTION ON THIS ISSUE:

AB 719 (2005-Canciamilla)

PERSONS RESPONSIBLE FOR TESTIMONY:

Cymantha Atkinson, Manager, Gov't & Comm. Relations County Executive Office

**PROPOSAL FOR COUNTY SPONSORED LEGISLATION
2013-2014 LEGISLATIVE SESSION**

AGENCY/DEPARTMENT: COUNTY EXECUTIVE OFFICE
CONTACT PERSON: Holly Fraumeni Phone: 916.443. 8891
Fax: 916.443.8819 email address: hcf@platinumadvisors.com

SUBJECT: COUNTY SEARCHES: COSTS

AFFECTED DEPARTMENT(S)/AGENCY(IES):

Sheriff-Coroner

CODE SECTION AFFECTED:

Add Government Code Sections 26614.6 and 26614.7

DESCRIPTION OF CURRENT LAW:

California law provides that in limited situations, up to \$12,000 of the cost of an emergency response may be recovered from a person, who by his or her negligent operation of a vehicle, boat or plane while under the influence of drugs or alcohol, or by his or her intentionally wrongful conduct, caused the emergency response for a particular incident (Government Code Sections 53150 through 53159.). Government Code Section 53156 defines "intentionally wrongful conduct" narrowly to mean "conduct intended to injure another person or property."

California law also provides that the county of residence of a person searched for or rescued while in another county shall pay to the county conducting such search or rescue all of the reasonable expenses in excess of \$100 of such search and rescue within 30 days after submission of a claim by the county conducting the search or rescue (Government Code Section 26614.5.).

PROPOSAL:

The proposal would allow the County to recover the actual cost of extraordinary search or rescue efforts from a resident who is 16 years of age or older and whose act in violation of any federal or state law or local ordinance, or any act or omission that shows

wanton and reckless misconduct in disregard for their safety, was a contributing factor to the need for the County's search or rescue or for another county's search or rescue of that resident.

DISCUSSION:

California law does not allow a county to recover the actual cost of search or rescue of a resident who is 16 years of age or older if the need for the search or rescue of that resident was necessitated by the use of extraordinary methods and if any of the following was a contributing factor to the need for the search or rescue: (1) any act in violation of any federal or state law or local ordinance; or (2) any act or omission by the person searched for or rescued that shows wanton and reckless misconduct in disregard for his or her safety. California law also does not allow a county that is billed for the search or rescue of one of its residents who is 16 years of age or older by another county to, in turn, seek reimbursement from that resident if the need for the search or rescue of that resident was necessitated by the use of extraordinary methods and if any of the following was a contributing factor to the need for the search or rescue: (1) any act in violation of any federal or state law or local ordinance; or (2) any act or omission by the person searched for or rescued that shows wanton and reckless misconduct in disregard for his or her safety.

The proposed legislation is modeled after former Government Code Sections 26614.6 and 26614.7 (Stats. 1995, c. 338 (A.B. 1461) and Stats. 1995, c. 339 (A.B. 867)), which sunset on January 1, 1999. AB 1461 (Bordonaro) - Provided that any county and/or city receiving a bill for search and rescue services may seek reimbursement of the actual cost incurred from that resident, up to \$5,000, if that resident is 16 years of age and older, as defined. AB 867 (Brown) - Provided that a person who is searched for or rescued by a county, shall pay for all reasonable expenses exceeding \$100 within 30 days after being billed for those services, when the need for search or rescue was caused by an intentional act or acts, as defined.

FISCAL IMPACT:

Unknown at this time.

PROPOSED SPECIFIC LANGUAGE: (As approved by County Counsel)

Add Section 26614.6 to the Government Code, relating to County searches:

Section 1. Section 26614.6 is added to the Government Code to read:

26614.6. (a) Notwithstanding Article 8 (commencing with Section 53150) of Chapter 1 of Part 1 of Division 2 of the Government Code, whenever a county or city and county is billed for a search or rescue of one of its residents who is 16 years of age or older by

another county or city and county, the county or city and county receiving the bill may in turn seek reimbursement for the actual cost incurred from that resident if the need for the search or rescue necessitated the use of extraordinary methods and any of the following was a contributing factor to the need for the search or rescue:

(1) Any act in violation of any federal or state law or local ordinance.

(2) Any act or omission by the person searched for or rescued that shows wanton and reckless misconduct in disregard for his or her safety.

(b) The county or city and county shall not collect charges from those persons who the county or city and county determines are unable to pay the charges.

Add Section 26614.7 to the Government Code, relating to County searches:

Section 1. Section 26614.7 is added to the Government Code to read:

26614.7. (a) Notwithstanding Article 8 (commencing with Section 53150) of Chapter 1 of Part 1 of Division 2 of the Government Code, when a person 16 years of age or older living within a county or city and county is searched for or rescued, that person shall pay the county or city and county conducting the search or rescue for the actual cost incurred for the search or rescue within 30 days after being billed for those charges if the need for the search or rescue necessitated the use of extraordinary methods and any of the following was a contributing factor to the need for the search or rescue:

(1) Any act in violation of any federal or state law or local ordinance.

(2) Any act or omission by the person searched for or rescued that shows wanton and reckless misconduct in disregard for his or her safety.

(b) The county or city and county shall not collect charges from those persons who the county or city and county determines are unable to pay the charges.

Approved as to form:
County Counsel

by Nicole Sims
Deputy County Counsel

POTENTIAL SUPPORT:

California State Firefighters' Assn.; California State Sheriffs' Assn.;

POTENTIAL OPPOSITION:

Unknown at this time.

RECENT LEGISLATIVE ACTION ON THIS ISSUE:

AB 1461 (Bordonaro) and AB 867 (Brown) in 1995

PERSONS RESPONSIBLE FOR TESTIMONY:

Cymantha Atkinson, Manager, Gov't & Comm. Relations County Executive Office



COUNTY OF ORANGE

2014 County-Sponsored Federal Proposals

COUNTY OF ORANGE
2014 COUNTY-SPONSORED FEDERAL LEGISLATIVE PROPOSALS
EXECUTIVE SUMMARY

FEDERAL PROPOSALS

ELIMINATE THE MEDICAID INMATE EXCEPTION RULE FOR PRE-ADJUDICATED INMATES (*New Proposal*)

This proposal would allow Medicaid eligible pre-adjudicated inmates to receive Medicaid benefits while incarcerated.

DISCOUNT DRUG PRICING (*Continuing Proposal*)

This proposal would revise the criteria for receiving 340B drug pricing to include County operated clinics or County-contracted providers.

FLEXIBLE USE OF CONTINUUM OF CARE HOMELESS ASSISTANCE FUNDING (*Continuing Proposal*)

This proposal would modify the current McKinney-Vento Act language to enable local communities the flexibility to use Continuum of Care Homeless Assistance funding to address local needs (emergency housing, prevention, discharge planning, etc.).

HOUSING CHOICE VOUCHER MOVING TO WORK PROGRAM (*Continuing Proposal*)

This proposal is to request the U.S. Department of Housing and Urban Development (HUD) to expand opportunities for Public Housing Agencies (PHAs) to evaluate and consider the benefits to implement, and if feasible locally, apply to be considered for the Moving to Work (MTW) Program. If HUD releases another MTW application opportunity, direct OC Community Services to research the feasibility of MTW program for Orange County and report back to the Board with recommendations.

**PROPOSAL FOR COUNTY SPONSORED LEGISLATION
2013-2014 LEGISLATIVE SESSION (*New Proposal*)**

AGENCY/DEPARTMENT: HEALTH CARE AGENCY
CONTACT PERSON: James McConnell Phone: 917.434.3603
Fax: 202.331.1598 email address: jmcconnell@tfgnet.com

SUBJECT: **ELIMINATE THE MEDICAID INMATE EXCEPTION RULE FOR PRE-ADJUDICATED INMATES**

AFFECTED DEPARTMENT(S)/AGENCY(IES):

Health Care Agency

CODE SECTION AFFECTED:

United States Code, Title 42, Section 1396d

DESCRIPTION OF CURRENT LAW:

Federal law does not allow for federal Medicaid funding – Federal Financial Participation (FFP) – to pay for medical care provided to individuals who are “inmates of a public institution.” This is commonly referred to as the inmate exception.

PROPOSAL:

Allow Medicaid eligible pre-adjudicated inmates to receive Medicaid benefits while incarcerated.

DISCUSSION:

There is a specific Affordable Care Act provision related to the exchanges that could significantly impact county jails, which states that “...an individual shall not be treated as a qualified individual, if at the time of enrollment; the individual is incarcerated, other than incarceration pending disposition of charges.” This provision will likely allow eligible individuals in custody pending disposition of charges to enroll in a **health insurance plan** offered through an exchange prior to conviction, or maintain coverage if they are already enrolled. A substantial number of individuals that enter into county jail custody have serious medical and behavioral health needs and would benefit greatly from treatment to address these conditions. Additionally, as counties are responsible for

providing health care services for county jail inmates and the overwhelming majority of individuals in jails lack any type of health insurance coverage, this provision could potentially reduce county jail health costs. In 2014 the ACA also expands Medicaid eligibility to include all individuals under age 65—including adults without children—who have incomes up to 133% of the federal poverty level (FPL). Many individuals involved in the criminal justice system will fall into this category of adults who will be newly eligible for Medicaid, because a large majority of jail inmates are young, low-income males who did not previously qualify for the program. However, unless future administrative actions change existing federal rules, while these individuals will be eligible to enroll in the program they will not be able to receive Medicaid benefits in 2014. Presently some county jail inmates meet Medicaid's eligibility requirements and are eligible to enroll in the program, but they are not covered by Medicaid. **This is because federal law does not allow for federal Medicaid funding—Federal Financial Participation (FFP)—to pay for medical care provided to individuals who are “inmates of a public institution,” which is commonly referred to as the “inmate exception.” This results in counties covering the full cost of jail inmates’ health care services rather than eligible detainees receiving coverage through Medicaid.**

Individuals pending disposition of charges should not be considered as inmates of a public institution and these individuals should have the opportunity to apply for coverage either through plans on the exchanges or **Medicaid**. Centers for Medicare & Medicaid Services (CMS), however, has stated that issues related to FFP not being available to incarcerated individuals were beyond the scope of their rulemaking, and has asserted that: “An individual is considered an inmate when serving time for a criminal offense or confined involuntarily in State or Federal prisons, jails, detention facilities, or other penal facilities, regardless of adjudication status.”

