

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

October 8, 2018

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER**

5:00 p.m., Board Room, District Office  
15600 Sand Canyon Avenue, Irvine, California

**ROLL CALL**

Directors LaMar, Matheis, Swan, Withers and President Reinhart

**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 three 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.

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**COMMUNICATIONS TO THE BOARD**

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1. A. Written:

B. Oral:

2. ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Recommendation: Determine the need to discuss and/or take immediate action on item(s).

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**CONSENT CALENDAR**

**Next Resolution No. 2018-28**

**Items 3-8**

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

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

4. MINUTES OF REGULAR BOARD MEETING

Recommendation: That the minutes of the September 24, 2018 Regular Board Meeting be approved as presented.

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**CONSENT CALENDAR – Continued**

**Items 3-8**

5. 2018 LEGISLATIVE AND REGULATORY UPDATE

Recommendation: Receive and file.

6. ELECTION OF THE INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY 2019-2020 OFFICERS

Recommendation: That the Board authorize staff to cast IRWD's ballot in favor of Saundra Jacobs (Santa Margarita Water District) for President and Mark Monin (El Toro Water District) for First Vice President as officers of the Independent Special Districts of Orange County for the 2019-2020 term no later than the October 23, 2018, deadline.

7. NEWPORT COAST ZONE 4-2 PRESSURE REGULATING VALVE MODIFICATION CONSTRUCTION AWARD

Recommendation: That the Board authorize a budget increase in the amount of \$41,400, from \$187,100 to \$228,500, for Project 05410 and authorize the General Manager to execute a construction contract with Leed Electric, Inc. in the amount of \$129,208 for the Newport Coast Zone 4-2 PRV Modification, Project 05410.

8. ROCKFIELD ZONE 4-3 AUTOMATED VALVE CONSTRUCTION AWARD

Recommendation: That the Board authorize a budget increase in the amount of \$409,400, from \$187,100 to \$596,500, for Project 07750 and authorize the General Manager to execute a construction contract with Paulus Engineering, Inc. in the amount of \$361,196 for the Rockfield Zone 4-3 Automated Valve, Project 07750.

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**ACTION CALENDAR**

9. IRVINE INDUSTRIAL COMPLEX EAST ZONE A TO B PUMP STATION UPGRADES CONSULTANT SELECTION AND CONSTRUCTION AWARD

Recommendation: That the Board authorize the General Manager to execute a Professional Services Agreement with Lee & Ro, Inc. in the amount of \$133,750 for engineering support services during construction and authorize the General Manager to execute a construction contract with RC Foster Corporation in the amount of \$1,471,500 for the Irvine Industrial Complex East Zone A to B Pump Station Upgrades, Project 06198.

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**ACTION CALENDAR - Continued**

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10. AGREEMENT TO COST SHARE EARLY PLANNING ACTIVITIES FOR THE KERN FAN GROUNDWATER STORAGE PROJECT

Recommendation: That the Board authorize the General Manager to execute the agreement between Rosedale-Rio Bravo Water Storage District and Irvine Ranch Water District for cost sharing early planning activities for the Kern Fan Groundwater Storage Project, subject to non-substantive changes or substantive changes approved by the Supply Reliability Programs Committee.

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**OTHER BUSINESS**

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Pursuant to Government Code Section 54954.2, members of the Board of Directors or staff may ask questions for clarification, make brief announcements, and 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.

11. A. General Manager's Report

B. Directors' Comments

C. Community Updates

Receive an oral update from District liaison(s) regarding communities within IRWD's service area and discuss relevant community happenings.

D. Closed Session:

- 1) CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1): *Jaimie Davis v. John Robert Blank, et. al.*, Orange County Superior Court Case No. 30-2016-00880719-CU-OR-CJC;
- 2) CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATIONS – Pursuant to Government Code Section 54957.6  
Designated Agency Representatives: Paul Cook and Jenny Roney  
Employee Group: IBEW Local #47 General Unit Employees; and
- 3) CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1): *IRWD v. OCWD* Case No. 30-2016-00858584.

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**OTHER BUSINESS - Continued**

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E. Open Session

F. Adjourn

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.

October 8, 2018  
Prepared and  
Submitted by: K. Swan *KS*  
Approved by: Paul A. Cook *Paul A. 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

October 4 ACC-OC 2018 General Election Ballot Dinner, Irvine  
October 25 Orange County Business Council's Annual Economic Forecast, Irvine  
November 7-9 National Water Resources Association Annual Conference, Coronado

Mary Aileen Matheis

October 4 ACC-OC 2018 General Election Ballot Dinner, Irvine  
October 5 MNWD's 50<sup>th</sup> Anniversary of Water Recycling  
October 16 ACWA Regulatory Summit 2018, Sacramento  
October 18 ACWA Region 10 Program, Removing Barriers to Innovation in Water  
October 24 Tustin State of the City  
October 25 Orange County Business Council's Annual Economic Forecast, Irvine  
October 25 Southern California Water Committee Annual Meeting, Long Beach

Douglas Reinhart

September 27 SOCWA Issues Discussion  
October 11 MWDOC's 2018 Water Policy Forum, Costa Mesa  
November 20 Monthly Discussion of District Activities with the General Manager  
December 6 MWDOC Elected Officials Forum, Fountain Valley

Peer Swan

August 1 OC Public Works San Diego Creek 405 to 405 Sediment Removal Kick-Off Ceremony, Irvine  
August 6 MWDOC Planning & OPS Committee Meeting  
September 5 MWDOC Board Meeting with MWD Directors  
September 11 Orange County Business Council Infrastructure Committee Meeting  
October 4 ACC-OC 2018 General Election Ballot Dinner, Irvine  
October 11 MWDOC's 2018 Water Policy Forum, Costa Mesa  
October 17 Orange County Water Association Monthly Meeting, Irvine

Consent Calendar: Ratify/Approve Board of Directors' Attendance at Meetings and Events

October 8, 2018

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John Withers

October 10	Irvine Unified School District Cadence Park School Dedication
October 11	MWDOC's 2018 Water Policy Forum, Costa Mesa
October 17	Orange County Water Association Monthly Meeting, Irvine
October 25	ISDOC Quarterly Meeting and Luncheon, Fountain Valley
December 6	MWDOC Elected Officials Forum, Fountain Valley

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 HEREIN.

LIST OF EXHIBITS:

None.

October 8, 2018

Prepared and

Submitted by: L. Bonkowski

Approved by: P. Cook



CONSENT CALENDAR

MINUTES OF BOARD MEETING

SUMMARY:

Provided are the minutes of the September 24, 2018 Regular Board meeting for approval.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

Not applicable.

RECOMMENDATION:

THAT THE MINUTES OF THE SEPTEMBER 24, 2018 REGULAR BOARD MEETING BE APPROVED AS PRESENTED.

LIST OF EXHIBITS:

Exhibit "A" – September 24, 2018 Minutes of Regular Board Meeting

## EXHIBIT "A"

### MINUTES OF REGULAR MEETING – SEPTEMBER 24, 2018

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 Reinhart on September 24, 2018 in the District office, 15600 Sand Canyon Avenue, Irvine, California.

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

Directors Absent: None.

Also Present: General Manager Cook, Executive of Engineering and Water Quality Burton, Executive Director of Water Policy Weghorst, Executive Director of Finance and Administration Clary, Executive Director of Operations Chambers, Director of Water Recycling Operations Zepeda, Director of Water Resources Sanchez, Director of Treasury and Risk Management Jacobson, Director of Public Affairs Beeman, Legal Counsel Collins, Secretary Bonkowski, Assistant Secretary Swan, Government Relations Officer Compton, Principal Engineer Cortez, Principal Engineer Akiyoshi, Principal Engineer Mori, Mr. Colin Lavin, and members of the public.

WRITTEN COMMUNICATIONS: None.

ORAL COMMUNICATIONS: None.

ITEMS TOO LATE TO BE AGENDIZED: None.

### PRESENTATION

#### NATIONAL WATER RESEARCH INSTITUTE

National Water Research Institute Executive Director Kevin Hardy provided an overview of recent activities and objectives of the Institute. He further announced the upcoming 25<sup>th</sup> anniversary of the Clarke Prize Award event scheduled for October 26, 2018.

### CONSENT CALENDAR

On MOTION by Withers, seconded and unanimously carried, CONSENT CALENDAR ITEMS 4 THROUGH 11 WERE APPROVED AS FOLLOWS:

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

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



CONSENT CALENDAR (CONTINUED)

5. MINUTES OF REGULAR BOARD MEETING

Recommendation: That the minutes of the September 10, 2018 Regular Board Meeting be approved as presented.

6. AUGUST 2018 TREASURY REPORT

Recommendation: That the Board receive and file the Treasurer's Investment Summary Report, the summary of fixed and variable rate debt, the Monthly Interest Rate SWAP Summary for August 2018, and Disclosure Report of Reimbursements to Board members and staff; approve the August 2018 Summary of Payroll ACH payments in the total amount of \$2,869,899 and approve the August 2018 Accounts Payable Disbursement Summary of Warrants 390193 through 391210, Workers' Compensation distributions, wire transfers, payroll withholding distributions and voided checks in the total amount of \$19,724,902.

7. LETTER OF CREDIT EXTENSIONS FOR THE SERIES 1993 AND 2009A BONDS

Recommendation: That the Board authorize staff to extend the U.S. Bank Letters of Credit for the District's 1993 bonds and the 2009A bonds to December 2021 at an annual cost of 0.33%, and adopt the following resolution by title:

RESOLUTION NO. 2018-27

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE IRVINE RANCH WATER DISTRICT  
AUTHORIZING CERTAIN ACTIONS IN CONNECTION  
WITH EXTENSION OF LETTERS OF CREDIT  
(CONSOLIDATED SERIES 1993 AND  
CONSOLIDATED SERIES 2009A)

8. PLANNING AREA 51 HERITAGE FIELDS CAPITAL FACILITIES

Recommendation: That the Board authorize the General Manager to accept Heritage Fields' construction contract with Fydaq Company, Inc. in the amount of \$167,667.21 for the District 2 Bake Parkway Recycled Water Improvements, Project 10447; authorize a budget increase in the amount of \$110,000, from \$163,000 to \$273,000, for the District 2 Bake Parkway Recycled Water Improvements, Project 10447; authorize a budget increase in the amount of \$240,000, from \$244,200 to \$484,200, for the District 4 Benchmark and Perspective Improvements, Project 06553; and approve Contract Change Order No. 2 to Project 06553 in the amount of \$249,965 for the addition of two additional manholes and jack and bore tasks to the scope of the District 4 Benchmark and Perspective Improvements.

CONSENT CALENDAR (CONTINUED)

10. AMENDED AND RESTATED SEWER SERVICE AGREEMENT FOR EL MORRO ELEMENTARY SCHOOL AND MORO CAMPGROUND

Recommendation: That the Board authorize the General Manager to execute the Amended and Restated Sewer Service Agreement between Orange County Sanitation District and IRWD to provide out-of-area sewer service to El Morro Elementary School and Moro Campground.

11. PLANNING AREA 6 PORTOLA SPRINGS CAPITAL FACILITIES

Recommendation: That the Board authorize the General Manager to accept Irvine Community Development Company's construction contract with Irvine Pipeline Company, Inc. in the amount of \$327,945 for the Portola Springs Neighborhood 5B and 5C Improvements, Projects 10100 and 10426.

CLOSED SESSION

President Reinhart said that the following Closed Session would be held:

Performance Evaluation of Legal Counsel: PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Pursuant to Government Code Section 54957(b). Title: Legal Counsel

OPEN SESSION

Following the Closed Session, the meeting reconvened with all Directors present. President Reinhart said that no action was reported.

ACTION CALENDAR

FISCAL YEAR 2018-2019 AND FISCAL YEAR 2019-2020 GENERAL COUNSEL CONTRACT VARIANCE

In March 2018, the Board selected Lewis Brisbois Bisgaard & Smith LLP (Lewis Brisbois) to provide general counsel services to the District, and authorized the General Manager to enter into a six-month Professional Services Agreement with the firm for those services. The agreement expires September 30, 2018.

On MOTION by Swan, seconded by Matheis and unanimously carried, THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE A VARIANCE TO THE PROFESSIONAL SERVICES AGREEMENT WITH LEWIS BRISBOIS BISGAARD & SMITH LLP FOR GENERAL COUNSEL LEGAL SERVICES FOCUSED ON MUNICIPAL LAW, TRANSACTIONAL AND NON-COMPLEX ISSUES, AND RATE-SETTING WITH A TERM OF OCTOBER 1, 2018, TO JUNE 30, 2020, AND A NOT-TO-EXCEED VALUE OF \$1,500,000.

## ZONE A TO RATTLESNAKE RESERVOIR PUMP STATION CONSULTANT SELECTION

Staff is proceeding with the replacement of the existing Zone A to Rattlesnake Reservoir Pump Station as identified in the 2016 Recycled Water Distribution System Analysis. The existing pump station, which delivers recycled water from the Zone A system to the Rattlesnake Reservoir, was constructed in 1976 and is nearing the end of its useful life. In addition to the pump station replacement, the project also includes modifications to the existing dechlorination facility, installation of a new permanent backup power generator, extended sewer facilities to eliminate onsite septic systems currently located at the caretaker house and the park restrooms, new site electrical service, various communications and control system improvements, and demolition of the Northwood Zone A to B pump station, which will be replaced by the Eastwood Zone A to B pump station currently under construction.

Staff received proposals for engineering design services from AECOM, Brown and Caldwell, Lee & Ro, and Stantec. Brown and Caldwell outlined a focused, collaborative approach to completing the preliminary design, which staff believes is the most critical phase to successfully execute the project.

Director Withers reported that this item was reviewed by the Engineering and Operations Committee on September 18, 2018 and that Brown and Caldwell's proposal impressed the Committee.

On MOTION by Swan, seconded by Matheis and unanimously carried, THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BROWN AND CALDWELL IN THE AMOUNT OF \$1,247,625 FOR ENGINEERING DESIGN SERVICES FOR THE ZONE A TO RATTLESNAKE RESERVOIR PUMP STATION, PROJECT 05476.

### GENERAL MANAGER'S REPORT

General Manager Cook reported on the Regional Board's recent approval of the NPDES Permit which is a great accomplishment that places all of IRWD into Region 8. It also allows the diversion of MWRP's recycled water into the San Diego Creek under certain emergency conditions. Mr. Cook thanked Ms. Fiona Sanchez, Mr. Jose Zepeda, and Mr. Ian Swift for their efforts along with staff from OCSD and OCWD. He additionally thanked Director Swan who assisted with focusing on certain individuals to seek support on this amendment.

Mr. Cook reported that the District was recognized by WateReuse and received an award for its efforts to dual-plumb the first hotel in Irvine with recycled water.

Mr. Cook thanked both Mr. Kevin Burton and Mr. Paul Weghorst for their efforts as Acting General Managers over the last two weeks while on vacation.

DIRECTORS' COMMENTS

Director Withers reported that he will be attending an OCWD Board meeting this Wednesday.

Director Matheis reported on her attendance with Director Swan at Water Education Foundation's 35<sup>th</sup> annual Water Summit in Sacramento and a memorial service for former Moulton Niguel Water District Board member Mr. Scott Colton.

Director Swan reported on his attendance at an OCBC meeting, his invitation to attend a meeting with Yorba Linda Water District to discuss ocean desalination, an OCWD Board meeting, an OCWD Water Issues Committee meeting and a Finance Committee meeting, a Newport Bay Watershed Executive Committee meeting, a WACO Planning meeting, and Water Education Foundation's 35<sup>th</sup> annual Water Summit in Sacramento.

Director LaMar reported on his attendance at a Natural Communities Coalition Strategic Planning Meeting.

Director Reinhart reported on his attendance at a MWDOC Administration and Finance Committee, a MWDOC Board meeting and a memorial service for Mr. Scott Colton.

COMMUNITY UPDATES

None.

ADJOURNMENT

At 6:40 p.m., President Reinhart adjourned the Board meeting in memory of Mr. Wayne Clark, a former IRWD and MWDOC Board member, among other accomplishments.

APPROVED and SIGNED this 8th day of October, 2018.

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President, IRVINE RANCH WATER DISTRICT

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Secretary, IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

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Claire Hervey Collins, Legal Counsel  
– Lewis Brisbois

October 8, 2018  
Prepared and  
submitted by: C. Compton *cc*  
Approved by: Paul A. Cook *PAC*

## CONSENT CALENDAR

### 2018 LEGISLATIVE AND REGULATORY UPDATE

#### SUMMARY:

This report provides an update on the 2017-2018 legislative session and IRWD priorities. As legislation and regulations develop, staff will provide updates and recommendations to the Water Resources Policy and Communications Committee and the Board, as appropriate. Staff recommends that the report be received and filed.