FISCAL IMPACT:

The fiscal impact of this proposal is difficult to project because the system is not currently designed to account for Federal Financial Participation in health care costs for this population. The Health Care Agency (HCA) believes this proposal would result in many of the medical and mental health care services provided to pre-adjudicated inmates in the County jail facilities being eligible for federal Medicaid funding (i.e. physician visits and evaluations, pathology and laboratory services, pharmaceuticals, specialty physician consults). These services are currently funded primarily by County General Funds. Based on current inmate population statistics and costs, HCA believes the fiscal impact of this proposal could result in a County General Fund net savings of approximately \$400,000 - \$600,000.

PROPOSED SPECIFIC LANGUAGE: (As approved by County Counsel)

United States Code, Title 42, Section 1396d:

(a) Medical assistance

The term "medical assistance" means payment of part or all of the cost of the following care and services or the care and services themselves...

(29) any other medical care, and any other type of remedial care recognized under State law, specified by the Secretary, except as otherwise provided in paragraph (16), such term does not include—

(A) any such payments with respect to care or services for any individual who is an inmate of a public institution (except **where the individual is incarcerated pending the disposition of charges or is as** a patient in a medical institution); or

(B) any such payments with respect to care or services for any individual who has not attained 65 years of age and who is a patient in an institution for mental diseases.

Approved as to form:
County Counsel

By James Harman
Deputy County Counsel

POTENTIAL SUPPORT:

National Association of Counties
National Sheriff's Association
California State Association of Counties

POTENTIAL OPPOSITION:

Unknown

RECENT LEGISLATIVE ACTION ON THIS ISSUE:

Unknown

PERSONS RESPONSIBLE FOR TESTIMONY:

Mark Refowitz, Director OC Health Care Agency
Kim Pearson, Deputy Agency Director Correctional Health Services Administration

COUNTY OF ORANGE
2014 COUNTY-SPONSORED FEDERAL LEGISLATIVE PROPOSALS

SUMMARY OF CONTINUING PROPOSALS

DISCOUNT DRUG PRICING

Section 340B makes discount pricing available for covered outpatient drugs for certain federal grantees, federally-qualified health center look-alikes and qualified disproportionate share hospitals. It is also available to certain programs that provide services for targeted indigent populations. As one example, 340B pricing is available for HIV/AIDS patients receiving their drugs through the AIDS Drug Assistance Program (ADAP).

This proposal would revise the criteria for receiving 340B drug pricing to include County operated clinics or County-contracted providers.

Update and Approach: In 2013, Congress refused to open the Affordable Care Act (ACA) for review and amendment and any legislative proposals related to health issues were affected by this decision. California's Senators reviewed this request and had questions and observations: 12 of the 58 counties in the state have county hospitals but the other 46 counties do not have the same discount drug pricing issues. One difference was the lack of federally-qualified health centers in Orange County, which are required to have community-based boards of directors rather than being privately-operated facilities. The Senators would like to see Orange County develop more federally-qualified centers as the preferred way to become eligible for section 340B discount drug pricing. Apart from that, health-related legislation in 2014 is still likely only with regard to ACA amendments. Republicans would like to re-open ACA in order to gut it. Democrats and the Administration would like to legislatively fine tune aspects of ACA, but fear opening the legislation to amendment will result in a wholesale Republican attack on the overall law.

Recommended Action: Directed Orange County Washington Lobbyist to seek an author/sponsor HCA Director will be in Washington in early March 2014 for NACo Legislative Conference. Meetings are planned with California Senators' staff, and others, to further discuss the issue and possible approaches to alleviating Orange County's problems.

FLEXIBLE USE OF CONTINUUM OF CARE HOMELESS ASSISTANCE FUNDING

This proposal would modify current McKinney-Vento Act, ELIGIBLE ACTIVITIES, to include emergency shelter and emergency assistance as eligible activities to enable local communities the flexibility to use Continuum of Care Homeless Assistance funding to address local needs (emergency housing, prevention, discharge planning, etc.).

Update and Approach: The McKinney-Vento Act is a permanently authorized law, which means it remains in force unless, and until, amended. Congressional Republicans have expressed an interest in opening the act up for amendment in order to turn homeless assistance programs into block grants to the states and to reduce the amount of federal funding available for homeless assistance programs. Congressional Democrats and the Obama Administration are opposed to opening McKinney-Vento to amendment for any purpose.

Recommended Action: Keep alert to any discussions concerning congressional willingness to open the McKinney-Vento Act to amendment, without reducing funding under the Act or block granting the program to the states. Work to permit greater local flexibility in the administration of the Act, especially if this could be accomplished through the administrative regulatory process rather than through congressional legislation. If NACo and/or CSAC were actively engaged in this effort it would be helpful.

HOUSING CHOICE VOUCHER MOVING TO WORK PROGRAM

This proposal is to request the U.S. Department of Housing and Urban Development (HUD) to expand opportunities for Public Housing Agencies (PHAs) to evaluate and consider the benefits to implement, and if feasible locally, apply to be considered for the Moving to Work (MTW) Program. If HUD releases another MTW application opportunity, direct OC Community Services to research the feasibility of MTW program for Orange County and report back to the Board with recommendations.

Update and Approach: Only Congress has the power to authorize additional slots in the Moving to Work (MTW) program. In the past, Congress has both picked the Public Housing Agencies (PHA's) to participate and has authorized HUD to select PHA applicants themselves. Congress is now barred from doing so under the earmark moratorium in effect. When the selection process is left to HUD, as is now the case, the department issues a notice with criteria for admission and evaluates the applications in a competitive process. Only Public Housing Agencies can participate in MTW. The existing program allows Congress to authorize additional slots, but not to select specific sites. It is possible that slots may be added in 2014. However, securing those slots will be difficult, if not unlikely, because budget cuts and sequestration will leave no available funding for new slots even if they have been authorized. Currently, no slots are available. Until slots are authorized by Congress and funding is made available, HUD will not chose sites or be looking for new sites.

Recommended Action: Keep alert for congressional legislation to expand the MTW program. Work proactively with HUD on a potential MTW site in Orange County should Congress expand the program, giving HUD authority to add additional MTW sites. If NACo and/or CSAC were actively engaged in this effort it would be helpful.

**PROPOSAL FOR COUNTY SPONSORED LEGISLATION
2013-2014 LEGISLATIVE SESSION**

AGENCY/DEPARTMENT: HEALTH CARE AGENCY
CONTACT PERSON: James McConnell Phone: 917.434.3603
Fax: 202.331.1598 email address: jmcconnell@tfgnet.com

SUBJECT: DISCOUNT DRUG PRICING

AFFECTED DEPARTMENT(S)/AGENCY(IES):

Health Care Agency

CODE SECTION AFFECTED:

The 340B Drug Pricing Program resulted from enactment of Public Law 102-585, the Veterans Health Care Act of 1992, which is codified as Section 340B of the Public Health Service Act.

DESCRIPTION OF CURRENT LAW:

Section 340B makes discount pricing available for covered outpatient drugs for certain federal grantees, federally-qualified health center look-alikes and qualified disproportionate share hospitals. It is also available to certain programs that provide services for targeted indigent populations. As one example, 340B pricing is available for HIV/AIDS patients receiving their drugs through the AIDS Drug Assistance Program (ADAP).

PROPOSAL:

Revise the criteria for receiving 340B drug pricing to include County operated clinics or County-contracted providers.

DISCUSSION:

The Federal Government is a major purchaser of pharmaceuticals and has substantial leverage to obtain discounted drug prices. Under section 340B of the Public Health Services Act, these discounted prices are available to Federally Qualified Health Centers, qualified Disproportionate Share Hospitals, and certain other entities. Health Care Agency (HCA) spends significant funds on pharmaceuticals and access to 340B drug pricing for the Agency would bring about a substantial savings. While a thorough analysis of the formulary is yet to be completed, for other programs it is likely that the savings, including that from other county-sponsored healthcare programs such as Behavioral Health, would amount to up to \$10 million per year. As a major provider of care for low income persons, HCA should be made eligible for 340B discount drug pricing.

FISCAL IMPACT:

Two major program areas that could potentially benefit from access to 340B pricing include Medical Services Initiative and Behavioral Health Services. Savings will vary greatly depending on the mix of generic and name brand drugs that are utilized in the HCA formulary. This will require a detailed analysis. In addition, potential savings will depend on the extent to which clients are able to gain access to the discounted medications at local pharmacies. Assuming wide availability within the community, the potential savings could be up to \$10 million per year.

PROPOSED SPECIFIC LANGUAGE: (As approved by County Counsel)

340B Drug Pricing Program Statute

[*602] SEC. 602. LIMITATIONS ON PRICES OF DRUGS PURCHASED BY CERTAIN CLINICS AND HOSPITALS.