#### BACKGROUND:

During the 2017-2018 legislative session, 3,264 Assembly bills and 1,511 Senate bills were introduced. In the 2018 legislative year, 1,217 were passed and sent to the Governor. Governor Brown had until midnight on September 30, 2018, to sign or veto bills sent to him at the end of session. Overall, in 2018, the 1,016 bills were chaptered and 201 vetoed. Unless a signed bill contained an urgency measure or language delaying its effective date, the bill will take effect on January 1, 2019.

The 2019-2020 legislative session will convene on December 3, 2018. Legislators will have until February to introduce new legislation.

A copy of the 2018 Legislative Matrix is attached as Exhibit "A". Exhibit "B" is the 2018 Legislative Update Report Links to Bill Texts, which contains links to the bills discussed below, unless a separate exhibit is noted.

#### State Budget Update:

##### *August Revenue Numbers:*

On September 10, 2018, State Controller Betty Yee released her monthly report on the State's finances. She announced that the State took in \$9.98 billion during the month of August. This was \$1.14 billion, or 12.9 percent, more than the revenue assumptions contained in the Fiscal Year 2018-2019 Budget. "For the first two months of the 2018-19 fiscal year, revenues are \$846.0 million, or 5.4 percent, higher than projected in the enacted budget. While corporation tax missed the mark for the month of August, personal income tax (PIT) and sales tax – the other two of the "big three" revenue sources – came in higher than assumed in the enacted budget."

#### 2017-2018 State Legislative Update:

Staff has provided an update on the bills before the Governor at the end of the legislative session and of interest to the District. A summary and a status report on each bill are provided below:

*AB 1912 (Rodriguez, D-Pomona) — Joint Powers Authority: Public Employees' Retirement Liability:*

Existing law permits two or more public agencies to form a joint powers authority (JPA). A JPA is a separate entity from the public agencies that form it; however, under existing law, the debts, liabilities and obligations of the JPA become the debts, liabilities and obligations of its member agencies unless the agreement governing the JPA states otherwise. AB 1912, authored by Assemblymember Freddie Rodriguez (D-Pomona), would change this with regard to pension liabilities. Specifically, AB 1912 prohibits the agreement governing the JPA from limiting the pension and retirement obligations to the JPA.

The Governor signed AB1912 on September 29, 2018. It will take effect on January 1, 2019.

*AB 2050 (Caballero, D-Salinas) — Small Water System Authority Action of 2018:*

AB 2050, authored by Assemblymember Anna Caballero (D-Salinas), would have created a new category of water agency — a Small System Water Authority — with unique powers to absorb, improve and competently operate currently non-compliant public water systems with either contiguous or non-contiguous boundaries. Small System Water Authorities would consolidate failing small water systems that are voluntarily donated to the Authority to provide technical, managerial and financial capabilities to ensure the provision of safe, clean, affordable, and accessible water and local governance.

The Governor vetoed AB 2050 on September 28, 2018. In his veto message, he stated that while he appreciated the author's intent, the "bill creates an expensive, bureaucratic process and does not address the most significant problem with providing safe drinking water - a stable funding source to pay for ongoing operations and maintenance costs."

Additionally, his veto message commented on funding safe drinking water stating:

"My administration remains committed to a comprehensive solution to address safe drinking water issues based on shared responsibilities between water users and water providers that will not result in ongoing costs to the General Fund. I urge the Legislature and stakeholders to work towards a stable funding solution in 2019."

*AB 2447 (Reyes, D- San Bernardino) — California Environmental Quality Act: Environmental Justice:*

AB 2447, authored by the Assemblymember Eloise Reyes (D-San Bernardino), would have expanded the requirements of the California Environmental Quality Act (CEQA) for certain projects and provide for an additional process for certain projects located near or in disadvantaged communities. Specifically, the bill would have required that a lead agency that is preparing an Environmental Impact Report to provide individual notice to owners and occupants of property located within a disadvantaged community when the CEQA review involves industrial or equivalent land uses. As amended, the bill would not have applied to "A project undertaken by a public water supplier or public agency for the conveyance, production, storage,

impoundment, or treatment of safe and reliable water, such as recycled water, wastewater, and stormwater, to serve a disadvantaged community.”

The Governor vetoed AB 2447 on September 30, 2018. In his veto message, he stated that:

“I believe that the notice and meeting requirements, as outlined in the bill, are too prescriptive. Disadvantaged communities are entitled to clear and adequate notice, but zones of notice and the definition of projects subject to the requirements should be flexibly defined to reflect the vast diversity of our state.”

*AB 2501(Chu, D-Milpitas) — Drinking Water: Consolidation and Extension of Service:*

AB 2501, authored by Assemblymember Kaasen Chu (D-Milpitas), amends the consolidation authorities granted to the State Board in SB 88 (2015). SB 88 authorized the State Board to order a water system to take over and consolidate with a public water system or a state small water system that consistently fails to provide an adequate supply of safe drinking water within a disadvantaged community in order to ensure that those communities would no longer receive unsafe drinking water. In addition to the authority granted in SB 88, AB 2501 extends the State Board’s consolidation authority. Among other things, it allows the State Board to order a water system to take over, consolidate or provide service where the disadvantaged community is served a domestic well that consistently fails to provide an adequate supply of safe drinking water or where a school is served with unsafe or inadequate water supply.

AB 2501 was signed by the Governor on September 28, 2018. It will take effect on January 1, 2019.

*SB 998 (Dodd, D-Napa) — Discontinuation of Residential Water Service:*

SB 998, authored by Senate Bill Dodd (D-Napa), establishes new statutory provisions governing when a public water system may discontinue water service at a residential property. Among its many provisions, the bill would prohibit a public water system from discontinuing residential water service for nonpayment until a customer has been delinquent for at least 60 days and has been provided adequate notice about their options to avoid discontinuation of their water service. The bill also prohibits, if certain situations exist, the discontinuation of water service. The bills would prohibit the discontinuation of residential water service where all of the following conditions are met:

- The customer, or a tenant of the customer, submits to the water provider certification from a licensed medical professional that that discontinuation of residential service will be life-threatening to, or pose a serious threat to the health and safety of, a resident of the premises where the service is being provided;
- The customer demonstrates that he or she is financially unable to pay their bill within the normal payment period; if any member of the customer’s household is a recipient of CalWORKS, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental

Nutrition Program for Women, Infants and Children; or he or she declares that the household's annual income is within 200 percent of the federal poverty level; and

- The customer is willing to enter into an amortization agreement, alternative payment schedule or plan for deferred or reduce payment with respect to the delinquent charges.

Additionally, the bill limits a water provider's ability to discontinue service if the customer is delinquent on a payment required under an amortization agreement, alternative payment schedule or plan for deferred or reduced payment plan. The bill would require that service could not be discontinued until the customer was 60 days delinquent on those charges. SB 998 also limits reconnection fees and interest charges on past due bills.

SB 998 was signed by the Governor on September 28, 2018. It will take effect on January 1, 2019.

*SB 1215 (Hertzberg, D-Van Nuys) — Provision of Sewer Service: Disadvantaged Communities:*

SB 1215, authored by Senator Hertzberg (D-Van Nuys), expands the Regional Water Quality Control Boards' (regional boards) authority. Specifically, SB 1215 authorizes the regional boards to order a sewer service provider to extend service to a disadvantaged community or where the residents of a disadvantaged community are served by an onsite sewage treatment system (i.e. septic systems) that does not provide adequate sewage service.

SB 1215 was signed by the Governor on September 30, 2018. It will take effect on January 1, 2019.

#### 2019 Legislative Planning

*Request for Qualifications for State Legislative Advocates:*

Given the retirement of the District's current state advocate, staff plans on releasing a Request for Qualifications (RFQ) between October 4 and October 12 to solicit qualifications from full-service lobbying firms to represent the District on state legislative issues in Sacramento.

#### FISCAL IMPACTS:

Not applicable.

#### ENVIRONMENTAL COMPLIANCE:

Not applicable.

#### COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on October 4, 2018.



RECOMMENDATION:

RECEIVE AND FILE.

LIST OF EXHIBITS:

Exhibit "A" – IRWD Legislative Matrix

Exhibit "B" – 2018 Legislative Update Report Links to Bill Texts

**EXHIBIT "A"**  
**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 10/01/2018**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b>AB 18</b> Garcia E (D)	Healing Arts: Licensed Physicians and Dentists		Relates to the Licensed Physicians and Dentists from Mexico Pilot Program. Removes the requirement that the orientation program for physicians be 6 months in length. Requires the Medical Board of California and the Dental Board of California to convene interested parties meetings in order for the boards to determine and establish the appropriate duration of the orientation programs under their respective oversights.	08/16/2018 - In SENATE Committee on APPROPRIATIONS: To Suspend File.;08/16/2018 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b>AB 161</b> Levine (D)	Public Employees' Retirement: Pension Fund Management		Requires specified staff of the Public Employees' Retirement System to work with appropriate state agencies to produce an annual list, that may be provided to each Board, of priority infrastructure projects most suitable for funding, as provided.	08/07/2018 - Withdrawn from SENATE Committee on APPROPRIATIONS.;08/07/2018 - Re-referred to SENATE Committee on RULES.
<b>AB 196</b> Bigelow (R)	Greenhouse Gas Reduction Fund: Water Supply		Amends the Global Warming Solutions Act, which creates the Greenhouse Gas Reduction Fund and authorizes specified investments, including water use and supply. Authorizes the use of the moneys in the fund for electric pump efficiency, water and wastewater systems, pump and pump motor efficiency improvements, and drinking water transmission and distribution systems' water loss if the investment furthers the regulatory purposes of the act and is consistent with law.	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b>AB 732</b> Frazier (D)	Levee Maintenance		Extends indefinitely the operation of the authorization to advance funds to reimburse local agencies under a program for the maintenance or improvement of project or nonproject levees. Postpones the operation of certain related provisions.	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b>AB 869</b> Rubio (D)	Sustainable Water Use: Recycled Water		Requires long-term standards for urban water conservation and water use to include a credit for recycled water. Prohibits an urban retailer water supplier from being required to reduce the amount of recycled water it produces, sells, or distributes for beneficial potable or nonpotable uses during a period when water conservation measures are in effect.	08/24/2017 - From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.;08/24/2017 - In SENATE. Read second time and amended. Re-referred to Committee on

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 10/01/2018**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
				NATURAL RESOURCES AND WATER.
<b><u>AB 987</u></b> Kamlager-Dove (D)	CEQA: Sports and Entertainment Project		Amends existing law relating to the Environmental Quality Act. Authorizes the Governor to certify a specified sports and entertainment project located in the City of Inglewood for streamlining if the project meets certain requirements. Applies certain rules of court establishing procedures requiring actions or proceedings seeking judicial review under CEQA or the granting of project approvals, including any appeals. Requires concurrent preparation of the proceedings record with the environmental review.	09/30/2018 - Signed by GOVERNOR.
<b><u>AB 1000</u></b> Friedman (D)	Water Conveyance: Unused Facility Capacity	Watch	Prohibits a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1017</u></b> Santiago (D)	Collective Bargaining Agreements: Arbitration		Amends the existing law, with regard to disputes concerning collective bargaining agreements for private employees. Provides for such provision apply to public employment. Limits liability for attorney's fees under such provisions to a labor organization or employer.	09/15/2017 - In ASSEMBLY. Ordered returned to SENATE. *****To SENATE.
<b><u>AB 1270</u></b> Gallagher (R)	Dams and Reservoirs: Inspections and Reporting		Amends existing law that requires the Department of Water Resources to inspect dams, reservoirs, and appurtenant structures once per fiscal year. Requires the owner of a dam to operate critical outlet and spillway control features on an annual basis and to demonstrate their full operability in the presence of the Department. Provides certain inspection reports may be withheld	02/26/2018 - Signed by GOVERNOR.;02/26/2018 - Chaptered by Secretary of State. Chapter No. 2018-3

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			from public release. Requires the Department to provides specified information on its website.	
<b><u>AB 1273</u></b> Gallagher (R)	Environmental Quality Act: Exemption: Levee Repairs		Amends the California Environmental Quality Act (CEQA). Exempts from the requirements of the CEQA, repairs of critical levees of the State Plan of Flood Control within an existing levee footprint to meet standards of public health and safety. Requires the lead agency to take certain actions regarding the repairs.	07/11/2017 - In SENATE Committee on NATURAL RESOURCES AND WATER: Failed passage.
<b><u>AB 1323</u></b> Weber (D)	Sustainable Water Use and Demand Reduction		Requires the Department of Water Resources to convene a stakeholder workgroup. Requires the workgroup to develop, evaluate, and recommend proposals for establishing new water use targets for urban water suppliers and report to the Governor and the Legislature. Requires all expenses to be the responsibility of the nonstate agency stakeholders.	08/21/2017 - In SENATE Committee on APPROPRIATIONS: To Suspend File.
<b><u>AB 1420</u></b> Aguiar-Curry (D)	Water Rights: Small Irrigation Use		Requires State Water Resources Control Board to give priority to adopting general conditions that permit a registrant to store water for small irrigation use during times of high streamflow in exchange for the registrant reducing diversions during periods of low streamflow. Exempts an entity from the requirement to enter into a lake or streambed alteration agreement with the department under specified circumstances.	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1654</u></b> Rubio (D)	Labor Code Private Attorneys General Act: Construction	Sponsor & Support	Excepts from the Act an employee in the construction industry, as defined, with respect to work performed under a valid collective bargaining agreement in effect any time before a specified date, that contains certain provisions, including a grievance and binding arbitration procedure to redress violations that authorizes the arbitrator to award otherwise available remedies.	09/19/2018 - Signed by GOVERNOR.;09/19/2018 - Chaptered by Secretary of State. Chapter No. 2018-529
<b><u>AB 1667</u></b> Friedman (D)	Water Management Planning	Oppose	Requires the State Water Resources Control Board to adopt long-term standards for urban water conservation and water use on or before the specified date. Requires the board to adopt performance	07/11/2017 - In SENATE Committee on NATURAL RESOURCES AND

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			measures for commercial, industrial, and institutional water use on or before that date. Require an urban water supplier to calculate a water use target beginning the calendar year after the board adopts long-term standards for urban water conservation and water use. Relates to submission of specified information.	WATER: Heard, remains in Committee.
<b><u>AB 1668</u></b> Friedman (D)	Water Management Planning	Support	Requires the State Water Resources Control Board to adopt long term standards for the efficient use of water and performance measures for certain water uses. Requires the Department to conduct necessary studies and investigations and authorizes them to recommend to the Legislature a standard for indoor residential water use. Imposes civil liability for a violation of an order or regulation issued pursuant to these provisions, as specified.	05/31/2018 - Signed by GOVERNOR.;05/31/2018 - Chaptered by Secretary of State. Chapter No. 2018-15
<b><u>AB 1740</u></b> Daly (D)	Budget Deficit Savings Account		Establishes the Budget Deficit Savings Account in the State Treasury, provides that funds in the reserve shall be available only for specified purposes, for appropriation by the Legislature in fiscal years in which there is a state budget deficit.	04/30/2018 - In ASSEMBLY. Joint Rule 62(a) suspended.
<b><u>AB 1745</u></b> Ting (D)	Vehicles: Clean Cars 2040 Act		Requires all new passenger vehicles to be zero emissions vehicles after a specified date. States that zero emissions vehicles cannot produce exhaust emissions of any criteria pollutant or greenhouse gas under any operational mode or condition. Exempts large commercial vehicles (larger than a specified number of pounds) and does not apply to vehicles owned by people moving into California from other states.	01/16/2018 - To ASSEMBLY Committee on TRANSPORTATION.
<b><u>AB 1748</u></b> Steinorth (R)	Property Taxation: Base Year Value Transfer		Amends existing law relating to the base year value of property that is eligible for the homeowner's exemption. Deems a replacement dwelling to be of equal or lesser value if the amount of the full cash value of that replacement dwelling does not exceed specified amounts based on the date of the sale of the original property relative to the purchase or new construction of the replacement dwelling.	05/14/2018 - In ASSEMBLY Committee on REVENUE AND TAXATION: Failed passage.

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<b><u>AB 1770</u></b> Steinorth (R)	Local Government: Investments		Revises the maximum remaining maturity requirement regarding investment in securities by a local agency. Eliminates the requirement that the securities issuer be rated A or its equivalent, or better, for the issuer's debts as provided by an NRSRO.	09/06/2018 - Signed by GOVERNOR.;09/06/2018 - Chaptered by Secretary of State. Chapter No. 2018-271
<b><u>AB 1912</u></b> Rodriguez (D)	Public Employees' Retirement: Joint Powers Agreements		Specifies that the parties to a joint powers agreement may not specify otherwise with respect to retirement liabilities of the agency, if the agency contracts with a public retirement system. Eliminates an authorization for a party to a joint powers agreement to separately contract or assume responsibilities for specific debts, liabilities, or obligations of the agency. Requires member agencies to mutually agree to the apportionment of the agency's retirement obligations among themselves.	09/29/2018 - Signed by GOVERNOR.
<b><u>AB 1945</u></b> Garcia E (D)	Greenhouse Gas Reduction Fund: Investment Plan		Requires state agencies administering competitive grant programs that allocate moneys from the Greenhouse Gas Reduction Fund to give specified communities preferential points during grant application scoring for programs intended to improve air quality. Includes a specified application timeline. Allows applicants from the Counties of Imperial and San Diego to include daytime population numbers in applications. Requires monies used to achieve specified goals.	09/27/2018 - Vetoed by GOVERNOR.
<b><u>AB 1989</u></b> Mathis (R)	Water and Wastewater Loan and Grant Program		Appropriates a specified amount to the State Water Resources Control Board. Provides funding to eligible applicants for specified purposes relating to drinking water and wastewater treatment.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1991</u></b> Mathis (R)	Safe Drinking Water State Revolving Fund		Requires the State Water Resources Control Board to post information on its internet web site regarding implementation of the Safe Drinking Water Revolving Fund Law and expenditures from the Fund.	03/15/2018 - To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.;03/15/2018 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND

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				TOXIC MATERIALS with author's amendments.;03/15/2018 - In ASSEMBLY. Read second time and amended. Re-referred
<b><u>AB 2003</u></b> Daly (D)	Public Contracts: Sanitation Districts	Support	Relates to existing law which requires a sanitation district, when an expenditure for work exceeds a specified amount, to contract with the lowest responsible bidder after notice. Requires the notice to be published in a manner that the district board determines to be reasonable, which may include, but is not limited to, newspapers, Internet Web sites, radio, television, or other means of mass communication.	02/12/2018 - To ASSEMBLY Committee on LOCAL GOVERNMENT.
<b><u>AB 2017</u></b> Chiu (D)	Public Employers: Employee Organizations		Expands the definition of public employer to include those employers of excluded supervisory employees and judicial council employees. Includes in the definition of public employee those employees of a public transit agency with specified labor relation provisions. Prohibits a public employer from deterring or discouraging prospective public employees from becoming or remaining members of an employee organization.	06/25/2018 - From SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS.
<b><u>AB 2038</u></b> Gallagher (R)	Countywide Drought and Water Shortage Contingency Plans		Requires the Department of Water Resources, in consultation with the State Water Resources Control Board and other relevant state and local agencies and stakeholders, to use available data to identify small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and requires the department to notify counties and groundwater sustainability agencies of those suppliers or communities.	02/16/2018 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
<b><u>AB 2042</u></b> Steinorth (R)	Personal Income Tax Credits: Graywater Reuse Systems		Allows as a credit against the net personal income tax equal to a certain percent of the cost of installing a residential graywater reuse system in the taxpayer's residence located in the state. Limits the cumulative amount of the credit. Requires the Franchise Tax Board to receive and evaluate applications that are submitted by taxpayers	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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			to receive a residential graywater reuse system credit and to certify to the taxpayer the amount of the credit that is authorized.	
<b><u>AB 2050</u></b> Caballero (D)	Small System Water Authority Act	Support	Creates the Small System Water Authority Act to authorize the creation of small system water authorities to have powers to absorb, improve, and competently operate noncompliant public water systems. Requires the State Water Resources Control Board to provide certain notices to systems that are not compliant with drinking water standards. Provides for remedies of violations of drinking water standards. Provides for draft conceptual formation plans.	09/28/2018 - Vetoed by GOVERNOR.
<b><u>AB 2060</u></b> Garcia E (D)	Water: Grants: Advanced Payments		Requires the State Water Resources Control Board, within a specified number of days of awarding a grant from the grant fund, to provide a project proponent that requests an advanced payment and satisfies certain criteria with a specified advanced payment or percentage of the grant award, whichever is less, for projects in which the proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community. Authorizes the Board to impose penalties.	09/28/2018 - Vetoed by GOVERNOR.
<b><u>AB 2064</u></b> Gloria (D)	Integrated Regional Water Management Plans: Grants		Requires the Department of Water Resources to provide a project proponent that requests advanced payment and satisfies certain criteria with advanced payment for those projects of a specified amount or percentage of the grant award. Eliminates the requirement that the grant award for the project be less than a certain amount to obtain advanced payment. Requires the Department to provide advance payment of the remaining award for a project that received half of an advance payment.	09/28/2018 - Vetoed by GOVERNOR.
<b><u>AB 2065</u></b> Ting (D)	Local Agencies: Surplus Land		Expands the definition of local agency to include sewer, water, utility, local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state that is	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.



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			empowered to acquire and hold real property, thereby requiring these entities to comply with the requirements for the disposal of surplus land. Defines surplus land, dispose of, and priority for purposes of these provisions.	
<b><u>AB 2071</u></b> Bloom (D)	Accessory Dwelling Units: Owner Occupancy		Amends the Planning and Zoning Law. Requires, when a local agency or ordinance requires owner occupancy, as provided, that the lot that contains the accessory dwelling unit, or the single family residence in which the junior accessory dwelling unit is located, be deemed to be owner occupied if the lot or single family residence is owned by a trust in which at least one beneficiary of the trust is a person with a disability and that person occupies the primary residence or the accessory dwelling unit.	08/27/2018 - In SENATE. From third reading. To Inactive File.
<b><u>AB 2072</u></b> Quirk (D)	State Water Resources Control Board: Contaminants		Requires the State Water Resources Control Board to establish and maintain a dedicated program to research the potential effects of constituents of emerging concern in water sources on human and ecosystem health.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 2077</u></b> Limon (D)	Electricity: Local Government Renewable Energy Program		Requires an electrical corporation to negotiate in good faith with the County of Santa Barbara to construct and operate eligible renewable generating facilities sufficient to meet the local government's 100% renewables commitment. Requires that any mutually agreed upon rates and terms be submitted to the commission and would require the commission to approve the rates and terms if the commission determines them to be just and reasonable.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 2123</u></b> Cervantes (D)	District Based Elections		Permits a political subdivision and a prospective plaintiff bringing an action under the state Voting Rights Act to enter into a written agreement to extend the time period during which a prospective plaintiff is prohibited from commencing an action in order to provide additional time to conduct public outreach, encourage public participation, and receive public input. Requires a schedule	09/06/2018 - Signed by GOVERNOR.;09/06/2018 - Chaptered by Secretary of State. Chapter No. 2018-277

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			of the public outreach events to be published on the subdivision's web site.	
<b><u>AB 2154</u></b> Bonta (D)	Public Employment: Labor Relations: Release Time		Prescribes requirements relating to release time that would apply to all of the public employers and employees subject to specified public employee acts and would generally repeal the provisions relating to release time in those acts. Prohibits the Public Employment Relations Board from enforcing these provisions with regard to public transit workers that are not otherwise subject to the board's jurisdiction.	04/02/2018 - From ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY with author's amendments.;04/02/2018 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.
<b><u>AB 2179</u></b> Gipson (D)	Municipal Corporations: Public Utility Service		Authorizes a municipal corporation to utilize the alternative procedures to lease, sell, or transfer that portion of a municipal utility used for furnishing sewer service outside the boundaries of the municipal corporation.	09/28/2018 - Signed by GOVERNOR.;09/28/2018 - Chaptered by Secretary of State. Chapter No. 2018-863
<b><u>AB 2241</u></b> Rubio (D)	The Open and Transparent Water Data Act		Amends the Open and Transparent Water Data Act. Requires the Department of Water Resources to work to improve the open and transparent access to data by reducing the fractured or duplicative reporting of the same data to multiple governmental agencies and departments, and by reducing the reporting burden on entities providing data to governmental agencies.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 2242</u></b> Rubio (D)	Urban Water Management Planning		Amends the Urban Water Management Planning Act. Requires an urban water supplier, to include in its urban water management plan, an assessment of the reliability of its water service to its customers during normal, dry, and multiple dry years, including a repeat of consecutively historic driest years the urban water supplier has experienced.	06/04/2018 - In ASSEMBLY. To Inactive File.

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<b><u>AB 2249</u></b> Cooley (D)	Public Contracts: Local Agencies: Alternative Procedure		Authorizes public projects of a specified amount or less to be performed by the employees of a public agency. Authorizes public projects of a specified amount or less to be let to contract by informal procedures. Requires public projects of more than a specified amount to be let to contract by formal bidding procedures. Creates the Uniform Construction Cost Accounting Commission.	08/20/2018 - Signed by GOVERNOR.;08/20/2018 - Chaptered by Secretary of State. Chapter No. 2018-169
<b><u>AB 2266</u></b> Bigelow (R)	Urban Water Management Plans: Adoption		Requires urban water suppliers to prepare and adopt urban water management plans within a specified number of years after becoming urban water suppliers.	03/15/2018 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.;03/15/2018 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/15/2018 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS
<b><u>AB 2277</u></b> Mathis (R)	Solid Waste Facilities: Pharmaceutical Waste		Vests the Department of Resources Recycling and Recovery with the primary responsibility for the disposal of home-generated pharmaceutical waste and would require the Department of Resources Recycling and Recovery, in collaboration with the State Department of Public Health, the Department of Toxic Substances control, and the California State Board of Pharmacy, to adopt regulations authorizing the incineration of home-generated pharmaceutical waste by solid waste facilities.	03/01/2018 - To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b><u>AB 2278</u></b> Berman (D)	Local Government Renewable Energy Self Generation		Amends the Local Government Renewable Energy Self Generation Program. Revises how the bill credit is calculated. Requires the electrical corporation to use the time of use periods and certain seasonal definitions. Requires a tariff approved by the commission as part of the program to remain in effect for the operating life of the associated eligible renewable generating facility. Repeals the requirement that when the last billing cycle of a 12-month period is reached, any remaining credit is reset to zero.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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<b><u>AB 2283</u></b> Holden (D)	Income Taxes: Exclusion: Turf Removal Program	Support	Extends the operation of existing law which provides an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a local water agency or supplier for participation in a turf removal water conservation program.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 2341</u></b> Mathis (R)	Environmental Quality Act: Aesthetic Impacts		Specifies that, except as provided, the aesthetic effects of projects meeting certain requirements are not significant effects on the environment for purposes of the Environmental Quality Act and that the lead agency is not required to evaluate the aesthetic of those projects.	09/07/2018 - Signed by GOVERNOR.;09/07/2018 - Chaptered by Secretary of State. Chapter No. 2018-298
<b><u>AB 2370</u></b> Holden (D)	Lead Exposure: Child Daycare Facilities		Requires, as a condition of licensure, the health and safety training to include instruction in the prevention of lead exposure as a part of the preventive health practices course or courses component. Requires the child day care facility, upon enrolling or reenrolling any child, to provide the parent or guardian with written information on the risks and effects of lead exposure, blood lead testing recommendations and requirements, and options for obtaining blood lead testing.	09/22/2018 - Chaptered by Secretary of State. Chapter No. 2018-676
<b><u>AB 2371</u></b> Carrillo (D)	Water Use Efficiency: Landscape Irrigation		Authorizes a home inspection report on a dwelling unit, on a parcel containing an inground landscape irrigation system, to include certain information regarding the operation and observation of that system. Requires the Department of Water Resources to compile an estimate of the number of properties for which an irrigation system inspection report has been prepared. Requires a working group to complete tasks relating to water use associated with landscape plants.	09/28/2018 - Signed by GOVERNOR.;09/28/2018 - Chaptered by Secretary of State. Chapter No. 2018-867
<b><u>AB 2379</u></b> Bloom (D)	Waste Management: Plastic Microfiber		Relates to toxic chemical enforcement. Requires that new clothing with a certain material composition bear a conspicuous label that is visible to the consumer in the form of a sticker, or any other label type, with a statement that the garment sheds plastic microfibers	06/04/2018 - In ASSEMBLY. To Inactive File.

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			when washed. Requires additional information, including that same statement, on the care label of such garments. Prohibits sales of such new clothing without those labels.	
<b><u>AB 2432</u></b> Obermolte (R)	California Voting Rights Act		Prohibits the courts under the California Voting Rights Act, from imposing district-based elections unless the plaintiff has established that district-based elections would remedy the dilution of abridgment of voting rights and that alternatives to district-based elections would not achieve greater voting rights and other benefits.	04/25/2018 - In ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Not heard.
<b><u>AB 2434</u></b> Bloom (D)	Strategic Growth Council: Health in All Policies		Establishes the Health in All Policies Program, to be administered by the Strategic Growth Council, for the purposes of incorporating health, equity, and sustainability considerations into decision making across sectors and policy areas. Requires the council, by October 1, 2019, to develop a report of recommendations for programs, policies, and practices that state agencies can undertake to advance health, equity, and specified goals of the HiAP Program.	08/16/2018 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 2441</u></b> Frazier (D)	Sac San Joaquin Delta: Abandoned Commercial Vessels		Amends existing law authorizing the State Lands Commission to take immediate action, without notice, to remove from areas in its jurisdiction a vessel that is left unattended and is moored, docked, beached, or made fast to land creating a hazard. Requires the Commission, upon receipt of funds appropriated by the Legislature and any federal or private funds for this purpose, to develop a plan for the removal of abandoned commercial vessels, as prescribed, by a specified date.	09/19/2018 - Signed by GOVERNOR.;09/19/2018 - Chaptered by Secretary of State. Chapter No. 2018-540
<b><u>AB 2447</u></b> Reyes (D)	Environmental Quality Act: Land Use: Justice		Requires a lead agency that is preparing an environmental impact report, or a negative declaration, to provide certain notices as required to owners and occupants of property located within a specified distance of any parcel or parcels, and to any schools located within a certain distance of any parcel or parcels, on which	09/30/2018 - Vetoes by GOVERNOR.

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			is located a project involving an industrial land use within a disadvantaged community. Requires the lead agency to provide certain notices and meetings.	
<b>AB 2464</b> Harper (R)	California Coastal Act: Port of Newport Beach		Relates to a port master plan for the port of Hueneme, Long Beach, Los Angeles, or San Diego Unified Port District located within the coastal zone. Applies this port master plan provision to the Port of Newport Beach located within the coastal zone, except as provided.	03/05/2018 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b>AB 2470</b> Grayson (D)	Invasive Species Council of California		Establishes the Invasive Species Council of California to help coordinate a comprehensive effort to prevent the introduction of invasive species in the state and to advise state agencies how to facilitate coordinated, complementary, and cost effective control or eradication of invasive species that have entered or are already established in the state. Establishes the Invasive Species Account.	09/28/2018 - Signed by GOVERNOR.;09/28/2018 - Chaptered by Secretary of State. Chapter No. 2018-870
<b>AB 2475</b> Ting (D)	State Owned Property: Sustainable Landscaping		Requires the Department of General Services to review, at least every 5 years, any existing regulations and practices for sustainability, energy efficiency, and water efficiency requirements for landscapes on state-owned real property to ensure those regulations and practices reflect the most current sustainability and efficiency standards available.	05/24/2018 - To SENATE Committee on GOVERNMENTAL ORGANIZATION.
<b>AB 2501</b> Chu (D)	Drinking Water State Administrators: Service Extension		Authorizes the State Water Resources Control Board to order consolidation with a receiving water system if a water system serving a disadvantaged community fails to provide an adequate supply of water. Authorizes the Board to contract with an administrator to provide managerial services to a public water system.	09/28/2018 - Signed by GOVERNOR.;09/28/2018 - Chaptered by Secretary of State. Chapter No. 2018-871
<b>AB 2516</b> Eggman (D)	Dams: Reservoir Restrictions		Requires the Department of Water Resources to post, and update annually on its website, a report containing the name of each reservoir subject to a restriction and the reservoir's associated downstream hazard potential classification, the effective date of the	09/19/2018 - Signed by GOVERNOR.;09/19/2018 - Chaptered by Secretary of State. Chapter No. 2018-543