(a) In GENERAL. Part D of title III of the Public Health Service Act is amended by adding the following subpart:

"(4) Covered entity defined. In this section, the term 'covered entity' means an entity that meets the requirements described in paragraph (5) and is one of the following:

"(A) A Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act).

"(B) An entity receiving a grant under section 340A.

"(C) A family planning project receiving a grant or contract under section 1001.

"(D) An entity receiving a grant under subpart II of part C of title XXVI (relating to categorical grants for outpatient early intervention services for HIV disease).

"(E) A State-operated AIDS drug purchasing assistance program receiving financial assistance under title XXVI.

"(F) A black lung clinic receiving funds under section 427(a) of the Black Lung Benefits Act.

"(G) A comprehensive hemophilia diagnostic treatment center receiving a grant under section 501(a)(2) of the Social Security Act.

"(H) A Native Hawaiian Health Center receiving funds under the Native Hawaiian Health Care Act of 1988.

"(I) An urban Indian organization receiving funds under title V of the Indian Health Care Improvement Act.

"(J) Any entity receiving assistance under title XXVI (other than a State or unit of local government or an entity described in subparagraph (D)), but only if the entity is certified by the Secretary pursuant to paragraph (7).

"(K) An entity receiving funds under section 318 (relating to treatment of sexually transmitted diseases) or section 317(j)(2) (relating to treatment of tuberculosis) through a State or unit of local government, but only if the entity is certified by the Secretary pursuant to paragraph (7).

"(L) A subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act) that -- "(i) is owned or operated by a unit of State or local government, is a public or private non-profit corporation which is formally granted governmental powers by a unit of State or local government, or is a private non-profit hospital which has a contract with a State or local government to provide health care services to low income individuals who are not entitled to benefits under title XVIII of the Social Security Act or eligible for assistance under the State plan under this title; "(ii) for the most recent cost reporting period that ended before the calendar quarter involved, had a disproportionate share adjustment percentage (as determined under section 1886(d)(5)(F) of the Social Security Act) greater than 11.75 percent or was described in section 1886(d)(5)(F)(i)(II) of such Act; and "(iii) does not obtain covered outpatient drugs through a group purchasing organization or other group purchasing arrangement.

"(M) A local government entity receiving funds from a State for the provision of health, mental health or substance abuse treatment services under title XIX of the Public Health Service Act, including local government entities providing services under an approved Federal waiver under section 1115 of the Social Security Act.

"(5) Requirements for covered entities. -- "(A) Prohibiting duplicate discounts or rebates. -- "(i) In general. A covered entity shall not request payment under title XIX of the Social Security Act for medical assistance described in section 1905(a)(12) of such Act with respect to a drug that is subject to an agreement under this section if the drug is subject to the payment of a rebate to the State under section 1927 of such Act.

Approved as to form:
County Counsel

by Massoud Shameh
Deputy County Counsel

POTENTIAL SUPPORT:

It is possible that other counties could benefit from this proposal and would be willing to provide their support. It is also possible that the professional associations such as CSAC, CHEAC, CMHDA, and other national organizations would support this proposal.

POTENTIAL OPPOSITION:

No known opposition.

RECENT LEGISLATIVE ACTION ON THIS ISSUE:

None.

PERSONS RESPONSIBLE FOR TESTIMONY:

Mark Refowitz, Agency Director	Health Care Agency
David Souleles, Deputy Agency Director	Health Care Agency
Holly Veale, Acting Deputy Agency Director	Health Care Agency

**PROPOSAL FOR COUNTY SPONSORED LEGISLATION
2013-2014 LEGISLATIVE SESSION**

AGENCY/DEPARTMENT: OC COMMUNITY RESOURCES/OC COMMUNITY SERVICES

CONTACT PERSON: James McConnell Phone: 917.434.3603

Fax: 202.331.1598 email address: jmccconnell@tfgnet.com

SUBJECT: FLEXIBLE USE OF CONTINUUM OF CARE HOMELESS ASSISTANCE FUNDING

AFFECTED DEPARTMENT(S)/AGENCY(IES):

OC Community Services

CODE SECTION AFFECTED:

McKinney-Vento Act, SEC.423. [42 USC 11383]. "ELIGIBLE ACTIVITIES"

DESCRIPTION OF CURRENT LAW:

The McKinney–Vento Homeless Assistance Act of 1987 (Pub. L. 100-77, July 22, 1987, 101 Stat. 482, 42 U.S.C. § 11301 *et seq.*) is a United States federal law that provides federal money for homeless shelter programs.

PROPOSAL:

Modify current McKinney-Vento Act language to enable local communities the flexibility to use Continuum of Care Homeless Assistance funding to address local needs (emergency housing, prevention, discharge planning, etc.).

DISCUSSION:

The current law only allows Continuum of Care Homeless Assistance funding to address transitional housing, permanent housing and supportive services. The Continuum of Care funding is the largest source of funding available to Orange County to address homeless issues. Agencies throughout Orange County receive approximately \$16 million a year in Continuum of Care funding. A smaller portion of Emergency Solutions Program funding, approximately \$200,000 a year, is available to

the County under McKinney-Vento Act funding, however, is not enough to address a major goal of the County's Ten-Year Plan to End Homelessness—Providing Year-Round Emergency Shelter(s).

By allowing emergency housing and/or emergency assistance activities to be funded through the Continuum of Care Homeless Assistance funding, the County could have more discretion/flexibility to address homeless issues.

FISCAL IMPACT:

This revision would neither increase nor decrease funding to the County, but would allow flexibility in using funds allocated to the County by the Federal Government.

PROPOSED SPECIFIC LANGUAGE: (As approved by County Counsel)

- Revise current McKinney-Vento Act, specifically, SEC.423. [42 USC 11383]. ELIGIBLE ACTIVITIES, to include emergency shelter and emergency assistance as eligible activities as follows:

“(a) IN GENERAL. – Grants awarded under section 11382 to qualified applicants shall be used to carry out projects that serve homeless individuals or families that consist of one or more of the following eligible activities:

- (1) Construction of new housing units to provide **emergency**, transitional or permanent housing.
- (2) Acquisition or rehabilitation of a structure to provide emergency, transitional or permanent housing or to provide **emergency assistance and/or** supportive services.
- (3) Leasing or property, or portions of property, not owned by the recipient or project sponsor involved, for use in providing **emergency**, transitional or permanent housing, **emergency assistance**, or providing supportive services..”

.....
“(c) Use restrictions

- (1) Acquisition, rehabilitation, and new construction

A project that consists of activities described in paragraph (1) or (2) of subsection (a) shall be operated for the purpose specified in the application submitted for the project under section 11382 of this title for not less than 15 years.

(2) Other activities

A project that consists of activities described in any of paragraphs (3) through (12) of subsection (a) shall be operated for the purpose specified in the application submitted for the project under section 11382 of this title for the duration of the grant period involved.

(3) Conversion

If the recipient or project sponsor carrying out a project that provides transitional or permanent housing submits a request to the Secretary to carry out instead a project for the direct benefit of low-income persons, and the Secretary determines that the initial project is no longer needed to provide transitional or permanent housing, the Secretary may approve the project described in the request and authorize the recipient or project sponsor to carry out that project.

(4) Emergency Housing and Assistance

“No more than 25 percent of the assistance provided to the recipient under section 11382 for projects under paragraphs (1), (2) and (3) of subsection (a) may be used for emergency housing and assistance.”

Approved as to form:
County Counsel

By Jacqueline Guzman
Deputy County Counsel

POTENTIAL SUPPORT:

Unknown

POTENTIAL OPPOSITION:

Unknown

RECENT LEGISLATIVE ACTION ON THIS ISSUE:

12/10/13 FINAL

None

PERSONS RESPONSIBLE FOR TESTIMONY:

Karen Roper/ Julia Bidwell

OC Community Resources/ OC Community Services

**PROPOSAL FOR COUNTY SPONSORED LEGISLATION
2013-2014 LEGISLATIVE SESSION**

AGENCY/DEPARTMENT: OC COMMUNITY SERVICES

CONTACT PERSON: James McConnell Phone: 917.434.3603

Fax: 202.331.1598 email address: jmccconnell@tfgnet.com

SUBJECT: HOUSING CHOICE VOUCHER MOVING TO WORK PROGRAM

AFFECTED DEPARTMENT(S)/AGENCY(IES):

OC Community Services -
Orange County Housing Authority

CODE SECTION AFFECTED:

Housing Act of 1937 and Code of Federal Regulations: 24CFR, Part 982.

DESCRIPTION OF CURRENT LAW:

The Housing Act of 1937 and Code of Federal Regulations: 24CFR, Part 982 are the law and regulations under which local Housing Authorities administer the Housing Choice Voucher Program, more commonly known as the "Section 8" Program in reference to Section 8 of the Housing Act. Although current regulations for the Housing Choice Voucher Program allow some limited local discretionary policies, they contain a number of provisions and requirements that include administrative burdens and complexity that cannot be waived.

PROPOSAL:

Request the U.S. Department of Housing and Urban Development (HUD) to expand opportunities for Public Housing Agencies (PHAs) to evaluate and consider the benefits to implement, and if feasible locally, apply to be considered for the Moving to Work (MTW) Program. If HUD releases another MTW application opportunity, direct OC Community Services to research the feasibility of MTW for Orange County and report back to the Board with recommendations.

MTW allows PHAs to design and test innovative, locally designed housing and self-sufficiency strategies for low-income families by permitting PHAs to combine assistance received under Sections 8 and 9 of the United States Housing Act of 1937 into a single agency-wide funding source and by allowing certain exemptions from existing public housing and Housing Choice Voucher (HCV) program rules.