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			reservoir restriction, the reason for the restriction, and any actions, planned or completed, that the dam owner reports to address the restriction.	
<b><u>AB 2528</u></b> Bloom (D)	Climate Adaptation		Adds new sectors to the state's climate adaptation strategy which are the land use and community development sector, the climate justice sector, and the parks, recreation, and state culture sector. Specifies that the biodiversity and habitat sector includes habitat resilience areas.	09/18/2018 - Vetoed by GOVERNOR.
<b><u>AB 2541</u></b> Salas (D)	Safe Drinking Water State Revolving Fund		Amends existing law that grants funding, and principal forgiveness and financing on loans, from the Safe Drinking Water State Revolving Fund to a project for a water system with a service area that qualifies as a severely disadvantaged community. Authorizes the State Water Resources Control Board to provide complete grant funding, and principal forgiveness and financing on loans, from the Safe Drinking Water State Revolving Fund.	08/27/2018 - Chaptered by Secretary of State. Chapter No. 2018-217
<b><u>AB 2551</u></b> Wood (D)	Forestry and Fire Prevention: Prescribed Burning		Amends existing law relating to various fire prevention programs. Authorizes the Natural Resources Agency and the state Environmental Protection Agency to jointly develop a specified plan for forest and watershed restoration investments in the drainages that supply the Oroville, Shasta, and Trinity Reservoirs. Establishes the Headwaters Restoration Account. Authorizes the deposit of funds for use of those forest and watershed restoration purposes.	09/21/2018 - Signed by GOVERNOR.;09/21/2018 - Chaptered by Secretary of State. Chapter No. 2018-638
<b><u>AB 2571</u></b> Gonzalez (D)	Public Employee Retirement Systems: Investments		Requires a public investment fund to require an alternative investment vehicle to report at least annually certain information concerning specified hospitality employers relating to race and gender pay equity and sexual harassment. Requires such fund to disclose race and gender pay equity and sexual harassment information provided to it in a report presented at a meeting open to the public.	04/18/2018 - In ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY: Not heard.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u><b>AB 2649</b></u> Bloom (D)	State Water Project: Water Supply Contracts		Requires the Department of Water Resources to provide a notice to the Joint Legislative Budget Committee, and others, a minimum number of days before holding public sessions to negotiate any potential amendment of a long term water supply contract that is of projectwide significance with substantially similar terms intended to be offered to all contractors, or that would permanently transfer a contractual water amount between contractors.	08/28/2018 - In SENATE. Senate Rule 29.3(b) suspended.;08/28/2018 - From SENATE Committee on RULES with author's amendments.;08/28/2018 - In SENATE. Read second time and amended. Re-referred to Committee on RULES.
<u><b>AB 2697</b></u> Gallagher (R)	Nesting Bird Habitat Incentive Program: Idled Lands		Requires the Department of Fish and Wildlife to establish the Nesting Bird Habitat Incentive Program, which may include direct payments or other incentives, to encourage landowners to voluntarily cultivate or retain upland cover crops or other upland vegetation on idled lands to provide waterfowl, upland game bird, and other wildlife habitat cover for purposes, including, but not limited to, encouraging the use of idle agricultural lands for wildlife habitat.	09/20/2018 - Signed by GOVERNOR.;09/20/2018 - Chaptered by Secretary of State. Chapter No. 2018-588
<u><b>AB 2711</b></u> Chen (R)	Property Tax Revenue Allocations: County Of Orange	Watch	Requires the auditor of the County of Orange to increase the total amount of ad valorem property tax revenue that is otherwise required to be allocated to the county by the county equity amount and to commensurately decrease the amount of ad valorem property tax revenue that is otherwise required to be allocated to the county Educational Revenue Augmentation Fund and, if necessary, the amount of those revenue otherwise required to be allocated to school districts.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u><b>AB 2728</b></u> Chen (R)	Replacement Of Corroded Or Lead-containing Plumbing		Authorizes the State Water Resources Control Board to establish a grant program to provide funding to a county or qualified nonprofit organization, as specified, to provide low-interest loans to defined property owners for the replacement of corroded or lead-containing plumbing and service lines that adversely impact drinking water standards for the installation of a point-of-use or point-of-entry water treatment system, as specified.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.



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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>AB 2812</b> Limon (D)	Data Storage and Protection Standards: Local Agencies		Creates the Office of Local Cloud Migration and Digital Innovation in the Department of Technology. Requires the Office to promote the use of technologies including cloud based computing and data storage that will assist local agencies in their efforts to further transparency, efficiency, disaster preparedness and response, and general accessibility to the public. Requires the Office to partner with private industry and the nonprofit community to maximize the assistance provided to local agencies.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b>AB 2815</b> Gray (D)	Water Rights: Appropriations of Water		Makes nonsubstantive changes in provisions of the State Water Resources Control Board water rights program.	02/16/2018 - INTRODUCED.
<b>AB 2828</b> Friedman (D)	Waste Discharge Requirements: Oil and Gas Operations		Amends the Porter Cologne Water Quality Control Act. Authorizes a regional board to approve a waste discharge requirement for the use or reuse of produced water from an oil and gas operation for agriculture purposes or for groundwater recharge only if, after a public hearing, it finds that the Council on Science and Technology has reviewed the best available independent scientific evidence and has found the use will not pose a significant risk to the public from any contaminants.	04/17/2018 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments.;04/17/2018 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b>AB 2890</b> Ting (D)	Land Use: Accessory Dwelling Units	Seek Amendments	Authorizes a local agency to provide by ordinance for the creation of accessory dwelling units in single-family and multifamily residential zones. Prohibits the imposition of lot coverage standards or requirements on minimum lot size, lot coverage, or floor area ratio. Prohibits an ordinance from establishing size requirements for accessory dwelling units that do not permit a certain minimum square foot unit of at least 16 feet in height to be constructed.	08/16/2018 - Withdrawn from SENATE Committee on APPROPRIATIONS.;08/16/2018 - Re-referred to SENATE Committee on RULES.
<b>AB 2898</b> Gloria (D)	Emergency Services: Local Emergencies		Requires a review of a local emergencies by the governing body of a city or county to occur at specified time intervals under the Emergency Services Act.	09/14/2018 - Chaptered by Secretary of State. Chapter No. 2018-395

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<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 2957</u></b> Gallagher (R)	Water: Institute for Water Innovation and Technology		Requests the Regents of the University of California to establish the California Institute for Water Innovation and Technology in order to achieve specified goals, including developing the state's next generation of water professionals and technicians and growing the state's economy by creating new opportunities for jobs in water research, management, and technology. Provides for the location of the Institute.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 2966</u></b> Aguiar-Curry (D)	Disaster Relief		Provides that the state share for the removal of dead and dying trees in connection with the Governor's proclamation of a state of emergency issued on a specified date is no more than 90 percent of total state eligible costs.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 2970</u></b> Cooper (D)	Public Employees: New Employee Orientations		Requires that the date, time, and place of a new employee orientation by a state or local public employer be confidential and not be shared with anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation.	06/11/2018 - From SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on JUDICIARY.
<b><u>AB 2975</u></b> Friedman (D)	Wild and Scenic Rivers		Requires the removal or delisting of any river or segment of a river in the state that is included in the national wild and scenic rivers system and not in the state's system. Requires the Secretary of the Natural Resources Agency, after holding a public hearing on the issue, to determine whether the provision of state protection for the river or segment of the river that has been removed, delisted, or exempted from the federal system is in the best interest of the state.	08/27/2018 - Chaptered by Secretary of State. Chapter No. 2018-221
<b><u>AB 3027</u></b> Chavez (R)	California Environmental Quality Act: Attorney's Fees		Limits the awarding of attorney's fees to certain persons or entities for a prevailing party that is a plaintiff or petitioner in an action or proceeding under the California Environmental Quality Act.	04/23/2018 - In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.;04/23/2018 - In ASSEMBLY Committee on NATURAL RESOURCES: Reconsideration granted.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u><b>AB 3031</b></u> Quirk (D)	Safety in Employment: Power Tools: Training		Requires an employer whose employees are involved in using power tools or other equipment for the cutting, grinding, coring, or drilling of concrete or masonry materials to provide specified training to those employees to reduce health hazards associated with the inhalation or ingestion of dust arising from those operations.	03/12/2018 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
<u><b>AB 3037</b></u> Chiu (D)	Community Redevelopment Law		Amends the Community Redevelopment Law. Authorizes a city or county to propose the formation of a redevelopment housing and infrastructure agency by adoption of a resolution of intention that meets specified requirements, including a passthrough provision and an override passthrough provision. Requires the city or county to submit that resolution to each affected taxing entity. Requires the Strategic Growth Council to provide technical assistance to a city or county desiring to form an agency.	05/25/2018 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u><b>AB 3045</b></u> Gallagher (R)	Natural Resources Agency: State Water Project		Establishes within the Natural Resources Agency the State Water Project Commission, consisting of 9 members appointed by the Governor and subject to confirmation by the Senate, including one member nominated by the Butte County Board of Supervisors. Imposes a new duty on the Butte County Board of Supervisors, the bill would impose a state-mandated local program.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u><b>AB 3155</b></u> Cooper (D)	Public Works: Definition		Expands the meaning of the term public works for purposes of requirements regarding the payment of prevailing wages, to include warranty work, and would include warranty work within the definition of construction as it is used to define "public works".	03/12/2018 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
<u><b>AB 3170</b></u> Friedman (D)	Sales and Use Taxes: Exemptions: Water Efficiency	Support	Exempts from sales and use taxes the gross receipts from the sale of, and the storage, use, or other consumption of, qualified water efficiency products sold or purchased during a certain period of time, or for which a layaway agreement is entered into, a raincheck is issued, or other specified orders are placed, during this period until a specified date.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 3187</u></b> Grayson (D)	Biomethane: Gas Corporations: Rates		Requires the Public Utilities Commission to open a proceeding to consider options to promote the in state production and distribution of biomethane, including consideration of recovery in rates of the costs of investments for specified purposes.	09/20/2018 - Signed by GOVERNOR.;09/20/2018 - Chaptered by Secretary of State. Chapter No. 2018-598
<b><u>AB 3206</u></b> Friedman (D)	Water Conservation: Water Meters: Accuracy		Requires the State Energy Resources Conservation and Development Commission, to the extent that funding is available, to adopt regulations setting standards for the accuracy of water meters that are installed by a water purveyor or manufactured and sold or offered for sale in the state. Includes an exception for a water meter that, as of the effective date of the regulations, a water purveyor possesses, or has entered into a contract to purchase, and has not yet installed.	08/16/2018 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 3222</u></b> O'Donnell (D)	Public Works: Prevailing Wages		Expands the definition of public works, for the purposes of provisions relating to the prevailing rate of per diem wages, to also include any construction, alteration, demolition, installation, or repair work done under private contract on a project for a charter school, as defined, when the project is paid for, in whole or in part, with the proceeds of conduit revenue bonds, as defined, that were issued on or after a specified date.	06/27/2018 - From SENATE Committee on LABOR AND INDUSTRIAL RELATIONS: Do pass to Committee on APPROPRIATIONS.
<b><u>AB 3253</u></b> Banking and Finance Cmt	Local Government: Financial Affairs		Increases the percentage of a local agency's funds that can be invested of the agency's surplus funds in deposits at specified types of financial institutions that use a private sector entity to assist in the placement of deposits and in certificates of deposit at specified types of financial institutions.	04/10/2018 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;04/10/2018 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b><u>AB 3254</u></b> Local Government Cmt	Local Government Organization: Omnibus		Revises the definitions of affected territory and inhabited territory under the Local Government Reorganization Act of 2000 to include territory that is to receive extended services from a local agency,	07/09/2018 - Signed by GOVERNOR.;07/09/2018 - Chaptered by Secretary of State. Chapter No. 2018-86

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			and additionally defines the term uninhabited territory for purposes of the Act.	
<b>ACA 24</b> Waldron (R)	Property Taxation: Transfer of Base Year Value		Requires the Legislature to provide for the transfer of base year value of property that is substantially damaged or destroyed by a disaster, as declared by the Governor, occurring on or after a specified date through a specified date, to comparable property located within the same or a different county that is acquired or newly constructed as a replacement for the substantially damaged or destroyed property.	06/28/2018 - To ASSEMBLY Committee on REVENUE AND TAXATION.
<b>ACA 28</b> Mathis (R)	Water: Projects: Funding		Provides that, from specified state revenues, there shall be set apart, in unspecified percentages, moneys to be applied by the state for the payment of principal and interest on bonds authorized pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014 and, of the amount remaining, for specified water projects of the Department of Water Resources and the State Water Resources Control Board.	02/26/2018 - INTRODUCED.
<b>AJR 38</b> Mathis (R)	Dams and Reservoirs: Federal Jurisdiction: Safety		Urges Congress to implement revised dam safety and inspection requirements, with specified components, for all federally operated and regulated dams and reservoirs for the purpose of ensuring public safety.	05/24/2018 - Chaptered by Secretary of State.;05/24/2018 - Resolution Chapter No. 2018-76
<b>SB 24</b> Portantino (D)	Political Reform Act of 1974: Economic Interest		Amends the Political Reform Act which requires certain disclosures to include a statement indicating the fair market value of investments or interests in real property and the aggregate value of income received from each reportable source. Revises the dollar amounts associated with these ranges.	08/31/2017 - In ASSEMBLY. To Inactive File.
<b>SB 49</b> de Leon (D)	Environmental and Workers' Defense Act		Relates to the California Environmental, Public Health, and Workers Defense Act of 2017. Relates to clean air, drinking water, discharge of pollutants into the atmosphere and waters, and endangered species. Requires specified agencies to take prescribed	09/12/2017 - From ASSEMBLY Committee on RULES with author's amendments.;09/12/2017 - In ASSEMBLY. Read second time and

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			actions to maintain and enforce standards pertaining to air, water, and protected species. Prohibits a state agency from amending rules to be less stringent in protection of workers' rights and workers' safety than established by federal law.	amended. Re-referred to Committee on RULES.
<b>SB 80</b> Wieckowski (D)	California Environmental Quality Act: Notices		Amends the California Environmental Quality Act. Requires a lead agency to post certain notices on the agency's Internet Web site and to offer to provide those notices by e-mail. Requires a county clerk to post notices regarding an environmental impact report or a negative declaration on the county's Internet Web site. Requires the filing of a notice in certain cases.	10/15/2017 - Vetoes by GOVERNOR.
<b>SB 120</b> Roth (D)	Water Conveyance: Use Of Facility With Unused Capacity	Watch	Prohibits a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands, as defined, that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.	08/31/2018 - Withdrawn from SENATE Committee on NATURAL RESOURCES AND WATER.;08/31/2018 - Re-referred to SENATE Committee on RULES.;08/31/2018 - Re-referred to SENATE Committee on APPROPRIATIONS.;08/31/2018 - In SENATE Committee on APPROPRIATIONS: Held i
<b>SB 210</b> Leyva (D)	Heavy Duty Vehicle Inspection and Maintenance Program		Authorizes the State Air Resources Board to develop and implement a Heavy-Duty Vehicle Inspection and Maintenance Program for nongasoline heavy-duty on road motor vehicles. Authorizes the state board to assess a fee and penalty as part of the program. Creates the Truck Emission Check Fund with all the moneys deposited in the fund to be available upon appropriation.	06/19/2018 - From ASSEMBLY Committee on TRANSPORTATION with author's amendments.;06/19/2018 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
<b>SB 224</b> Jackson (D)	Personal Rights: Civil Liability and Enforcement		Amends existing law which establishes liability for sexual harassment when the plaintiff proves specified elements and existing law which states that a relationship may exist between a plaintiff and certain persons. Includes within the elements in a cause of action for sexual harassment when the plaintiff proves,	09/30/2018 - Signed by GOVERNOR.

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			among other things, that the defendant holds himself or herself out as being able to help the plaintiff establish a business, service, or professional relationship.	
<b><u>SB 473</u></b> Hertzberg (D)	California Endangered Species Act		Amends the California Endangered Species Act which prohibits the taking of an endangered or threatened species. Applies the take prohibitions to public agencies. Requires the Department of Fish and Wildlife to post each new incidental take permit issued on their web site within a specified time from the effective date of the permit.	09/10/2018 - Signed by GOVERNOR.;09/10/2018 - Chaptered by Secretary of State. Chapter No. 2018-329
<b><u>SB 606</u></b> Hertzberg (D)	Water Management Planning	Support	Requires an urban retail water supplier to calculate an urban water use objective and its actual urban water use by specified dates and requires a report. Authorizes the Department of Water Resources to waive these requirements for a maximum number of years. Imposes a civil liability for a violation of an order or regulation. Amends the Urban Water Management Planning Act. Provides certain requirements imposed on urban water suppliers.	05/31/2018 - Signed by GOVERNOR.;05/31/2018 - Chaptered by Secretary of State. Chapter No. 2018-14
<b><u>SB 623</u></b> Monning (D)	Water Quality: Safe and Affordable Drinking Water Fund	Oppose	Establishes the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the state board. requires the state board to expend moneys in the fund for grants, loans, contracts, or services to assist eligible applicants with projects relating to safe and affordable drinking water.	09/01/2017 - Re-referred to ASSEMBLY Committee on RULES.
<b><u>SB 771</u></b> de Leon (D)	California Environmental Quality Act		Relates to The California Environmental Quality Act. Establishes a continuing education requirement for employees of public agencies who have primary responsibility to administer the act.	09/13/2017 - In ASSEMBLY. To Inactive File.
<b><u>SB 778</u></b> Hertzberg (D)	Safe Drinking Water Fund		Requires the State Water Resources Control Board to track and publish on its Internet Web site an analysis of all voluntary and ordered consolidations of water systems that have occurred on or after a certain date. Requires the published information to include	09/01/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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			the resulting outcomes of the consolidations and whether the consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.	
<b>SB 831</b> Wieckowski (D)	Land Use: Accessory Dwelling Units	Seek Amendments	Requires the local agency ordinance for the creation of accessory dwelling units to designate areas where accessory dwelling units may be excluded for health and safety purposes. Revises the standards for the local ordinance to delete the authority to include lot coverage standards. Prohibits certain considerations by local agencies when deciding whether or not to approve an application.	06/27/2018 - In ASSEMBLY Committee on LOCAL GOVERNMENT: Heard, remains in Committee.
<b>SB 844</b> Monning (D)	Water Quality: Agricultural Safe Drinking Water Fees		Requires a licensed manufacturer or distributor of fertilizing materials to pay a fertilizer safe drinking water fee per dollar of sale for all sales of fertilizing materials intended for noncommercial use and for all sales of packaged fertilizing materials, thereto. Reduces these fees, beginning a specified calendar year. Requires a transfer of a specified amount from the Underground Storage Tank Cleanup Fund to the Safe and Affordable Drinking Water Fund.	08/24/2018 - In ASSEMBLY. Suspend Assembly Rule 96.;08/24/2018 - Re-referred to ASSEMBLY Committee on APPROPRIATIONS.
<b>SB 845</b> Monning (D)	Safe and Affordable Drinking Water Fund	Oppose	Establishes the Safe and Affordable Drinking Water Fund to secure access to safe drinking water for all residents of the state, and to ensure the long term sustainability of drinking water service and infrastructure. Requires a community water system with a certain number of connections to provide an opportunity for each customer to provide a voluntary remittance either as part of the customer's regular water bill or by using a specified notification procedure.	08/24/2018 - In ASSEMBLY. Suspend Assembly Rule 96.;08/24/2018 - Re-referred to ASSEMBLY Committee on APPROPRIATIONS.
<b>SB 919</b> Dodd (D)	Water Resources: Stream Gages		Requires the Department of Water Resources and the board, to develop a plan to deploy a network of stream gages that includes a determination of funding needs and opportunities for modernizing and reactivating existing and deploying new gages. Requires the department and the board, to develop the plan to address significant	08/16/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.



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			gaps in information necessary for water management and the conservation of freshwater species.	
<b>SB 952</b> Anderson (R)	Water Conservation: Local Water Supplies		States the intent of the Legislature to enact legislation that would require the State Water Resources Control Board to recognize local water agency investment in water supply and ensure that local agencies receive sufficient credit for these investments in meeting any water conservation or efficiency mandates.	02/08/2018 - To SENATE Committee on RULES.
<b>SB 963</b> Allen (D)	Water Replenishment Districts		Repeals a reserve fund authorization for a water replenishment district. Requires financial statements to be submitted to the appropriate policy committees of the Legislature instead of the Legislature generally.	09/11/2018 - Signed by GOVERNOR.;09/11/2018 - Chaptered by Secretary of State. Chapter No. 2018-351
<b>SB 966</b> Wiener (D)	Onsite Treated Nonpotable Water Systems		Requires the State Water Resources Control Board, in consultation with the State Building Standards Commission and the Department of Housing and Community Development, to adopt regulations for risk based water quality standards for the onsite treatment and reuse of nonpotable water. Requires the Department, in consultation with the State Board, to develop and propose for adoption any necessary corresponding building standards to support the risk based water quality standards, as established.	09/28/2018 - Signed by GOVERNOR.;09/28/2018 - Chaptered by Secretary of State. Chapter No. 2018-890
<b>SB 998</b> Dodd (D)	Discontinuation of Residential Water Service	Oppose	Amends the Safe Drinking Water Act. Prohibits residential water service from being disconnected under specified circumstances. Requires an urban and community water system that furnishes individually submetered residential service to inform the residential occupants by written notice that service will be terminated and that the residential occupants have the right to become customers. Requires compliance on or after a specified date.	09/28/2018 - Signed by GOVERNOR.;09/28/2018 - Chaptered by Secretary of State. Chapter No. 2018-891
<b>SB 1032</b> Moorlach (R)	California Public Employees' Retirement System		Authorizes a contracting agency to terminate its contract with the Board of Administration of the Public Employees' Retirement System the agency's will and would not require the contracting	04/23/2018 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Failed

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			agency to fully fund the board's pension liability upon termination of the contract. Authorizes the board to reduce the member's benefits in the terminated agency pool by the percentage of liability unfunded.	passage.;04/23/2018 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Reconsideration granted.
<b>SB 1033</b> Moorlach (R)	Public Employees Retirement: Reciprocal Benefits		Requires an agency participating in the Public Employees' Retirement System, that increases the compensation of a member who was previously employed by a different agency, to bear all actuarial liability for the action, if it results in an increased actuarial liability beyond what would have been reasonably expected for the member. Requires the increased liability be in addition to reasonable compensation growth that is anticipated for a member who works for employer or employers over an extended time.	04/23/2018 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Heard, remains in Committee.
<b>SB 1147</b> Hertzberg (D)	Offshore Oil and Gas Wells		Requires the State Oil and Gas Supervisor to evaluate and estimate the costs associated with the decommissioning of offshore oil and gas wells under its jurisdiction and, if necessary, to develop a schedule to increase the bond amounts or other financial surety provided by an operator of an offshore oil or gas well to ensure sufficient moneys are available to the state to decommission the well if no other entity is responsible for those decommissioning costs.	09/20/2018 - Signed by GOVERNOR.;09/20/2018 - Chaptered by Secretary of State. Chapter No. 2018-607
<b>SB 1167</b> Anderson (R)	Eminent Domain: Final Offer of Compensation		Provides that if a court finds, on motion of a defendant that a plaintiff's offer was lower than a specified percentage of the compensation awarded in the proceeding, then the court would be required to include the defendant's litigation costs in the costs allowed.	05/08/2018 - In SENATE Committee on JUDICIARY: Failed passage.
<b>SB 1215</b> Hertzberg (D)	Provision of Sewer Service: Disadvantaged Communities		Authorizes the regional Water Resources Control Board to order the provision of sewer service by a special district, city, or county to a disadvantaged community, under specified circumstances. Authorizes the regional Board to take certain actions before ordering the provision of sewer service similar to those required for	09/30/2018 - Signed by GOVERNOR.

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			the consolidation or extension of water. Authorizes the regional Board to develop a process by which members of disadvantaged communities may petition for sewer service.	
<b>SB 1226</b> Bates (R)	Building Standards: Building Permits		Amends the State Building Standards Law. Requires the Department to propose the adoption of a building standard to the State Building Standards Commission pursuant to existing law that would authorize, when a record of the issuance of a building permit for the construction of an existing residential unit does not exist, enforcement officials to determine when the residential unit was constructed and issue a retroactive permit.	09/30/2018 - Signed by GOVERNOR.
<b>SB 1284</b> Jackson (D)	Employers: Annual Report: Pay Data		Requires that, on or before a certain date annually, a private employer that has a certain number of employees is to submit a pay data report to the Department of Fair Employment and Housing. Imposes specified civil penalties on any employer not in compliance. Authorizes the Department to seek an order requiring an employer, who does not send the report, to comply.	08/16/2018 - In ASSEMBLY. Joint Rule 62(a) suspended.;08/16/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b>SB 1301</b> Beall (D)	State Permitting: Environment: Processing Procedures		Requires the Office of Planning and Research to develop a joint multiagency preapplication for supplemental consultation and a model fee for service agreement, in consultation with a state agency with the power to issue a permit that would authorize a dam safety project or a flood risk reduction project, and any interested potential project applicants. Authorizes multiagency preapplication submissions. Authorizes the establishment and collection of fees to cover certain costs.	09/28/2018 - Vetoed by GOVERNOR.
<b>SB 1364</b> Vidak (R)	Safe, Clean, Reliable Water Supply Act		Makes a nonsubstantive change in findings and declarations of the Safe, Clean, Reliable Water Supply Act.	03/08/2018 - To SENATE Committee on RULES.
<b>SB 1422</b> Portantino (D)	Safe Drinking Water Act: Microplastics		Requires the State Water Resources Control Board to adopt a definition of microplastics in drinking water, and on or before July 1, 2021, to adopt a standard methodology to be used in the testing	09/28/2018 - Signed by GOVERNOR.;09/28/2018 - Chaptered

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 10/01/2018**

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			of drinking water for microplastics and requirements for 4 years of testing and reporting of microplastics in drinking water, including public disclosure of those results.	by Secretary of State. Chapter No. 2018-902
<b><u>SB 1433</u></b> Moorlach (R)	County Deferred Retirement Option Program		Prohibits a county or district from allowing a member to participate in a Deferred Retirement Option Program who was not participating in the program on or before a specified date. Prohibits a county or district from establishing a new or additional Deferred Retirement Option Program.	04/23/2018 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Failed passage.;04/23/2018 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Reconsideration granted.
<b><u>SB 1469</u></b> Skinner (D)	Land Use: Accessory Dwelling Units		Revises and recast the above-described provisions regarding accessory dwelling units to authorize the ordinance adopted for the creation of accessory dwelling units to designate areas where accessory dwelling units are excluded for health and safety purposes based on clear findings supported by substantial evidence. Limits the types of standards that a local agency may impose on accessory dwelling units, including parking, height, size, and setback requirements, and would revise certain standards.	05/25/2018 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b><u>SB 1496</u></b> Governance and Finance Cmt	Validations	Seek Amendments	Enacts the Second Validating Act. Validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	06/01/2018 - Signed by GOVERNOR.;06/01/2018 - Chaptered by Secretary of State. Chapter No. 2018-23
<b><u>SB 1497</u></b> Governance and Finance Cmt	Validations		Enacts the First Validating Act. Validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	06/01/2018 - Signed by GOVERNOR.;06/01/2018 - Chaptered by Secretary of State. Chapter No. 2018-24
<b><u>SB 1498</u></b> Governance and Finance Cmt	Local Government Omnibus Act		Amends existing law requiring the Controller to report financial information about selected special districts. Eliminates the requirement that the report contain specified breakdowns of each special district's fund balance, retained earnings, fixed assets, and cash investments. Specifies the time frame for the filing of a test claim based on the date of incurring increased costs. Authorizes the	09/17/2018 - Signed by GOVERNOR.;09/17/2018 - Chaptered by Secretary of State. Chapter No. 2018-467

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 10/01/2018**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			display of a report to the Commission by providing a link to the Treasurer website relating to bond info.	
<b>SB 1499</b> Governance and Finance Cmt	Validations		Enacts the Third Validating Act.. Validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	06/01/2018 - Signed by GOVERNOR.;06/01/2018 - Chaptered by Secretary of State. Chapter No. 2018-25
<b>SB 1502</b> Environmental Quality Cmt	Nonvehicular Air Pollution		Authorizes air districts to send electronically, instead of by mail, any required public notice and other certain notices. Requires air districts to send a public notice by mail to any person who has requested the notices to be sent by mail. Requires an air district governing board, if the air district opts to send public notices electronically, to adopt procedures for a person to request public notices to be sent by mail and to update an electronic mail address.	06/28/2018 - Signed by GOVERNOR.;06/28/2018 - Chaptered by Secretary of State. Chapter No. 2018-59
<b>SCA 4</b> Hertzberg (D)	Water Conservation		Declares the intent of the Legislature to amend the California Constitution to provide a program that would ensure that affordable water is available to all Californians and to ensure that water conservation is given a permanent role in California's future.	02/16/2017 - To SENATE Committee on RULES.
<b>SCA 18</b> Allen (D)	Elections: Recalls		Increases the vote required to recall a state officer.	08/16/2018 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b>HR 23</b> Valadao (R)	Gaining Responsibility on Water Act		Amends the Gaining Responsibility on Water Act of 2017, provides drought relief in the State of California.	07/18/2017 - In SENATE. Read second time.;07/18/2017 - To SENATE Committee on ENERGY AND NATURAL RESOURCES.

## Exhibit "B"

2018 Legislative Update Report:  
Links to Bill & Regulatory Texts  
(as of October 1, 2018)

Bill Number/Version Date	Link to Bill Text
AB 1912 (Rodriguez), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1912">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1912</a>
AB 2050 (Caballero), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2050">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2050</a>
AB 2447 (Reyes), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2447">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2447</a>
AB 2501 (Chu), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2501">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2501</a>
SB 998 (Dodd), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB998">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB998</a>
SB 1215 (Hertzberg), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1215">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1215</a>

October 8, 2018

Prepared and

submitted by: C. Compton

Approved by: Paul A. Cook

## CONSENT CALENDAR

### ELECTION OF THE INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY 2019-2020 OFFICERS

#### SUMMARY:

Last month, the Independent Special Districts of Orange County (ISDOC) sought candidates to serve as the association's officers and on its Executive Committee for the 2019-2020 term. The deadline for candidate nominations was September 18, 2018. ISDOC received only one nomination for the offices of Second Vice President, Third Vice President and Treasurer, and no nominations for the office of Secretary. Pursuant to the ISDOC bylaws, the one candidate nominated for those offices will serve in those offices for the 2019-2020 term, and a decision on how to fill the office of Secretary will take place within the first 60 days of the 2019-2020 term. For the offices of President and First Vice President, ISDOC received multiple nominations and, as a result, has called an election for those offices. Each ISDOC Member District is entitled to participate in the election and ballots are due to ISDOC by October 23, 2018. Staff recommends that Board authorize staff to cast IRWD's ballot in favor of Saundra Jacobs (Santa Margarita Water District) for President and Mark Monin (El Toro Water District) for First Vice President no later than the October 23, 2018, deadline.

#### BACKGROUND:

ISDOC is a membership association of Orange County's 25 independent special districts. Its purpose is to advance the interests of Orange County special districts through advocacy of sound public policy, educational opportunities to enhance special district governance and services, and collaboration with others to elevate awareness of the role of special districts. ISDOC does not have any responsibility for the Orange County Special Districts Selection Committee, which is a separate and unrelated entity.

ISDOC has sought nomination of candidates interested in serving as ISDOC officers and on its Executive Committee for the 2019-2020 term. The ISDOC Executive Committee determines the direction and focus of ISDOC. The Executive Committee is comprised of the ISDOC President, First Vice President, Second Vice President, Third Vice President, Secretary, Treasurer and the Immediate Past President. The responsibilities of each office are as follows:

- *President:* The President is the chief executive officer of ISDOC. He or she presides at all meetings of the Board of Directors and the Executive Committee; appoints all committees; and represents ISDOC as its official spokesperson;
- *First Vice President:* The First Vice President chairs the Program Committee, and in the absence of the President, serves as the President;

- Second Vice President: The Second Vice President chairs the Membership Committee, and in the absence of the President and First Vice President, serves as the President;
- Third Vice President: The Third Vice President chairs the Legislative Committee, and in the absence of the President, First Vice President, and Second Vice President, serves as the President;
- Secretary: The Secretary is responsible for all correspondence and the dissemination of information to members. The Secretary prepares and distributes agendas and minutes for the Executive Committee meeting and edits and publishes the quarterly newsletter; and
- Treasurer: The Treasurer maintains ISDOC financial records and bank accounts; collects dues and other receipts; and pays all bills duly approved by the Executive Committee.

Candidates for 2019-2020 Terms of Office:

ISDOC received the following nominations for each office:

- *President:* Sandra Jacobs (Santa Margarita Water District)  
Michael Posey (Orange County Mosquito & Vector Control District)
- *1<sup>st</sup> Vice President:* Lucille Kring (Orange County Mosquito & Vector Control District)  
Mark Monin (El Toro Water District)
- *2<sup>nd</sup> Vice President:* Arlene Schafer (Costa Mesa Sanitary District)
- *3<sup>rd</sup> Vice President:* Mary Aileen Matheis (Irvine Ranch Water District)
- *Treasurer:* Joan Finnegan (Municipal Water District of Orange County)
- *Secretary:* None

ISDOC Election Process:

In accordance with the ISDOC bylaws, ISDOC holds an election every two years to elect its officers and Executive Committee members. If at the end of the nominating period only one candidate is nominated for an office, that candidate shall be deemed selected to serve in that office and on the Executive Committee for the next two-year term. This year, only one nomination was received for the Second Vice President, Third Vice President and Treasurer positions; therefore they are not on the ballot. Pursuant to the ISDOC bylaws, Arlene Schafer



from Costa Mesa Sanitary District, Mary Aileen Matheis from Irvine Ranch Water District and Joan Finnegan from Municipal Water District of Orange County will serve in the offices of Second Vice President, Third Vice President and Treasurer, respectively. With regard to the Secretary position, since there were no nominations, the ISDOC Executive Committee will either fill the vacancy by appointment or call for a special election within the first 60 days of the 2019-2020 term.