MTW also allows Section 8 only PHAs, like the Orange County Housing Authority (OCHA), to redesign rental assistance programs to achieve greater administrative efficiencies, enhance supportive services provided to tenants, and transition tenants to successful self-sufficiency

DISCUSSION:

Nationwide, more than 2.1 million households are receiving monthly housing assistance in HUD's federally funded Housing Choice Voucher Program administered by more than 2,400 local PHAs. Of these assisted households:

- 23% receive housing assistance for less than 2 years
- 24% receive housing assistance between 2 to 5 years
- 48% receive housing assistance between 5 to 20 years
- 5% receive housing assistance longer than 20 years

PHA's have not received any significant increases in Housing Choice Voucher (HCV) allocations for applicants on their waiting lists since 2003. For these reasons, most public housing agencies, like OCHA, have record numbers of applicants waiting for assistance. For example, OCHA accepted over 50,000 applications during a two-week enrollment period in February 2012. This represents about five applicants per assisted household - for the 9,740 of OCHA's total 10,367 Housing Choice Vouchers that are available to waiting list applicants. The balance of 627 Vouchers are reserved for targeted programs including Veterans Affairs Supportive Housing, Family Unification, and Non-elderly Disabled Vouchers, which would be excluded from an MTW program. Due to the economy, only about 40 assisted households leave the program each month and this level of turnover will severely limit the number of Vouchers that can be issued to waiting list applicants from one to more than 15 years.

According to HUD, the limited number of PHAs that have been selected for the MTW demonstrations are permitted to seek exemption from many existing Public Housing and Housing Choice Voucher program rules found in the United States Housing Act of 1937 in pursuit of the three MTW statutory objectives:

- Reduce cost and achieve greater costs effectiveness in Federal expenditures;

- Give incentives to families with children where the head of household is working, is seeking work, or is preparing for work by participating in job training, educational programs, or programs that assist people to obtain employment and become economically self-sufficient; and
- Increase housing choices for low-income families.

One of the major provisions that agencies can elect to implement include establishing a term-limit for receiving housing assistance. Such term-limits would apply to families and non-elderly/non-disabled single persons who would be expected to become self-sufficient within an established number of years, at which time housing assistance would end. Federal law prohibits elderly and disabled households from inclusion in term-limits.

The MTW program concept is very similar to OCHA's existing, highly successful Family Self Sufficiency (FSS) Program which provides intense case management and a wide variety of supportive services. The Board has continued to approve OCHA's FSS Program due to its success in transitioning families from Section 8 to self-sufficiency and success.

Currently, 39 PHAs nationwide have been authorized to administer their Vouchers through an MTW program. Expanding the number of agencies that can be authorized to participate in MTW will allow local PHAs greater flexibilities to design and administer housing assistance that addresses local community needs for housing resources and efforts to increase self-sufficiency, resulting in less reliance on public assistance.

FISCAL IMPACT:

The MTW program does not increase or decrease funding from HUD; however, agencies have the ability to leverage funds and program policies to assist a higher number of households. For example, enhancing self-sufficiency support in conjunction with time limits enables more households to successfully graduate from the program and thereby makes these resources available for more applicants on the waiting list. In addition, the administrative flexibilities enable housing authorities to reduce operating costs and reinvest these cost savings to provide enhanced tenant services and increased affordable housing opportunities.

PROPOSED SPECIFIC LANGUAGE: (As approved by County Counsel)

PROPOSAL: Request the U.S. Department of Housing and Urban Development (HUD) to expand opportunities for Public Housing Agencies (PHAs) to evaluate and consider the benefits to implement, and if feasible locally, apply to be considered for the Moving

to Work (MTW) Program. If HUD releases another MTW application opportunity, direct OC Community Services to research the feasibility of MTW for Orange County and report back to the Board with recommendations

Approved as to form:
County Counsel

By N/A
Deputy County Counsel

POTENTIAL SUPPORT:

Public Officials: Mayors, Council Members, public assistance administrators, members of the public are likely to support this proposal.

POTENTIAL OPPOSITION:

Advocates for public assistance and welfare may have some opposition.

RECENT LEGISLATIVE ACTION ON THIS ISSUE:

In 2011, Senate Bill S. 117: *Moving to Work Charter Program Act of 2011* was introduced by Senator David Vitter (Louisiana) that would direct HUD to increase the number of MTW agencies to 250 by 2014. In addition, Congressman Steve Chabot (Ohio) introduced H.R. 4145: the *Section 8 Reform, Responsibility, and Accountability Act of 2012*, which has language to expand MTW "to include significantly more PHAs." This proposal also includes the following:

- Places a five-year limitation on section 8 rental assistance, disregarding any month during which such individual was a member of a disabled or elderly family so assisted.
- Prohibits such assistance on behalf of any family, unless each member of the family who is 18 years of age or older performs at least 20 hours of work activities per week.
- Requires the Secretary of Housing and Urban Development (HUD) to exempt from such prohibition any individual family member who meets certain requirements.

Senate Bill S. 117 was referred to Committee on January 25, 2011, and H.R. 4145 was referred to Committee on March 6, 2012, and no further action has occurred.

PERSONS RESPONSIBLE FOR TESTIMONY:

Karen Roper/John Hambuch and/or members of the Orange County Housing Authority management team can provide testimony.

In addition, NAHRO and other national housing organizations can coordinate presentations in Washington D.C. that would include numerous housing experts and PHAs that have implemented an MTW program, in addition to agencies that are interested in participation.



COUNTY OF ORANGE

2015 Federal Energy and Water Development Projects

COUNTY OF ORANGE
2015 FEDERAL ENERGY AND WATER DEVELOPMENT PROJECTS
EXECUTIVE SUMMARY

The following is a summary on each of the County's six projects of significance. While the County is hopeful that all projects can receive funds, the realities of the continued economic climate, limited fiscal resources, the current congressional policy on prioritizing projects make it likely that few, if any, will receive federal funding.

SANTA ANA RIVER MAINSTEM PROJECT

The Santa Ana River Mainstem Project, including Prado Dam (Project), was authorized under the Water Resources Development Act (WRDA) of 1986, and Section 309 of WRDA, 1996. The Project involves construction, acquisition of property rights, relocations, and environmental mitigation and enhancement in Orange, Riverside, and San Bernardino counties. The flood control districts of these counties are the Local Sponsors who are responsible, along with the Department of the Army, for implementing the Project. To date, the Federal Government and the flood control districts of the impacted counties have spent over \$1.6 billion on the Project. Major project accomplishments include the completion of Seven Oak Dam, raising of the Prado Dam embankment, and construction of many miles of bank protection.

ALISO CREEK, ORANGE COUNTY, CA (SECTION 5158)

The planned project, incorporates and expands upon the Aliso Creek Mainstem Project (a separate project, see below) by proposing a multi-objective approach to provide water quality benefits, stream bank stabilization, utility infrastructure protection, and ecosystem restoration in the Aliso Creek Watershed. The stabilization and ecosystem restoration component will include: restoring the slope of the stream to minimize erosion and allow for fish passage upstream; re-establishing aquatic habitat; reinstating the natural slopes of the stream banks; and removing invasive plants and re-vegetating with native plants. The water quality treatment and beneficial use component of the project includes bioengineering to restore the natural cleansing function. The study will also examine diverting nuisance runoff to a treatment facility, and the potential beneficial reuse for irrigation. A localized treatment system further downstream will protect recreational users from unhealthful bacteria along the beach.

WESTMINSTER, EAST GARDEN GROVE, CA

This cost-share study between U.S. Army Corps of Engineers and Orange County (shared 50/50) is to address flood damages along the East Garden Grove-Wintersburg Channel and associated aging levee system that affect residences and businesses in

11 Orange County cities within a 74 square mile watershed. Because of local flood risks, over 20,000 property owners must participate in the National Flood Insurance Program while thousands of additional property owners, valuable coastal habitat and water quality are in jeopardy from flooding impacts. A feasibility study is required by the Corps for implementation of federally constructed capital improvements to the channel system.

SAN JUAN CREEK, SOUTH ORANGE COUNTY, CA

A feasibility study is required by the Army Corps of Engineers for implementation of capital improvements to the channels. This study, which is shared 50/50 between the Corps and Orange County, is focused on flood control and ecosystem restoration alternatives for the watershed in the cities of Dana Point and San Juan Capistrano. Significant progress has been made on the study and could be completed in the following fiscal year with continuing federal support.

SURFSIDE-SUNSET AND NEWPORT BEACHES

This is an on-going project by the U.S. Army Corps of Engineers (Corps) to mitigate damage to Orange County coastline caused by construction of Federal navigation and flood control works in Long Beach and Anaheim Bay. The project extends along the Orange County coast 17 miles from San Gabriel River mouth down coast to Newport Bay Harbor entrance. Periodic beach nourishment with no time limit on Federal aid was authorized by Public Law 87-874, as recommended by House document 602. The feeder beach at Surfside-Sunset receives approximately 1.6 million cubic yards of sand approximately every five years. Twelve stages of construction have been completed, including groins and beach fill, with the last beach replenishment (Stage 12) completed in 2009.

ALISO CREEK MAINSTEM, ORANGE COUNTY, CA

The goal of the feasibility study is to refine the detailed existing hydrologic/hydraulic model and create detailed design for modifications to be implemented along the Aliso Creek Mainstem, and potentially tributaries, which will restore stability to the riverine system and allow restoration of the ecosystem. It is also intended to produce an implementation document for authorization by Congress, as well as serve as an aid to local, state, and federal agencies involved in management and regulatory decisions that can impact the watershed.