Since there were multiple nominations for the offices of President and First Vice President, ISDOC has called for election for those office and has mailed ballots. The ballot and candidate information mailed by ISDOC is attached as Exhibit "A". Additional correspondences received from the candidates is attached as Exhibit "B".

Ballots must be received by ISDOC no later than October 23, 2018, to be counted. Staff recommends that the Board authorize staff to cast IRWD's ballot in favor of Saundra Jacobs (Santa Margarita Water District) for President and Mark Monin (El Toro Water District) for First Vice President, and authorize the District to submit its ballot to ISDOC no later than the October 23, 2018, deadline.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on October 4, 2018.

RECOMMENDATION:

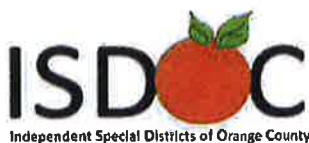
THAT THE BOARD AUTHORIZE STAFF TO CAST IRWD'S BALLOT IN FAVOR OF SAUNDRA JACOBS (SANTA MARGARITA WATER DISTRICT) FOR PRESIDENT AND MARK MONIN (EL TORO WATER DISTRICT) FOR FIRST VICE PRESIDENT AS OFFICERS OF THE INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY FOR THE 2019-2020 TERM NO LATER THAN THE OCTOBER 23, 2018, DEADLINE.

Consent Calendar: Election of the Independent Special Districts of Orange County 2019-2020  
Officers  
October 8, 2018  
Page 4

LIST OF EXHIBITS:

Exhibit "A" – ISDOC Ballot and Candidate Information  
Exhibit "B" – Additional Candidate Correspondences

EXHIBIT "A"



**Mailing Address**

P.O. Box 20895  
Fountain Valley, CA 92728

**Meeting Location**

MWDOC/OCWD  
18700 Ward Street  
Fountain Valley, CA 92708

(714) 963-3058  
(714) 964-5930 fax

[www.mwdoc.com/isdoc](http://www.mwdoc.com/isdoc)

**Executive Committee**

**President**

**Hon. James Fisler**  
*Mesa Water District*

**1<sup>st</sup> Vice President**

**Hon. Sandra Jacobs**  
*Santa Margarita Water District*

**2<sup>nd</sup> Vice President**

**Hon. Mark Monin**  
*El Toro Water District*

**3<sup>rd</sup> Vice President**

**Hon. Mary Aileen Matheis**  
*Irvine Ranch Water District*

**Secretary**

**Hon. Doug Davert**  
*East Orange County Water District*

**Treasurer**

**Hon. Joan C. Finnegan**  
*Municipal Water District of  
Orange County*

**Immediate Past President**

**Hon. Mike Scheafer**  
*Costa Mesa Sanitary District*

**Staff Administration**

**Heather Baez**

*Municipal Water District of Orange  
County*

**Sylvia Prado**

*East Orange County Water  
District*

September 21, 2018

**RE: Election of Independent Special Districts of Orange County (ISDOC) Officers**

Dear Member Districts,

The nomination period for Executive Committee officer positions closed on September 18<sup>th</sup>, 2018. At this time, ISDOC is conducting a vote of Regular Special District Members for the election of officers. This letter serves as official notice of the election.

The names of nominated candidates are printed on the ballot. Please vote for one candidate per seat.

The Executive Committee meets at 7:30 am on the first Tuesday of the month. Meetings are open to the public. Duties of Executive Committee members are contained in the ISDOC bylaws, which may be found at the ISDOC website - <http://www.mwdoc.com/ISDOC>.

Each Regular Member District in good standing shall be entitled to one vote. In accordance with current bylaws, the vote must be cast (signed) by the district's presiding officer or an alternate selected by the district board.

You may submit your ballot via mail or email to Heather Baez: P.O. Box 20895, Fountain Valley, CA 92728 (mail) or [hbaez@mwdoc.com](mailto:hbaez@mwdoc.com) (email). **Ballots must be received by 5:00 p.m. on Tuesday, October 23, 2018 in order to be counted. Even if positions are uncontested, it is important to submit a ballot since a quorum of voting members is required for the election of officers.**

The names of officers elected will be announced at the October 25th quarterly meeting.

If you have any questions or wish to discuss the election process further, please contact Heather Baez (MWDOC) at [hbaez@mwdoc.com](mailto:hbaez@mwdoc.com) or (714) 593-5012.

Sincerely,

James R. Fisler, President  
Independent Special Districts of Orange County

**Enclosed:** Ballot for ISDOC Election of Officers  
Candidates' Statements

# **INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY ELECTION OF OFFICERS**

The ISDOC Executive Committee consists of the President, First Vice President, Second Vice President, Third Vice President, Secretary, Treasurer and Immediate Past President. Officers are elected in October of even numbered years for two year terms. Please vote for one candidate per seat.

The ISDOC bylaws indicate, "At the end of the nominating period if only one candidate is nominated for a vacant seat, that candidate shall be deemed selected." This is the case for the Second Vice President, Third Vice President and Treasurer positions, therefore they are not on the ballot. Arlene Schafer from Costa Mesa Sanitary District, Mary Aileen Matheis from Irvine Ranch Water District and Joan Finnegan from Municipal Water District of Orange County, respectfully, have been selected to these seats. As there were no nominations for the Secretary position, the ISDOC Executive Committee will either fill the vacancy by appointment or call for a special election within the first sixty days of 2019.

**Cast your Vote:** Please cast your vote for the remaining seats by placing an "X" on the line next to the individual for which you wish to vote in each position. If you are writing in a candidate, please include their district affiliation and position. **THE SIGNATURE PAGE IS ON THE REVERSE SIDE OF THE BALLOT. IT MUST BE SIGNED BY YOUR VOTING REPRESENTATIVE IN ORDER TO BE COUNTED.**

## **President**

\_\_\_\_\_ Sandra Jacobs, Vice President  
Santa Margarita Water District

\_\_\_\_\_ Michael Posey, Trustee  
Orange County Mosquito & Vector Control District

## **First Vice President (Programs)**

\_\_\_\_\_ Lucille Kring, President  
Orange County Mosquito & Vector Control District

\_\_\_\_\_ Mark Monin, Director  
El Toro Water District

-----  
\_\_\_\_\_  
DISTRICT NAME

\_\_\_\_\_  
SIGNATURE OF VOTING REPRESENTATIVE

**Ballots must be received no later than 5 p.m. October 23, 2018.**  
You may return your ballot by mail or email to:

Heather Baez  
P.O. Box 20895  
Fountain Valley, CA 92728  
**Attention: ISDOC Executive Committee Election**  
OR Email: [hbaez@mwdoc.com](mailto:hbaez@mwdoc.com)

**BOARD OF DIRECTORS**

JUSTIN McCUSKER      SAUNDRA F. JACOBS

BETTY H. OLSON, PH.D    CHARLEY WILSON

CHARLES GIBSON

DANIEL R. FERONS  
GENERAL MANAGER



## Santa Margarita Water District

August 28, 2018

Dear Colleagues:

I am delighted to announce my candidacy for President of the Independent Special Districts of Orange County ("ISDOC"). I am writing today to ask for your districts' support.

I have a deep and abiding commitment to the twenty-six Special Districts that competently and ably provide critical public services in our county. It has been my privilege to serve in ISDOC leadership during my 12 consecutive years on the ISDOC Board. I am currently the First Vice President and serve on the Executive Committee.

My passion for public service and the work of special districts comes from my 22 years on the Santa Margarita Water District ("SMWD") Board of Directors. While I have extensive experience in the water sector I also have a keen interest and awareness of the needs and requirements for success of all special districts—from library and vector control to water, sewer, and other community services. I hope that I have adequately demonstrated my willingness to provide leadership in organization, advocacy, and communication to benefit and nurture special districts of every stripe.

ISDOC is an important association of agencies providing important services associated with LAFCO and CSDA. We need the continued leadership of all individuals who have a demonstrated commitment to serving the public, a strong sense of responsibility for the protection of the value that special districts provide, and a vision to plan for the future of the organization here in Orange County. It would be my honor to serve you and our organization as President and I humbly ask for your vote and support. If you or your colleagues have questions about my candidacy I hope you will contact me at 949/702-1145 or at [saundraj@smwd.com](mailto:saundraj@smwd.com).

Sincerely,

  
Sandra F. Jacobs  
SMWD Board Member  
First VP, ISDOC

# Michael Posey

708 Main St. • Huntington Beach, CA 92648 • Phone: 714-412-0174  
E-Mail: mikeposcy@earthlink.net



Date: September 17, 2018

Independent Special Districts of Orange County  
18700 Ward St.  
Fountain Valley, CA 92708

Dear Selection Committee

I am writing to you today to express my keen interest in serving as President of ISDOC. I was nominated to apply and voted unanimously by my peers at Orange County Mosquito and Vector Control where I serve on the Board of Trustees as well serve as the Chair for the Budget and Finance Committee.

Until year-end, I also serve as Mayor for the City of Huntington Beach voted in unanimously by my City Council colleagues in December 2017 for a one-year term. First elected to the City Council in 2014 I am finishing my first term and running for re-election for a second term. Prior to my election to City Council, I served as a Planning Commissioner.

Other County-wide service includes Commissioner for Orange County Parks. I was nominated to serve by Orange County Supervisor, Michelle Steel with my nomination confirmed unanimously by the entire Board. I also serve as Chair of the West Orange County Water District and an alternate on Sanitation District.

Committees served at the City of Huntington Beach include Chair of Economic Development Committee, Chair of Intergovernmental Relations, Personnel Committee, Special events and many others.

Non-Governmental service with the Association of California Cities include, Co-Chair of the Jobs and Economic Development Committee and member of the Legislative Affairs Committee. I also serve on the Governmental Affairs Committee for the Huntington Beach Chamber of Commerce.

Lastly, I am on the Board of SCAG, OCCOG and serve as the alternate voting member of the RHNA Committee for SCAG.

I respectfully ask that nomination be considered: I have the demonstrated leadership, organizational and relationship building skills to well serve ISDOC and its members.

Sincerely,

Michael Posey

**BOARD OFFICERS FOR 2018**  
**PRESIDENT**  
LUCILLE KRING  
**VICE-PRESIDENT**  
CHERYL BROTHERS  
**SECRETARY**  
SHARI L. HORNE

**DISTRICT MANAGER**  
RICHARD HOWARD  
**CLERK OF THE BOARD**  
TAWNIA E. PETT



13001 GARDEN GROVE BOULEVARD  
GARDEN GROVE, CA 92843-2102  
PHONES: (714) 971-2421  
(949) 654-2421  
FAX: (714) 971-3940  
ocvcd@ocvcd.org  
ocvector.org  
facebook.com/ocvectorcontrol  
twitter.com/ocvector

**BOARD OF TRUSTEES - 2018**

**ALISO VIEJO**  
PHILLIP B. TSUNODA  
**ANAHEIM**  
LUCILLE KRING  
**BREA**  
CECILIA HUPP  
**BUENA PARK**  
MICHAEL DAVIS  
**COSTA MESA**  
SANDRA GENIS  
**CYPRESS**  
PAULO MORALES  
**DANA POINT**  
RICHARD VICZOREK  
**FOUNTAIN VALLEY**  
CHERYL BROTHERS  
**FULLERTON**  
JENNIFER FITZGERALD  
**GARDEN GROVE**  
STEPHANIE KLOPFENSTEIN  
**HUNTINGTON BEACH**  
MIKE POSEY  
**IRVINE**  
LYNN SCHOTT  
**LA HABRA**  
JAMES GOMEZ  
**LA PALMA**  
MARSHALL GOODMAN  
**LAGUNA BEACH**  
ROB ZUR SCHMIEDE  
**LAGUNA HILLS**  
LARRY WOODRUFF  
**LAGUNA NIGUEL**  
JOHN MARK JENNINGS  
**LAGUNA WOODS**  
SHARI L. HORNE  
**LAKE FOREST**  
ROBERT HOLTZCLAW  
**LOS ALAMITOS**  
MARK CHIRCO  
**MISSION VIEJO**  
ROBERT RUESCH  
**NEWPORT BEACH**  
SCOTT PEOTTER  
**ORANGE**  
MICHAEL ALVAREZ  
**PLACENTIA**  
CRAIG GREEN  
**RANCHO SANTA MARGARITA**  
APRIL JOSEPHSON  
**SAN CLEMENTE**  
MICHELLE SCHUMACHER  
**SAN JUAN CAPISTRANO**  
PAM PATTERSON  
**SANTA ANA**  
CECILIA AGUINAGA  
**SEAL BEACH**  
SANDRA MASSA-LAVITT  
**STANTON**  
AL ETHANS  
**TUSTIN**  
LETITIA CLARK  
**VILLA PARK**  
BILL NELSON  
**WESTMINSTER**  
SERGIO CONTRERAS  
**YORBA LINDA**  
PEGGY HUANG  
**COUNTY OF ORANGE**  
LILLY SIMMERING

September 17, 2018

My name is Lucille Kring, council woman in Anaheim for 14 years.

I am running for 1<sup>st</sup> Vice President of ISDOC. This organization is needed to serve the community of Orange County. It does a great job and needs to be protected.

I have served on the Orange County Sanitation District board for over 4 years.

I served on the Transportation Corridor Agencies board for over 8 years.

I am currently the president of the Orange County Mosquito and Vector Control board and have served for over 11 years, twice as President.

I believe my background on these boards and council has prepared me to be a part of ISDOC.

Thank you for your consideration,

Lucille Kring

*"An Independent Special District Serving Orange County Since 1947"*

The mission of the Orange County Mosquito and Vector Control District is to provide the citizens of Orange County with the highest level of protection from vectors and vector-borne diseases.



# El Toro Water District

"A District of Distinction"

Serving the Public - Respecting the Environment

September 4, 2018

**RECEIVED**

MWDOC  
Attention: Brett Barber  
18700 Ward Street  
Fountain Valley, CA 92708

SEP 07 2018

MWD OF OC

**Re: Mark Monin for ISDOC 1<sup>st</sup> Vice President**

Dear Mr. Barber,

I would be honored to serve as 1st Vice President for the Independent Special Districts of Orange County and would love to speak with your District. I am a Director on the El Toro Water District Board and Vice Chairman / Commissioner of the Orange County Airport Land Use Commission. I was also a PCF Fire Fighter with the Orange County Fire Authority. I have proven to be a fiscally responsible individual with a "think out of the box mentality" and I look forward to working with the other ISDOC Board members to achieve greatness. I love Orange County and want to work hard here and in Sacramento to help Special Districts progress into the future.

Since first becoming involved with ISDOC I have been attending the Executive Committee meetings on a regular basis which is important because I know the issues that have affected ISDOC in the past and what is important to propel this fine organization in the future.

My qualifications for this position include:

- > EXPERIENCED LEADER
- > COMMITTED TO SPECIAL DISTRICTS
- > FISCALLY RESPONSIBLE
- > DEDICATED

As you know ISDOC is a membership association that was formed more than 30 years ago to serve the needs of Orange County's Independent special districts. I want to build on that fine tradition, work hard with others to achieve a higher degree of member satisfaction and make ISDOC even stronger. I feel we can do more with the membership, continue to provide valuable information and presentations on issues that affect your district which can help you with important discussions in the future.

I am very active in Orange County and my community. Please see the accompanying resume outlining my experience and education. I would love to hear your thoughts on how we can make ISDOC even better and please contact me with your input, ideas or questions on my experience or platform. I can be reached at (949) 939-6612 or [markmonin@msn.com](mailto:markmonin@msn.com).

Sincerely,

EL TORO WATER DISTRICT

Mark Monin, Director



## EXHIBIT "B"

### BOARD OF DIRECTORS

JUSTIN McCUSKER SAUNDRA F. JACOBS

BETTY H. OLSON, PH.D CHARLEY WILSON

CHARLES GIBSON

DANIEL R. FERONS  
GENERAL MANAGER



## Santa Margarita Water District

August 22, 2018

Board of Directors  
Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618

Re: Santa Margarita Water District Resolution in Support of Director Sandra F. Jacobs Nomination for President of the Independent Special Districts of Orange County

Dear President and Members of the Board:

*Doug*

I am delighted to announce my candidacy for **President** of the Independent Special Districts of Orange County ("ISDOC"). I am writing today to ask for your districts' support.

I have a deep and abiding commitment to the twenty-six Special Districts that competently and ably provide critical public services in our county. It has been my privilege to serve in ISDOC leadership during my 12 consecutive years on the ISDOC Board. I am currently the First Vice President and serve on the Executive Committee.