FISCAL YEAR 2015 FEDERAL ENERGY AND WATER DEVELOPMENT PROJECT

1. PROJECT:

Project Name:	Santa Ana River Mainstem Project
Exact Location/Address:	Santa Ana River within Orange, Riverside and San Bernardino Counties, California

2. CONTACT INFORMATION:

Local Contact Information:	
Name and Title:	Ignacio Ochoa, P.E. Director/Chief Engineer
Organization:	OC Public Works/OC Engineering
Address:	300 N. Flower Street, Santa Ana, CA 92703
Telephone:	(714) 667-3213
Email:	Ignacio.Ochoa@ocpw.ocgov.com

3. EXECUTIVE SUMMARY, INCLUDING PROJECT BACKGROUND:

The Santa Ana River Mainstem Project (Project) is being constructed to address what the U.S. Army Corps of Engineers identified in the 1980's as 'the worst flood threat west of the Mississippi River' – which then impacted three million people and 110,000 acres located in the three Southern California counties of Orange, Riverside, and San Bernardino. It is estimated that a significant flood event on the Santa Ana River would cause a loss of 3,000 lives and \$40 billion in economic losses.

The Project, which was authorized under the Water Resources Development Act (WRDA) of 1986, and Section 309 of WRDA, 1996, involves construction, acquisition of property rights, relocations, environmental mitigation and enhancement in Orange, Riverside, and San Bernardino counties. The flood control districts of these counties are the Local Sponsors who are responsible, with the Department of the Army, for implementing the Project.

To date, the Federal Government and the Orange County Flood Control District (OCFCD) have spent over \$1.6 billion on the Project. Major project accomplishments include the completion of Seven Oaks Dam, raising of the Prado Dam embankment, and construction of many miles of bank protection. Continued funding is necessary to complete the Project and ensure the level of protection as planned. Project completion is even more important now than when it started in 1990, given the significant growth in population, land and structures value, and dependency on affected transportation routes.

FISCAL YEAR 2015 FEDERAL ENERGY AND WATER DEVELOPMENT PROJECT

1. PROJECT:

Project Name:	Aliso Creek, Orange County, CA (Section 5158)
Exact Location/Address:	Laguna Niguel, CA

2. CONTACT INFORMATION:

Local Contact Information:	
Name and Title:	Mary Anne Skorpanich, Director
Organization:	County of Orange/OC Watersheds
Address:	2301 North Glassell Street, Orange CA 92865
Telephone:	714-955-0601
Email:	maryanne.skorpanich@ocpw.ocgov.com

3. EXECUTIVE SUMMARY, INCLUDING PROJECT BACKGROUND:

Rapid urbanization of the Aliso Creek watershed has led to a variety of erosion and water quality problems. Concurrently, the creek and coastal zone environment and its other beneficial uses are impaired by poor water quality with the repeat occurrence of bacterial contamination during storms as well as dry weather. In response to this, federal, state, and local government agencies and local utility districts have invested significant time and resources toward the development and implementation of a collection of projects to protect transportation, water, and wastewater infrastructure and mitigate on-going environmental degradation to the Aliso Wood Canyon Wilderness Park and beaches downstream.

Over the last decade, the U.S. Army Corps of Engineers (Corps) has completed several independent and cost-shared studies evaluating the problems in Aliso Creek. Several opportunities and project alternatives have been identified that are viable from an engineering, environmental, and economic perspective.

In 1999, the Corps began the Aliso Creek Watershed Management Plan. This Plan was sponsored by the Corps, County, municipalities, and water districts within the Aliso Creek Watershed. A public stakeholder group was formed and met on a regular basis to provide input to the Corps for three years. A wide range of technical studies on overall watershed conditions were completed as part of the Plan, which identified a number of watershed problems as well as opportunities. The identified problems including water quality, instability of the creek, loss of ecosystems, and damage from flooding.

In 2002, the Corps completed the Aliso Creek Watershed Management Study which documented management measures that could address the various watershed problems. The management study provided solutions to a variety of water and land-related damages in the watershed that best met the federal and local need. The Aliso Creek Mainstem Ecosystem Restoration was one of the implementation projects recommended to proceed to the feasibility study phase. The Corps' contractor (Tetra Tech), who prepared the Aliso Creek Watershed Management Study, revised the project by adding a water quality and utility protection feature to address stakeholder input.

This project proposes a multi-objective approach to provide water quality benefits, stream bank stabilization, utility infrastructure protection, and ecosystem restoration in the Aliso Creek Watershed. The stabilization and ecosystem restoration component of the project will include: restoring the slope of the stream to minimize erosion and allow for fish passage upstream; re-establishing aquatic habitat; reinstating the natural slopes of the stream banks; removing invasive plants and re-vegetating with native plants; and reconnecting the stream to its floodplain to support a healthy riparian zone. The infrastructure protection component of the project will increase the stability of the channel to prevent undercutting pipelines and roads. The water quality treatment and beneficial use component of the project includes bioengineering to restore the natural cleansing function. The study will also examine diverting nuisance runoff to a treatment facility, and the potential beneficial reuse for irrigation.

Improvements anticipated from the study include relief from degradation of the creek and restoration of native habitat. Protection for important coastal wetlands downstream will benefit from improved water quality and ecosystem functioning. A localized treatment system further downstream will protect recreational users from unhealthful bacteria along the beach.

In WRDA 2007, Section 5158-Additional Assistance for Critical Projects provided a \$5,000,000 project limit for a Section 219 Environmental Infrastructure Project titled *Aliso Creek, Orange County, CA*. This program provides a more direct path to implementing a project that addresses long standing issues of concern. Advancing the project in a timely manner to construction would result in an overall savings in costs by reducing the amount of monies spent on studies, staffing resources, and emergency stop gap repairs. Under the Section 219 Environmental Infrastructure Account, the project can include more effective components to improve beach water quality.

Federal assistance would:

- Allow the local sponsor and Corps to execute a cost sharing agreement; and
- Expedite project implementation; construction to start as early as 2016.

FISCAL YEAR 2015 FEDERAL ENERGY AND WATER DEVELOPMENT PROJECT

1. PROJECT:

Project Name:	Westminster, East Garden Grove, CA
Exact Location/Address:	Includes 74 square miles in the cities of Anaheim, Stanton, Cypress, Garden Grove, Westminster, Fountain Valley, Los Alamitos, Seal Beach, Santa Ana, and Huntington Beach.

2. CONTACT INFORMATION

Local Contact Information:	
Name and Title:	Ignacio Ochoa, P.E. Director/Chief Engineer
Organization:	OC Public Works/OC Engineering
Address:	300 N. Flower St. Santa Ana, CA 92703
Telephone:	(714) 667-3213
Email:	Ignacio.Ochoa@ocpw.ocgov.com

3. EXECUTIVE SUMMARY, INCLUDING PROJECT BACKGROUND

Flood damages along the East Garden Grove-Wintersburg Channel and its associated aging levee system affect residences and businesses in 10 Orange County cities within a 74 square mile watershed. Because of local flood risks, over 20,000 property owners must participate in the National Flood Insurance Program. In addition, thousands of additional property owners, valuable coastal habitat, and water quality are also in jeopardy from flooding impacts.

Accordingly, the United States Army Corps of Engineers (Corps) and Orange County entered into a 50/50 cost share agreement to develop solutions for comprehensive flood protection, ecosystem restoration and water quality improvements. The watershed feasibility study began in 2005 through a cost-share agreement, and the study has received intermittent federal funding, resulting in delays. A feasibility study is required by the Corps for implementation of federally constructed capital improvements to the channel system.

FISCAL YEAR 2015 FEDERAL ENERGY AND WATER DEVELOPMENT PROJECT

1. PROJECT:

Project Name:	San Juan Creek, South Orange County, CA
Exact Location/Address:	San Juan Creek Watershed in the Cities of San Juan Capistrano and Dana Point

2. CONTACT INFORMATION:

Local Contact Information:	
Name and Title:	Ignacio Ochoa, P.E. Director/Chief Engineer
Organization:	OC Public Works/OC Engineering
Address:	300 N. Flower St. Santa Ana, CA 92703
Telephone:	(714) 667-3213
Email:	Ignacio.Ochoa@ocpw.ocgov.com

3. EXECUTIVE SUMMARY, INCLUDING PROJECT BACKGROUND

Lower San Juan Creek and Trabuco Creek in the Cities of San Juan Capistrano and Dana Point have a history of flooding problems. The existing un-reinforced concrete slope linings placed in the 1960s have failed during a number of storm events, which were significantly lower than a 100-year flood event. In addition to structural inadequacies of the 1960s un-reinforced concrete slope lining, the two channels lack flood control capacity and will be overtopped in a 100-year flood event.

A feasibility study is required by the Army Corps of Engineers for implementation of capital improvements to the channels. The Army Corps of Engineers found that there was federal interest in the project during a reconnaissance study. The watershed feasibility study (study) began in 2005 through a 50/50 cost-share agreement between the County of Orange and the Army Corps of Engineers. The study has completed an Initial Feasibility Phase, a Public Meeting/Project Scoping Phase, and the Draft Project Baseline Conditions Report. The study has received intermittent federal funding, resulting in delays.