My passion for public service and the work of special districts comes from my 22 years on the Santa Margarita Water District ("SMWD") Board of Directors. While I have extensive experience in the water sector I also have a keen interest and awareness of the needs and requirements for success of all special districts—from library and vector control to water, sewer, and other community services. I hope that I have adequately demonstrated my willingness to provide leadership in organization, advocacy, and communication to benefit and nurture special districts of every stripe.

ISDOC is an important association of agencies providing important services associated with LAFCO and CSDA. We need the continued leadership of all individuals who have a demonstrated commitment to serving the public, a strong sense of responsibility for the protection of the value that special districts provide, and a vision to plan for the future of the organization here in Orange County. It would be my honor to serve you and our organization as President and I humbly ask for your vote and support. If you or your colleagues have questions about my candidacy I hope you will contact me at 949/702-1145 or at [saundraj@smwd.com](mailto:saundraj@smwd.com).

Sincerely,

*Sandra*

Sandra F. Jacobs  
SMWD Board Member  
First VP, ISDOC



# El Toro Water District

"A District of Distinction"

Serving the Public - Respecting the Environment

---

September 4, 2018

Irvine Ranch Water District  
Attention: Peer Swan  
15600 Sand Canyon Ave.  
Irvine, CA 92618

**Re: Mark Monin for ISDOC 1<sup>st</sup> Vice President**

Dear Mr. Swan,

I would be honored to serve as 1st Vice President for the Independent Special Districts of Orange County and would love to speak with your District. I am a Director on the El Toro Water District Board and Vice Chairman / Commissioner of the Orange County Airport Land Use Commission. I was also a PCF Fire Fighter with the Orange County Fire Authority. I have proven to be a fiscally responsible individual with a "think out of the box mentality" and I look forward to working with the other ISDOC Board members to achieve greatness. I love Orange County and want to work hard here and in Sacramento to help Special Districts progress into the future.

Since first becoming involved with ISDOC I have been attending the Executive Committee meetings on a regular basis which is important because I know the issues that have affected ISDOC in the past and what is important to propel this fine organization in the future.

My qualifications for this position include:

- > EXPERIENCED LEADER
- > COMMITTED TO SPECIAL DISTRICTS
- > FISCALLY RESPONSIBLE
- > DEDICATED

As you know ISDOC is a membership association that was formed more than 30 years ago to serve the needs of Orange County's independent special districts, I want to build on that fine tradition, work hard with others to achieve a higher degree of member satisfaction and make ISDOC even stronger. I feel we can do more with the membership, continue to provide valuable information and presentations on issues that affect your district which can help you with important discussions in the future.

I am very active in Orange County and my community. Please see the accompanying resume outlining my experience and education. I would love to hear your thoughts on how we can make ISDOC even better and please contact me with your input, ideas or questions on my experience or platform. I can be reached at (949) 939-6612 or [markmonin@msn.com](mailto:markmonin@msn.com).

Sincerely,


EL TORO WATER DISTRICT

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Mark Monin, Director

October 8, 2018

Prepared by: H. Cho/M. Cortez

Submitted by: K. Burton 

Approved by: Paul A. Cook 

## CONSENT CALENDAR

### NEWPORT COAST ZONE 4-2 PRESSURE REGULATING VALVE MODIFICATION CONSTRUCTION AWARD

#### SUMMARY:

The Newport Coast Zone 4-2 Pressure Regulating Valve (PRV) Modification will modify the existing PRV station located on Newport Coast Drive, approximately mid-way between Pelican Hill Road South and Pelican Hill Road North, to serve as a secondary water source for the Coastal Zone 2 Reservoir. Staff recommends that the Board:

- Authorize a budget increase for Project 05410 in the amount of \$41,400, from \$187,100 to \$228,500; and
- Authorize the General Manager to execute a construction contract with Leed Electric, Inc. in the amount of \$129,208 for the Newport Coast Zone 4-2 PRV Modification.

#### BACKGROUND:

The Coastal Zone 2 Reservoir was built in 1990, but was removed from service because the development and demand in the area were not sufficient to cycle the reservoir and maintain water quality. With the reservoir offline, Coastal Zone 2 was supplied by the Zone 3R-2 PRV located on Pelican Hill Road South and the Zone 4-2 PRV in Newport Coast Drive. By June 2012, demand driven by ongoing development of the area was sufficient to return the reservoir into operation, and the Zone 3R-2 PRV on Pelican Hill Road South was modified to fill the reservoir. This project will modify the Zone 4-2 PRV located on Newport Coast Drive to fill the reservoir as a second source of supply. The project site is shown in Exhibit "A".

#### Construction Award:

The District's design consultant, Psomas, completed the design in August 2018. Since nearly all the proposed improvements are electrical, the project was advertised to a select bidders list of six electrical contractors: Beard Electric, Halcyon Electric, Johnson-Peltier, Leed Electric, Morrow-Meadows Corporation and Hydrotech Electric. The bid opening was held on September 18, 2018, and only one bid was received from Leed Electric, Inc. in the amount of \$129,208; the engineer's estimate was \$106,500. As an electrical subcontractor, Leed Electric has worked on several District projects, including the East Orange County Water District Interconnection, which was a similar PRV project. The bid summary is attached as Exhibit "B".

The receipt of only one bid on this project may be attributed to several reasons: 1) The PRV vault is a permit-required confined space with access via a manhole located in Newport Coast Drive, requiring workers entering the vault to wear a safety harness that is attached to a tripod located on the street surface. A standby person will be positioned at the tripod, ready to retrieve an entering worker in an emergency scenario; 2) the work hours of 9 a.m. to 3 p.m., as required by the City of Newport Beach, coupled with the requirement that vault-entering workers wear

safety harnesses, will be restrictive to construction activities and production; and 3) the PRV vault is located in the slow northbound lane of Newport Coast Drive and since electrical contractors on District projects do not typically work within the street right of way, they may be disinclined to retain a subcontractor for traffic control. Since the low bid is reasonable and the contractor has proven past experience on District projects, staff recommends awarding the construction contract to Leed Electric, Inc.

FISCAL IMPACTS:

Project 05410 is included in the FY 2018-19 Capital Budget. A budget increase is required to fund the construction and engineering support services for the project as shown in the table below.

Project No.	Current Budget	Addition <Reduction>	Total Budget
05410	\$187,100	\$41,400	\$228,500

ENVIRONMENTAL COMPLIANCE:

This project is subject to the California Environmental Quality Act (CEQA) and in conformance with California Code of Regulations Title 14, Chapter 3, Article 7, Section 15301, which provides exemption for the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. A Notice of Exemption was filed with the Orange County Clerk Recorder on June 12, 2018.

COMMITTEE STATUS:

Construction awards are not routinely taken to Committee prior to submittal to the Board.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE A BUDGET INCREASE IN THE AMOUNT OF \$41,400, FROM \$187,100 TO \$228,500, FOR PROJECT 05410; AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH LEED ELECTRIC, INC. IN THE AMOUNT OF \$129,208 FOR THE NEWPORT COAST ZONE 4-2 PRV MODIFICATION, PROJECT 05410.

LIST OF EXHIBITS:

- Exhibit "A" – Project Site Map
- Exhibit "B" – Bid Summary

# EXHIBIT "A"



## EXHIBIT "B"

Bid Opening: Tuesday,  
September 18, 2018 @ 2:00 p.m.

Irvine Ranch Water District Bid Summary  
For  
Newport Coast Zone 4-2 PRV Modification  
PR 05410, Code 7296

Entered By: L. Gates

				Engineer's Estimate		1 Leed Electric, Inc. Santa Fe Springs, CA	
Item No.	Description	Qty	Unit	Unit	Total	Unit	Total
				Price	Amount	Price	Amount
1	Mobilization, Demobilization, and Cleanup	1	LS	\$9,500.00	\$9,500.00	\$4,500.00	\$4,500.00
2	Project Construction Sign, Safety Measures including Confined Space Entry, and Verification of Utility Locations, Field Dimensions, and Existing Electrical Work	1	LS	\$9,500.00	\$9,500.00	\$2,000.00	\$2,000.00
3	Traffic Control	1	LS	\$20,000.00	\$20,000.00	\$21,950.00	\$21,950.00
4	<u>PRV Modifications</u> : Removal of existing surge relief pilots; cost and installation of Cla-Val 131-DV Kit to convert existing downstream PRV to a Flow Control Valve; cost and installation of Cla-Val VC-22D "Panel Mount" Controller; cost and installation of Cla-Val x144D Insertion e-Flow Meter. Valve conversions to be performed by Cla-Val service representative at Contractor's expense.	1	LS	\$15,000.00	\$15,000.00	\$16,702.00	\$16,702.00
5	<u>Electrical Improvements</u> : Lighting; receptacle; enclosure; conduit; wiring; PLC panel mods; demolition; pressure switch and float; three (3) pressure gauge and transmitter assemblies; and general conditions.	1	LS	\$45,000.00	\$45,000.00	\$80,031.00	\$80,031.00
6	<u>Vault Sump Pit and Drain Cleaning</u> : Cleaning of existing vault drain pit and associated 4-inch drain, removal and disposal of debris.	1	LS	\$1,500.00	\$1,500.00	\$1,475.00	\$1,475.00
7	Startup and Testing	1	LS	\$5,000.00	\$5,000.00	\$1,550.00	\$1,550.00
8	As-Builts, O&M Manuals, and Warranties	1	LS	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
Subtotal				\$106,500.00		\$129,208.00	
Adjustment (+ or -)				\$0.00		\$0.00	
<b>TOTAL AMOUNT OF BID</b>				<b>\$106,500.00</b>		<b>\$129,208.00</b>	
<b>Notes:</b>				<b>Subcontractors:</b>			
				N/A			

October 8, 2018

Prepared by: H. Cho/M. Cortez

Submitted by: K. Burton *KLB*

Approved by: Paul A. Cook *[Signature]*

## CONSENT CALENDAR

### ROCKFIELD ZONE 4-3 AUTOMATED VALVE CONSTRUCTION AWARD

#### SUMMARY:

The Rockfield Zone 4-3 Automated Valve project will install a pressure regulating valve (PRV) and flow meter in an existing vault located on Rockfield Boulevard in Irvine to automate the delivery of water from Lake Forest Zone 4 to Irvine Zone 3. Staff recommends that the Board:

- Authorize a budget increase for Project 07750 in the amount of \$409,400, from \$187,100 to \$596,500; and
- Authorize the General Manager to execute a construction contract with Paulus Engineering, Inc. in the amount of \$361,196 for the Rockfield Zone 4-3 Automated Valve.

#### BACKGROUND:

The District receives 6.8 million gallons per day (MGD) of water from the Baker Water Treatment Plant. In the summer months, there is sufficient demand in the Lake Forest service area to use 6.8 MGD. During winter months the demand in the Lake Forest area falls below 6.8 MGD and water from the Baker Water Treatment Plant is wheeled from Lake Forest Zone 4 to Irvine Zone 3 system through a manually operated valve located on Rockfield Boulevard northwest of Lake Forest Drive. The Rockfield Zone 4-3 Automated Valve project will install an automated PRV valve and flow meter in an existing vault located adjacent to the existing manual valve. The project site is shown in Exhibit "A".

#### Construction Award:

In August, the District's design consultant, CivilSource/NV5, completed the design and the project was advertised for construction bidding to a select bidders list of 14 contractors. The bid opening was held on September 25, 2018 with four contractors submitting bids. The apparent low bidder was Paulus Engineering, Inc. with a bid of \$361,196; the other three bids were between \$429,510 and \$452,890. The bid summary is attached as Exhibit "B". The engineer's estimate was low at \$279,000 and did not appropriately reflect the City of Irvine's restrictive work hours of 9 a.m. to 3 p.m. The project will take approximately one month to construct. Based on the contractor's proven experience on previous District projects, staff recommends awarding the construction contract to Paulus Engineering, Inc.

#### FISCAL IMPACTS:

Project 07750 is included in the FY 2018-19 Capital Budget. A budget increase is required to fund the construction and engineering support services for the project as shown in the following table.

Project No.	Current Budget	Addition <Reduction>	Total Budget
07750	\$187,100	\$409,400	\$596,500

ENVIRONMENTAL COMPLIANCE:

This project is subject to the California Environmental Quality Act (CEQA) and in conformance with the California Code of Regulations Title 14, Chapter 3, Article 7, Section 15301, which provides exemption for the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. A Notice of Exemption was filed with the Orange County Clerk-Recorder on December 12, 2017.

COMMITTEE STATUS:

Construction awards are not routinely taken to Committee prior to submittal to the Board.

RECOMMENDATION:

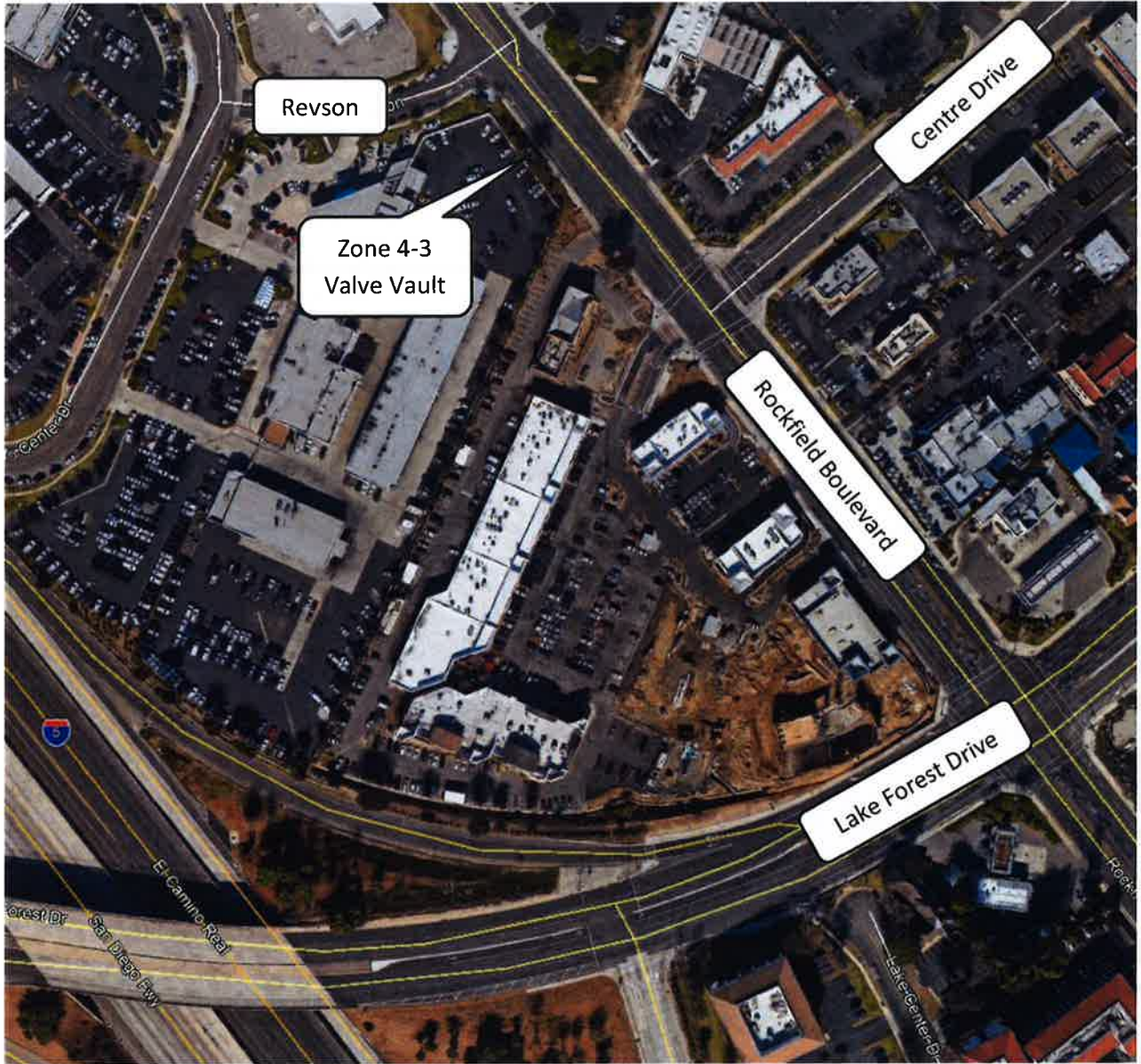
THAT THE BOARD AUTHORIZE A BUDGET INCREASE IN THE AMOUNT OF \$409,400, FROM \$187,100 TO \$596,500, FOR PROJECT 07750 AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH PAULUS ENGINEERING, INC. IN THE AMOUNT OF \$361,196 FOR THE ROCKFIELD ZONE 4-3 AUTOMATED VALVE, PROJECT 07750.