FISCAL YEAR 2015 FEDERAL ENERGY AND WATER DEVELOPMENT PROJECT

1. PROJECT:

Project Name:	Surfside-Sunset and Newport Beaches
Exact Location/Address:	Beaches in the cities of Seal Beach, Huntington Beach & Newport Beach, CA

2. CONTACT INFORMATION:

Local Contact Information:	
Name and Title:	Mary Anne Skorpanich, Manager OC Watersheds
Organization:	County of Orange Public Works
Address:	2301 N. Glassell Street
Telephone:	714-955-0601
Email:	Maryanne.skorpanich@ocpw.ocgov.com

3. EXECUTIVE SUMMARY, INCLUDING PROJECT BACKGROUND

This is an on-going project by the U.S. Army Corps of Engineers (Corps) to mitigate damage to Orange County coastline caused by construction of Federal navigation and flood control works in Long Beach and Anaheim Bay. Long term measured data collected by the Corps indicates localized severe shoreline erosion events in 1980, 1981, 1982, 1995, 1998, and 2010.

The project extends along the Orange County coast 17 miles from San Gabriel River mouth down coast to Newport Bay Harbor entrance. Periodic beach nourishment with no time limit on Federal aid was authorized by Public Law 87-874, as recommended by House document 602.

The feeder beach at Surfside-Sunset receives approximately 1.6 million cubic yards of sand approximately every five years. Twelve stages of construction have been completed, including groins and beach fill, with the last beach replenishment (Stage 12) completed in 2009. Funding is needed in FY15-16 for the Stage 13 project construction.

FISCAL YEAR 2015 FEDERAL ENERGY AND WATER DEVELOPMENT PROJECT

1. PROJECT:

Project Name:	Aliso Creek Mainstem, Orange County, CA
Exact Location/Address:	Laguna Niguel, CA

2. CONTACT INFORMATION

Local Contact Information:	
Name and Title:	Mary Anne Skorpanich, Director
Organization:	County of Orange/OC Watersheds
Address:	2301 North Glassell Street, Orange CA 92865
Telephone:	714-955-0601
Email:	Maryanne.skorpanich@rdmd.ocgov.com

3. EXECUTIVE SUMMARY, INCLUDING PROJECT BACKGROUND

Rapid urbanization of the Aliso Creek watershed has led to a variety of erosion and water quality problems. In response to this, federal, state and local government agencies and local utility districts have invested significant time and resources toward the development and implementation of a collection of projects to protect transportation, water and wastewater infrastructure and mitigate on-going environmental degradation to the downstream Aliso Wood Canyon Wilderness Park area. Concurrently, the creek and coastal zone environment and its other beneficial uses are impaired by poor water quality with the repeat occurrence of bacterial contamination during storms as well as dry weather.

Over the last decade, the U.S. Army Corps of Engineers (Corps) has completed several independent and cost-shared studies evaluating the problems in Aliso Creek. Several opportunities and project alternatives have been identified that are viable from an engineering, environmental, and economic perspective.

In 1999, the Corps began the Aliso Creek Watershed Management Plan. This Plan was sponsored by the Corps, County, municipalities and water districts within the Aliso Creek watershed. A public stakeholder group was formed and met on a regular basis to provide input to the Corps for three years. A wide range of technical studies on overall watershed conditions were completed as part of the Plan, which identified a number of watershed problems as well as opportunities. The identified problems including water quality, instability of the creek, loss of ecosystems, and damage from flooding.

In 2002, the Corps completed the Aliso Creek Watershed Management Study to examine management measures that could address the various watershed problems identified a “spin-off” feasibility study. The management study selected the measures that best meet the federal and local need. The Aliso Creek Mainstem Ecosystem Restoration Study was one of the recommended “spin-off” feasibility studies resulting from the management study.

In September 2004, a Federal Cost Sharing Agreement was executed that outlined a partnership between the Corps and the County of Orange to conduct a three-year study, the Aliso Creek Mainstem Ecosystem Restoration Feasibility Study. The “spin-off” feasibility study outside of that conducted in the watershed management study is required to support a recommendation for Congress to authorize a Federal Project for implementation.

In 2010, the Corps completed the Baseline Without Project Conditions Report (F3 Report). The F3 Report included a review of existing and future without project conditions, definition of study objectives, and development of a preliminary array of ecosystem restoration alternatives.

The F4 Alternative Analysis Report is due to begin in winter 2013/14.

Summary

The specific goal of the feasibility study is to refine the detailed existing hydrologic/hydraulic model and create detailed design for modifications (stream bank stabilization structures and appurtenant features for ecosystem restoration) to be implemented along the Aliso Creek Mainstem, and potentially tributaries, which will restore stability to the riverine system and allow restoration of the ecosystem along the creek and tributaries to conditions found prior to initiation of the recent instability problem.

Various alternative ecosystem restoration alternatives will be analyzed in order to generate sufficient information to make a determination of which alternative generates the most cost-effective means to the greatest benefit to the ecosystem. An incremental analysis of alternatives will be conducted, and all plan selection criteria discussed. Detailed costs estimates will be generated. Constructability and implementation issues will be resolved. Any potential economic benefits of each alternative will be quantified and included as benefits of the various alternatives.

The feasibility study is intended to produce an implementation document for authorization by Congress. This study can also serve as an aid to local, state, and federal agencies involved in management and regulatory decisions that can impact the watershed. The feasibility phase will build on the efforts of the prior reconnaissance and watershed management (feasibility phase) studies, which

utilized both existing data, and also generated a model of existing and future “without-project” conditions.

The County is currently working with the Corps to integrate the Study into the new Corps Smart Planning Process and is submitting a Letter of Intent indicating support for allowing accelerated funding so that the project can move forward.

Federal Assistance would:

- Allow the local sponsor and Corps to update the cost share agreement; and
- Expedite study completion resulting in Chief's Report in FY 15/16.

September 8, 2014

Prepared by: C. Compton

Submitted by: P. Weghorst *PW*

Approved by: Paul Cook *Paul Cook*

ACTION CALENDAR

ASSOCIATION OF CALIFORNIA WATER AGENCIES 2015 LEGISLATIVE PLANNING

SUMMARY:

Annually, the Association of California Water Agencies (ACWA) puts out a call for legislative proposals from its members. The submitted proposals are considered by the ACWA State Legislative Committee for support or sponsorship at its Annual Planning Meeting that is held each October. Staff has developed a legislative proposal that seeks to prohibit a state or local agency from taking actions to prevent a recycled water purveyor from supplying recycled water for any beneficial and permitted use to meet the total water demand in its service area. After receiving authorization from the Water Resources Policy and Communications Committee, staff submitted the legislative proposal to ACWA before the September 5, 2014, deadline. Staff recommends that the Board adopt a "SUPPORT" position on the recycled water concept.

BACKGROUND:

Each year ACWA's State Legislative Committee solicits legislative proposals from ACWA members, which it considers at its Annual Planning Meeting held in the fall. In order to have a proposal considered for the 2015 legislative session, ACWA requires the proposal to be submitted by September 5, 2014.

The ACWA State Legislative Committee will meet on October 24, 2014, to prepare for the first year of the 2015-2016 State Legislative Session. The State Legislative Committee will consider the legislative proposals that are submitted by ACWA member agencies for proposed introduction in January of next year. The Committee will evaluate the proposals, provide feedback to the proposing agency and determine whether to sponsor or support legislation based on ACWA's Strategic and Business Plan, policy principles and priorities.

In order to submit a legislative proposal for consideration by the State Legislative Committee, ACWA member agencies must:

- Complete the ACWA Legislative Proposal Submittal form;
- Obtain a resolution passed by its governing body in support of the proposal, or at a minimum have noticed by September 5, 2014, the consideration of the resolution; and
- Submit the proposal no later than September 5, 2014.

Potential Recycled Water Legislation:

California has suffered three years of drought and faces increasing demands on its freshwater resources. Recycled water, unlike many sources of potable water, is available and produced on a relatively constant basis even in times of drought. If it is not put to use, the recycled water must either be stored in the state's limited recycled water storage facilities, or discharged to the ocean. Continued and expanded production and distribution of recycled water for beneficial and permitted uses can offset a portion of increased total water demand within a service area, and help conserve California's surface water and groundwater supplies. Such expansion can occur only if encouraged and supported through increased incentives and removal of local and state barriers, consistent with state and federal policy.

The potential recycled water legislation which was prepared by staff and is attached as Exhibit "A", seeks to ensure that no state or local agency takes action to prevent a recycled water purveyor from supplying recycled water for any beneficial and permitted use to meet total water demands in its service area. This proposal seeks to remove the uncertainty that recycled water will be unavailable to end users due to actions outside of the water purveyor's control and is aimed at taking a proactive step to encourage the expanded use of recycled water in California.

After receiving authorization from the Water Resources Policy and Communications Committee, staff submitted the legislative proposal to ACWA before the September 5, 2014, deadline. Staff now recommends that the Board adopt a "SUPPORT" position on the recycled water concept put forth in the ACWA Legislative Proposal Form, which is attached as Exhibit "B", as required before ACWA will consider the proposal.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on September 4, 2014.

RECOMMENDATION:

THAT THE BOARD ADOPT A "SUPPORT" POSITION ON THE RECYCLED WATER CONCEPT PUT FORTH IN THE LEGISLATIVE PROPOSAL FORM.

LIST OF EXHIBITS:

Exhibit "A" – Potential Recycled Water Legislation

Exhibit "B" – Association of California Water Agencies Legislative Proposal Submittal

Exhibit "A"

POTENTIAL RECYCLED WATER LEGISLATION

SECTION 1. The Legislature finds and declares all of the following:

- (a) California has suffered three years of drought and faces increasing demands on its freshwater resources. Continued and expanded production and distribution of recycled water for beneficial and permitted uses can offset a portion of increased total water demand, reduce dependence on the Delta and Colorado River, and help conserve California's surface water and groundwater supplies.
- (b) Recognizing the opportunity presented by water recycling, the State Water Resources Control Board adopted a recycled water policy in 2009 that mandates an increase in annual recycled water use by 200,000 acre-feet by 2020. The board also adopted a goal of increasing the use of recycled water over 2002 levels by one million acre-feet per year by 2020.
- (c) State law and regulations control the permitted uses and applications of recycled water in a manner that protects public health and the environment, and promotes efficient use of the water. State law also declares that the use of potable domestic water for nonpotable uses is a waste or an unreasonable use of the water within the meaning of Section 2 of Article X of the California Constitution if recycled water is available which meets all of the conditions set forth in Section 13550.
- (d) Expanding the use of recycled water can occur only if encouraged and supported through local policy and action to increased incentives and to remove barriers. Greater storage and use of recycled water will add greater flexibility to the water management system and help ensure a more reliable water supply to serve the state's diverse needs, both human and environmental, during periods of drought and to address climate change.
- (e) Removal of these barriers will provide greater statutory certainty that recycled water will be available during times of drought, and will lead to increased development of recycled water infrastructure and use of recycled water for permitted uses in lieu of potable or raw water.

SECTION 2. Part 2.65, Division 6, commencing with Section 10660 is added to the Water Code, to read:

- (a) The Legislature finds and declares that recycled water is an important source for meeting total water demand and is a more reliable source of water than most water supply sources because the amount of recycled water produced by recycled water purveyors remains relatively constant, even during times of drought. The Legislature further finds that water purveyors should be encouraged to expand the use of recycled water where permitted, including use in new development.

- (b) It is hereby declared to be the established policy of this state that state and local agencies shall make every effort to ensure that their actions and activities do not unnecessarily impede, directly or indirectly, a water purveyor's substitution of recycled water for potable or raw water applied to any beneficial and permitted use for the purpose of reducing potable or raw water demand.
- (c) No state or local agency shall take action or implement any activity in a manner that would do any of the following:
 - (1) Discourage a water purveyor from supplying recycled water for any beneficial and permitted use to meet total water demands in its service area;
 - (2) Limit the amount of recycled water that can be cost-effectively supplied for such permitted uses or;
 - (3) Require or implement a requirement in a manner that would cause a water purveyor to reduce recycled water use, including potable reuse.
- (d) Nothing in this section shall be construed to prevent a recycled water purveyor from taking any action or implementing any activity necessary to do any of the following:
 - (1) Ensure that recycled water is being used reasonably, beneficially and in compliance with state law and regulations.
 - (2) Reduce local total water demand, which includes recycled water demand, within its service area.
 - (3) Respond to a potable or recycled water shortage.
- (e) Notwithstanding subdivision (c), this section shall not be construed to constrain the authority of a local agency, under existing law, to make land-use decisions, issue or deny permits, or make a decision regarding the water supplies that may be furnished within its jurisdiction.

SECTION 3. Section 10661 is added to the Water Code to read:

It is hereby declared to be the established policy of the state that the available capacity for water storage shall be optimized to the greatest extent practicable. "Water storage" for the purposes of this section shall include surface water, recycled water and groundwater storage. It is also declared to be the policy of the state that the available capacity in recycled water storage facilities be fully used to increase the quantity of recycled water that can be stored and supplied for beneficial uses. Nothing in this section is intended to establish priorities for allocating bond funds under Section of the 79750 of the Water Code.

EXHIBIT "B"

**ASSOCIATION OF CALIFORNIA WATER AGENCIES
LEGISLATIVE PROPOSAL
SUBMIT BEFORE: SEPTEMBER 5, 2014¹**

Each year ACWA's State Legislative Committee (SLC) solicits legislative proposals from ACWA members. The SLC reviews and considers at its Annual Planning Meeting in the fall sponsoring or supporting each proposal that has been submitted by the deadline. The Committee evaluates the proposals and determines whether to sponsor or support legislation based on ACWA's Strategic and Business Plan, policy principles and priorities. In order to have your agency's proposal considered this year, we are requiring, in addition to the completion of this form, the submittal of a copy of a resolution passed by your governing body in support of the proposal (or at a minimum confirmation that your agency has noticed consideration of the resolution by the deadline). **The deadline is September 5, 2014.**

Please refer to the attached sample form when filling out this document. Contact Antonio Alfaro, Senior State Relations Analyst, at antonioa@acwa.com or (916) 441-4545 if you have questions.

Contact Person*
Name: Christine Compton
Title: Government Relations Manager
Agency: Irvine Ranch Water District
Telephone: (949) 453-5338
Fax :
Email: Compton@irwd.com
Submittal Date: September 5, 2014
Submitting ACWA Member Agency: Irvine Ranch Water District
Region #: 10
Title of Proposal (subject area): Recycled Water

*ACWA will be contacting this person to ask clarifying questions about this proposal within the next few weeks. The contact person is also expected to attend the October 24, 2014, Annual Planning Meeting in person to provide information and answer questions from the State Legislative Committee in order for the proposal to move forward within ACWA's process.

¹ Proposals submitted after this deadline may not be considered until the Annual Planning Meeting in October 2015.

BACKGROUND

A. What is the problem or deficiency in existing law that your proposal seeks to fix?

California has suffered three years of drought and faces increasing demands on its freshwater resources. Continued and expanded production and distribution of recycled water for beneficial and permitted uses can offset a portion of increased total water demand, and help conserve California's surface water and groundwater supplies. Such expansion can occur only if encouraged and supported through increased incentives and removal of local and state barriers.

This proposal seeks to ensure that no state or local agency takes an action to prevent a recycled water purveyor from supplying recycled water for any beneficial and permitted use to meet total water demand in the water purveyor's service area. Providing this statutory protection for the provision of recycled water will encourage a greater number of water users to switch from potable water to recycled water, where permitted, because it will provide greater certainty that the recycled water will continue to be provided for those uses. Providing this statutory protection will also encourage greater investment in recycled water because the protection provides greater certainty that the expected return on the recycled water investment will be attained and that the investment will not be stranded due to actions outside of the water purveyor's control.

Greater recycled water use will reduce potable water demand, reducing pressure on the state's water resources. Furthermore, if recycled water is not put to use, the water must either be stored in the state's limited recycled water storage facilities, or discharged to the ocean and not put to beneficial use. State law and regulations control the permitted uses and applications of recycled water in a manner that protects public health and the environment, and promotes efficient use of the water. Because of its regulated status, providing this statutory protection for recycled water will not pose a risk to existing resources.

B. What are you trying to accomplish or prevent through this proposal?

This proposal seeks to remove one barrier to greater recycled water use—the uncertainty that recycled water will be unavailable to end users due to actions outside of the water purveyor's control. The proposal seeks to ensure that recycled water, which is produced on a relatively constant basis even in times of drought, can continue to be used for permitted uses. It seeks to provide the greater statutory certainty needed to lead to increased use of recycled water for permitted uses in lieu of potable or raw water, reducing demands on the Delta and Colorado River. Finally, the proposal seeks to expand the use of available storage for recycled water.

C. Has a similar bill ever been previously introduced? If so, please identify the bill, the legislative session, year, and outcome, if known.

Not to our knowledge.

D. Could this bill have an impact on more than one agency? Would this proposal affect only your agency? Which ACWA member agencies and what type(s) of agency (e.g. county water district, municipal water district, flood control agency, etc.) is likely to be impacted by this legislation?

This bill would benefit each recycled water purveyor in the state.

ACTIONS

- A. What type of action would you like ACWA to take regarding this proposal if it moves through the legislative process?

Note: A “support” position means ACWA will support legislation once it is introduced. ACWA’s legislative advocates will write position letters on the bill and offer testimony in committee hearings. A “sponsor” position indicates that ACWA will attempt to secure a legislator to introduce the proposed legislation and will actively lobby on the bill’s behalf throughout the year-long process.

Sponsor Support

- B. Please list statewide or local organizations that are likely to support or oppose your legislative proposal and why (include specific reasons).

WaterReuse and the California Municipal Utilities Association would likely support and/or sponsor the proposal.

- C. Who are your local State Legislators? Have you ever contacted them regarding this proposal? If so, who, when, and what was the outcome of the discussion? Have they indicated a willingness to author or support this proposal, or conversely, could they oppose it?

IRWD is currently represented by Senator Mimi Walters, Senator Mark Wyland, Senator Lou Correa, Assemblymember Don Wagner, Assemblymember Allan Mansoor, Assemblymember Tom Daly, and Assemblymember Diane Harkey. The proposal has not been discussed with these members, the majority of whom are termed out.

- D. List witnesses who would be available to testify before legislative committees in Sacramento, accompanied by an ACWA Legislative Advocate, on behalf of this proposal. Include the organization each witness represents with his or her name, phone number, email address, and other contact information.

Christine Compton, IRWD Government Relations Manager, & other IRWD staff as needed.
(949) 453-5338; Compton@irwd.com

Maureen O’Haren, O’Haren Government Affairs (*State Legislative Advocate for IRWD*)
(916) 498-1900; Maureen@oharen.com

PROPOSAL

A. California Code Sections to be amended or added:

Adds Part 2.65, Division 6, commencing with Section 10660 to the Water Code.

B. Please attach the proposed bill language and any additional background information that could assist the State Legislative Committee in assessing your proposal, such as newspaper articles, internal water agency correspondence, newsletters, and legal advice or opinions.

Please see attached.

C. Describe specific examples illustrating the problem you are trying to fix. Attach additional sheets if necessary.

This bill aims to take a proactive step in order to encourage the expanded use of recycled water in California. Recently the State Water Resources Control Board (SWRCB) adopted emergency drought regulations. As originally published, the proposed regulations did not clearly exclude recycled water use, and if not amended would have limited its use. In times of drought, using recycled water for irrigation and other permitted uses makes sense because it reduces demand for potable water. Although the SWRCB excluded recycled water uses from its emergency regulations, nothing in state law prevents an action by a state or local agency to limit recycled water use in the future. This uncertainty leaves a barrier to greater recycled water use. There have also been reports of other state agencies seeking to limit recycled water use as part of their drought efforts.

D. Attach a copy of a resolution passed by your agency's governing body in support of this proposal.

The IRWD Board of Directors is schedule to take a support position on this proposal on September 8, 2014.

ACWA State Legislative Department Subject Matter Assignments

Cindy Tuck	Deputy Executive Director, Government Relations	cindyt@acwa.com
Wendy Ridderbusch	Director of State Relations	wendyr@acwa.com
Whitnie Wiley	Legislative Advocate	whitniew@acwa.com
Antonio Alfaro	Policy Analyst II	antonioa@acwa.com
Amanda Brown	Policy Analyst	amandab@acwa.com

Subject Area	Advocate	Analyst
Administrative Procedures Act	Whitnie Wiley	Amanda Brown
Assessments, Fees & Charges	Wendy Ridderbusch	Antonio Alfaro
Delta, Delta Stewardship Council	Cindy Tuck	Amanda Brown
California Endangered Species Act (CESA)	Wendy Ridderbusch	Antonio Alfaro
◆ Fully Protected Species	Wendy Ridderbusch	Antonio Alfaro
California Environmental Quality Act (CEQA)	Whitnie Wiley	Antonio Alfaro
Elections, Initiative & Referendum	Whitnie Wiley	Amanda Brown
Eminent Domain / Inverse Condemnation	Whitnie Wiley	Amanda Brown
Employment & Employee Relations	Whitnie Wiley	Amanda Brown
◆ Prevailing Wage	Whitnie Wiley	Amanda Brown
◆ Public Agency Employees	Whitnie Wiley	Amanda Brown
◆ Public Agency Officials	Whitnie Wiley	Amanda Brown
Energy	Wendy Ridderbusch	Amanda Brown
Finance & Investments	Wendy Ridderbusch	Amanda Brown
Fish and Wildlife Protection	Wendy Ridderbusch	Antonio Alfaro
Fish Screens	Wendy Ridderbusch	Antonio Alfaro
◆ Streambed Alteration Agreements	Wendy Ridderbusch	Antonio Alfaro
◆ Flood Protection	Wendy Ridderbusch	Antonio Alfaro
Flood Plain Management	Wendy Ridderbusch	Antonio Alfaro
FPPC	Whitnie Wiley	Antonio Alfaro
Groundwater / Conjunctive Use	Whitnie Wiley	Antonio Alfaro
Insurance & Liability	Whitnie Wiley	Amanda Brown
LAFCO (Local Agency Formation Commission)	Wendy Ridderbusch	Amanda Brown
Land Use & Planning	Whitnie Wiley	Amanda Brown
Levees	Wendy Ridderbusch	Antonio Alfaro
Local Government Organization	Wendy Ridderbusch	Amanda Brown
Metal Theft	Wendy Ridderbusch	Antonio Alfaro
Mutual Water Companies	Wendy Ridderbusch	Amanda Brown

Subject Area	Advocate	Analyst
Natural Community Conservation Plans (NCCPs)	Wendy Ridderbusch	Antonio Alfaro
Natural Disasters / Droughts	Wendy Ridderbusch	Amanda Brown
Occupational Safety & Health	Whitnie Wiley	Amanda Brown
Open Meeting Laws (Brown Act)	Whitnie Wiley	Antonio Alfaro
Parks & Recreation	Wendy Ridderbusch	Antonio Alfaro
Political Reform Act	Whitnie Wiley	Amanda Brown
Privatization	Wendy Ridderbusch	Amanda Brown
Proposition 218	Whitnie Wiley	Antonio Alfaro
Property Tax Shifts, Raids, & ERAF	Wendy Ridderbusch	Amanda Brown
Public Contracts	Wendy Ridderbusch	Amanda Brown
Public Employees Retirement System (PERS)	Whitnie Wiley	Amanda Brown
Public Records Act	Wendy Ridderbusch	Antonio Alfaro
Recycled Water	Wendy Ridderbusch	Antonio Alfaro
Potable Reuse	Wendy Ridderbusch	Antonio Alfaro
Desalination	Wendy Ridderbusch	Antonio Alfaro
◆ Safe Drinking Water	Cindy Tuck	Amanda Brown
Special Districts	Wendy Ridderbusch	Amanda Brown
State Budget	Wendy Ridderbusch	Amanda Brown
Subdivision Map Act	Whitnie Wiley	Amanda Brown
Water Bonds	Cindy Tuck	Amanda Brown
Water Quality	Whitnie Wiley	Antonio Alfaro
Hazardous Substances / Toxics	Whitnie Wiley	Antonio Alfaro
◆ Nonpoint Sources	Whitnie Wiley	Antonio Alfaro
◆ Solid Waste	Whitnie Wiley	Antonio Alfaro
◆ Underground Storage Tanks	Whitnie Wiley	Antonio Alfaro
◆ Wastewater Treatment	Whitnie Wiley	Antonio Alfaro
◆ Water Resources Development	Whitnie Wiley	Amanda Brown
Water Rights	Whitnie Wiley	Antonio Alfaro
Water Transfers	Whitnie Wiley	Amanda Brown
Water Marketing	Whitnie Wiley	Amanda Brown
◆ Wheeling	Whitnie Wiley	Amanda Brown
◆ Water Use Efficiency / Water Conservation	Whitnie Wiley	Antonio Alfaro
Watershed Protection	Wendy Ridderbusch	Antonio Alfaro
Wetlands	Wendy Ridderbusch	Antonio Alfaro
Wild & Scenic Rivers	Wendy Ridderbusch	Antonio Alfaro
Workers' Compensation	Whitnie Wiley	Amanda Brown
Water Resources Investment Fund (WRIF)	Cindy Tuck	Amanda Brown

POTENTIAL RECYCLED WATER LEGISLATION

SECTION 1. The Legislature finds and declares all of the following:

- (a) California has suffered three years of drought and faces increasing demands on its freshwater resources. Continued and expanded production and distribution of recycled water for beneficial and permitted uses can offset a portion of increased total water demand, reduce dependence on the Delta and Colorado River, and help conserve California's surface water and groundwater supplies.
- (b) Recognizing the opportunity presented by water recycling, the State Water Resources Control Board adopted a recycled water policy in 2009 that mandates an increase in annual recycled water use by 200,000 acre-feet by 2020. The board also adopted a goal of increasing the use of recycled water over 2002 levels by one million acre-feet per year by 2020.
- (c) State law and regulations control the permitted uses and applications of recycled water in a manner that protects public health and the environment, and promotes efficient use of the water. State law also declares that the use of potable domestic water for nonpotable uses is a waste or an unreasonable use of the water within the meaning of Section 2 of Article X of the California Constitution if recycled water is available which meets all of the conditions set forth in Section 13550.
- (d) Expanding the use of recycled water can occur only if encouraged and supported through local policy and action to increased incentives and to remove barriers. Greater storage and use of recycled water will add greater flexibility to the water management system and help ensure a more reliable water supply to serve the state's diverse needs, both human and environmental, during periods of drought and to address climate change.
- (e) Removal of these barriers will provide greater statutory certainty that recycled water will be available during times of drought, and will lead to increased development of recycled water infrastructure and use of recycled water for permitted uses in lieu of potable or raw water.

SECTION 2. Part 2.65, Division 6, commencing with Section 10660 is added to the Water Code, to read:

- (a) The Legislature finds and declares that recycled water is an important source for meeting total water demand and is a more reliable source of water than most water supply sources because the amount of recycled water produced by recycled water purveyors remains relatively constant, even during times of drought. The Legislature further finds that water purveyors should be encouraged to expand the use of recycled water where permitted, including use in new development.
- (b) It is hereby declared to be the established policy of this state that state and local agencies shall make every effort to ensure that their actions and activities do not unnecessarily impede, directly or indirectly, a water purveyor's substitution of recycled water for potable or raw water applied to any beneficial and permitted use for the purpose of reducing potable or raw water demand.
- (c) No state or local agency shall take action or implement any activity in a manner that would do any of the following:
 - (1) Discourage a water purveyor from supplying recycled water for any beneficial and permitted use to meet total water demands in its service area;
 - (2) Limit the amount of recycled water that can be cost-effectively supplied for such permitted uses or;
 - (3) Require or implement a requirement in a manner that would cause a water purveyor to reduce recycled water use, including potable reuse.

(d) Nothing in this section shall be construed to prevent a recycled water purveyor from taking any action or implementing any activity necessary to do any of the following:

- (1) Ensure that recycled water is being used reasonably, beneficially and in compliance with state law and regulations.
- (2) Reduce local total water demand, which includes recycled water demand, within its service area.
- (3) Respond to a potable or recycled water shortage.

(e) Notwithstanding subdivision (c), this section shall not be construed to constrain the authority of a local agency, under existing law, to make land-use decisions, issue or deny permits, or make a decision regarding the water supplies that may be furnished within its jurisdiction.

SECTION 3. Section 10661 is added to the Water Code to read:

It is hereby declared to be the established policy of the state that the available capacity for water storage shall be optimized to the greatest extent practicable. "Water storage" for the purposes of this section shall include surface water, recycled water and groundwater storage. It is also declared to be the policy of the state that the available capacity in recycled water storage facilities be fully used to increase the quantity of recycled water that can be stored and supplied for beneficial uses. Nothing in this section is intended to establish priorities for allocating bond funds under Section of the 79750 of the Water Code.