LIST OF EXHIBITS:

- Exhibit "A" – Project Site Map
- Exhibit "B" – Bid Summary



EXHIBIT "A"



# EXHIBIT "B"

Bid Opening: Tuesday, September 25, 2018 @ 2:00 p.m.

Irvine Ranch Water District Bid Summary  
For  
Rockfield Zone 4 to 3 Automated Valve  
PR 07750, Code 7075

Entered By: L. Gates

Item No.	Description	Qty	Unit	Engineer's Estimate		1 Paulus Engineering, Inc. Anaheim, CA		2 L&S Construction, Inc. Orange, CA		3 GCI Construction, Inc. San Clemente, CA		4 T.E. Roberts, Inc. Orange, CA	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	Mobilization, Demobilization, and Cleanup	1	LS	\$12,500.00	\$12,500.00	\$14,437.00	\$14,437.00	\$21,000.00	\$21,000.00	\$50,000.00	\$50,000.00	\$27,500.00	\$27,500.00
2	Traffic Control for Construction Work Areas	1	LS	\$5,000.00	\$5,000.00	\$7,172.00	\$7,172.00	\$11,500.00	\$11,500.00	\$12,000.00	\$12,000.00	\$8,400.00	\$8,400.00
3	Remove and replace existing piping inside the vault and provide and install flow meter and flow control and pressure reducing valve per plans and specifications.	1	LS	\$24,000.00	\$24,000.00	\$92,698.00	\$92,698.00	\$60,000.00	\$60,000.00	\$61,000.00	\$61,000.00	\$59,600.00	\$59,600.00
4	Remove by-pass line risers, risers valves, and stems and valve box, D.I. piping and provide and install new D.I. pipe and one (1) Butterfly valve per plans and specifications complete and in place.	1	LS	\$38,000.00	\$38,000.00	\$14,327.00	\$14,327.00	\$50,000.00	\$50,000.00	\$36,000.00	\$36,000.00	\$28,600.00	\$28,600.00
5	Construct all other improvements inside the valve vaults as shown on plans and specified in specifications.	1	LS	\$37,000.00	\$37,000.00	\$13,491.00	\$13,491.00	\$30,000.00	\$30,000.00	\$60,000.00	\$60,000.00	\$48,000.00	\$48,000.00
6	Construct concrete slab, housekeeping pad, and CMU retaining wall per plans and specifications, complete and in place.	1	LS	\$14,000.00	\$14,000.00	\$21,004.00	\$21,004.00	\$15,000.00	\$15,000.00	\$35,000.00	\$35,000.00	\$28,000.00	\$28,000.00
7	All Electrical work required to provide power to pressure reducing vault as shown on plans and specifications.	1	LS	\$82,000.00	\$82,000.00	\$35,603.00	\$35,603.00	\$45,000.00	\$45,000.00	\$36,000.00	\$36,000.00	\$43,000.00	\$43,000.00
8	Install AC pavement base course and AC pavement (surface course) where excavated for electrical conduit installation or construction of piping and vault	70	SF	\$20.00	\$1,400.00	\$42.00	\$2,940.00	\$55.00	\$3,850.00	\$125.00	\$8,750.00	\$152.00	\$10,640.00
9	Cold Mill (Grind) existing pavement (2" thick) and install pavement cap	870	SF	\$0.50	\$435.00	\$12.00	\$10,440.00	\$18.00	\$15,660.00	\$23.00	\$20,010.00	\$14.00	\$12,180.00
10	Replace in kind damaged curb and gutter to the nearest joint per specifications and City of Irvine Standards	80	LF	\$75.00	\$6,000.00	\$43.00	\$3,440.00	\$50.00	\$4,000.00	\$200.00	\$16,000.00	\$85.00	\$6,800.00
11	Replace in kind damaged sidewalk to the nearest joint per specifications and City of Irvine Standards	160	SF	\$15.00	\$2,400.00	\$23.00	\$3,680.00	\$25.00	\$4,000.00	\$75.00	\$12,000.00	\$22.00	\$3,520.00
12	All control work required to provide connection to SCADA system as shown on plans and specifications.	1	LS	\$50,000.00	\$50,000.00	\$125,437.00	\$125,437.00	\$17,000.00	\$17,000.00	\$75,000.00	\$75,000.00	\$165,000.00	\$165,000.00
13	Startup & Testing	1	LS	\$5,000.00	\$5,000.00	\$6,027.00	\$6,027.00	\$150,000.00	\$150,000.00	\$6,000.00	\$6,000.00	\$10,900.00	\$10,900.00
14	Preparations of Record Drawings	1	LS	\$2,000.00	\$2,000.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00	\$750.00	\$750.00
	Subtotal				\$279,735.00		\$351,196.00		\$429,510.00		\$429,760.00		\$452,890.00
	Adjustment (+ or -)				\$0.00		\$10,000.00		\$0.00		\$0.00		\$0.00
	<b>TOTAL AMOUNT OF BID</b>				<b>\$279,735.00</b>		<b>\$361,196.00</b>		<b>\$429,510.00</b>		<b>\$429,760.00</b>		<b>\$452,890.00</b>
					<b>Item</b>		<b>Manufacturers:</b>		<b>Manufacturers:</b>		<b>Manufacturers:</b>		<b>Manufacturers:</b>
					Control Valve		Cla-Val		Cla-Val		Cla-Val		Cla-Val
							<b>Subcontractors:</b>		<b>Subcontractors:</b>		<b>Subcontractors:</b>		<b>Subcontractors:</b>
							Electrical - Hydrotech Electric, Inc.		Electrical - Beard Electric		Electrical - Hydrotech Electric, Inc.		Electrical - Beard Electric
							Concrete Work - CMB Structures, Inc.		Asphalt - Hardy & Harper				CMU Wall - CMB Structures, Inc.
							Grind & Cap - All American Asphalt						

October 8, 2018

Prepared by: J. McGehee/R. Mori

Submitted by: K. Burton *K.B.*

Approved by: Paul A. Cook *P. Cook*

## ACTION CALENDAR

### IRVINE INDUSTRIAL COMPLEX EAST ZONE A TO B PUMP STATION UPGRADES CONSULTANT SELECTION AND CONSTRUCTION AWARD

#### SUMMARY:

The Irvine Industrial Complex (IIC) East Zone A to B Booster Pump Station (BPS) Upgrades project includes installation of a new pump and construction of miscellaneous electrical and mechanical upgrades at the existing pump station. Staff recommends that the Board:

- Authorize the General Manager to execute a Professional Services Agreement in the amount of \$133,750 with Lee & Ro, Inc. for engineering support services during construction; and
- Authorize the General Manager to execute a construction contract with RC Foster Corporation in the amount of \$1,471,500 for the IIC East Zone A to B Pump Station Upgrades project.

#### BACKGROUND:

The Recycled Water Distribution System Analysis, prepared by Stantec in March 2016, describes how IRWD's non-potable water distribution system has undergone significant changes in operations, demands, and facility planning over the past several years. The most significant changes to the demands and operation are anticipated within the recycled water system, specifically the Zone B and Zone C pressure zones north of the I-5 freeway.

The existing IIC East Zone A to B BPS, which was constructed in 1990 and is located near the intersection of Irvine Center Drive and Odyssey as shown on Exhibit "A", currently supplies the East Irvine and Quail Hill Zone B service areas. As neighborhood development construction progresses, the pump station will also supply the Great Park Neighborhoods and Northwood Zone B service areas. To accommodate the additional system demands, the pump station capacity needs to be increased.

The project will increase the overall pump station capacity through the installation of an additional pump. During the design phase, staff identified the need for additional improvements at the pump station to replace equipment that has reached the end of its service life. These improvements include replacement of the pump station control panel, motor control center including two new variable frequency drives, and four existing pump motors. With the addition of the new pump, the site electrical service will also be replaced to accommodate the increased electrical load at the facility.

#### Consultant Selection:

Lee & Ro performed all elements of the project design including civil, mechanical, structural, electrical, and instrumentation. Staff requested Lee & Ro to submit a proposal for engineering

support services during construction. The proposal, which is attached as Exhibit "B", includes services for submittal reviews, responses to contractor questions, site visits, record drawings, energy control procedures, and construction coordination and engineering support commensurate with the requirements of the project.

Staff reviewed Lee & Ro's proposal and recommends that the Board authorize the General Manager to execute a Professional Services Agreement with Lee & Ro in the amount of \$133,750 for engineering support services during construction.

Construction Award:

The project was advertised for construction bids on August 28, 2018 to a select list of 12 contractors including ARB, Archer Western Contractors, Cushman Contracting Corporation, Gateway Pacific Contractors, GSE Construction Company, Olsson Construction, Pacific Hydrotech Corporation, Pascal & Ludwig Constructors, RC Foster Corporation, Schuler Constructors, SS Mechanical Corporation, and Stanek Constructors.

The bid opening was held on September 27, 2018 with bids received from Gateway Pacific Contractors, Pacific Hydrotech Corporation, Pascal & Ludwig Constructors, and RC Foster Corporation. RC Foster Corporation is the apparent low bidder with a bid amount of \$1,471,500. The remaining bids ranged from \$1,486,900 to \$1,592,000. The engineer's estimate, prepared by Lee & Ro, was \$1,602,000. The bid summary is attached as Exhibit "C".

Staff reviewed RC Foster Corporation's bid and has determined that it is responsive. Staff recommends that the Board authorize the General Manager to execute a construction contract with RC Foster Corporation in the amount of \$1,471,500.

FISCAL IMPACTS:

The IIC East Zone A to B BPS Upgrades project is included in the FY 2018-19 Capital Budget and will be funded 90% through replacement funds and 10% through regional recycled water funds. The existing budgets are sufficient to fund staff's recommendations.

ENVIRONMENTAL COMPLIANCE:

This project is exempt from the California Environmental Quality Act (CEQA) as authorized under the California Code of Regulations, Title 14, Chapter 3, Section 15301 which provides exemption for minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination, and Section 15303 which provides exclusion for new, small facilities or structures with new small equipment within the facility. A Notice of Exemption for the project was filed with the County of Orange on August 4, 2017.

COMMITTEE STATUS:

The consultant selection recommendation was reviewed by the Engineering and Operations Committee on September 18, 2018. Construction Awards are not routinely taken to Committee prior to submittal to the Board.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH LEE & RO, INC. IN THE AMOUNT OF \$133,750 FOR ENGINEERING SUPPORT SERVICES DURING CONSTRUCTION; AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH RC FOSTER CORPORATION IN THE AMOUNT OF \$1,471,500 FOR THE IRVINE INDUSTRIAL COMPLEX EAST ZONE A TO B PUMP STATION UPGRADES, PROJECT 06198.

LIST OF EXHIBITS:

- Exhibit "A" – Location Map
- Exhibit "B" – Lee & Ro's Scope of Work and Fee
- Exhibit "C" – Bid Summary

EXHIBIT "A"  
LOCATION MAP

IIC EAST BOOSTER PUMP STATION UPGRADES PROJECT





July 20, 2018

Joe McGehee, P.E.  
IRVINE RANCH WATER DISTRICT  
15600 Sand Canyon Avenue  
Irvine, CA 92618

**Subject: Construction Support Service Fee Proposal for the IIC East Zone A to B Recycled Water Pump Station Upgrades (Rev.1)**

Dear Mr. McGehee:

LEE & RO presents the following proposal for Construction Support service for IIC East Zone A to B Recycled Water Pump Station Upgrades.

**Task 1: Construction Administration Assistance**

LEE & RO will provide office engineering, consultation, and will coordinate with IRWD and other staff in management of the construction contract. Typical work under this task includes:

- 1.1 Project Meetings:** Attend construction meetings as requested. Assume 10 meetings at 2 hours per meeting.
- 1.2 Site Visits:** Perform site visits as requested. Assume 3 site visits at 2 hours per visit.
- 1.3 Submittal Review:** LEE & RO will review Contractor's submittals, shop drawings, catalog data and other materials for complete and strict conformance with the contract documents. Contractor's proposed deviations or substitutions will be reviewed with IRWD staff prior to approval. Assume 75 submittals, including re-submittals with a four-hour review time each.
- 1.4 Request for Information (RFI):** LEE & RO will interpret the contract documents and respond to the Contractor's RFIs, including the preparation of supplementary sketches and details required to resolve construction issues. Assume 25 RFIs at 4 hours per RFI.
- 1.5 Minor Plan Revisions:** LEE & RO will revise the contract documents as needed and approved by IRWD.
- 1.6 Energy Control Procedure and Asset Management:** LEE & RO will prepare ECP's in accordance with California Occupational Safety and Health (Cal/OSHA) requirements for all equipment that may have potential energy on template forms provided by the District. We will also complete IRWD's Asset Management spreadsheet to inventory all of the new equipment for the project. We will submit a draft set of ECPs and Asset Management spreadsheet and finalize these documents after receipt of District review comments. Documents will be submitted in electronic format.
- 1.7 Additional Construction Coordination:** Additional construction coordination is intended to cover any items that don't fall specifically into the RFI or submittal

categories, such as answering general inquiries, coordination with the IRWD and the contractor, and other general engineering support as requested by IRWD.

### **Task 2: Post Construction Assistance**

Once received from IRWD, LEE & RO will update the existing electronic drawing files in AUTOCAD 2016 format and provide Record Drawings in an electronic format based on the Contractor's redlines and all recorded field changes.

### **Fee Estimate**

Our standard billing rates for this Construction Support Services shall apply and is included in Exhibit A. LEE & RO will provide the above services per the enclosed Exhibit B - Fee Breakdown for an amount of **\$133,750**.

Sincerely,



Eric Lovering, P.E.  
Principal Engineer  
San Diego Area Manager

Enclosures: Exhibits A and B



**FEE BREAKDOWN**  
**IRWD IIC East Zone A to B Recycled Water Pump Station Upgrades**

TASK NO.	ENGINEERING CLASSIFICATIONS: E8 Managing Eng, E7 Supervising Eng, E6 Principal Eng, E5 Senior Eng, E3 Associate Engineer, T4 Designer, T3 Associate Designer, A2 Word Processor II (See Billing Rate Schedule for Entire Labor Classifications).	LEE & RO Hours per Labor Category									Total Hours	Labor Cost	Other Direct Costs (ODCs)	TOTAL FEES	
		E8	E7	E6	E5	E4	E3	T4	T3	A2					
		Billing Rates (\$/Hour)													
	<b>PROJECT TASK DESCRIPTION</b>	\$240	\$217	\$196	\$178	\$162	\$145	\$128	\$112	\$112		1.00			
<b>1</b>	<b>Construction Administration Assistance</b>														
1.1	Project Meetings (Assume 10 meetings, 2 hrs per each meeting at IRWD)	25				50						75	\$14,100	\$1,200	\$15,300
1.2	Site Visits (Assume 3 site visits, 2 hrs per each site visit)	10				15						25	\$4,830	\$302	\$5,132
1.3	Submittal Review (Assume 75 submittals, 4 hrs per each submittal)	40	60	80		80	40					300	\$57,060		\$57,060
1.4	Request for Information (Assume 25 RFIs, 4 hrs per each RFI)	8	8	55		29						100	\$19,134		\$19,134
1.5	Minor Plan Revision			4		8		28				40	\$5,664		\$5,664
1.6	Energy Control Procedure and Asset Management	2		16		10						28	\$5,236		\$5,236
1.7	Additional Construction Coordination	20		40		45				10		115	\$21,050		\$21,050
	<b>SUBTOTAL TASK 1 - CONSTRUCTION ADMINISTRATION ASSISTANCE</b>	<b>105</b>	<b>68</b>	<b>195</b>	<b>0</b>	<b>237</b>	<b>40</b>	<b>28</b>	<b>0</b>	<b>10</b>	<b>683</b>	<b>\$127,074</b>	<b>\$1,502</b>	<b>\$128,576</b>	
<b>2</b>	<b>Post Construction Assistance</b>														
2.1	Record Drawing	2		4		4			26			36	\$4,824	\$350	\$5,174
	<b>SUBTOTAL TASK 2 - POST CONSTRUCTION ASSISTANCE</b>	<b>2</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>26</b>	<b>0</b>	<b>36</b>	<b>\$4,824</b>	<b>\$350</b>	<b>\$5,174</b>	
	<b>TOTAL NOT TO EXCEED</b>	<b>107</b>	<b>68</b>	<b>199</b>	<b>0</b>	<b>241</b>	<b>40</b>	<b>28</b>	<b>26</b>	<b>10</b>	<b>719</b>	<b>\$ 131,898</b>	<b>\$ 1,852</b>	<b>\$ 133,750</b>	

**Exhibit "C"**


Bid Opening: Thursday, September 27, 2018 @ 2:00 p.m.

Irvine Ranch Water District  
Bid Summary

Entered By: L. Gates

For  
IIC East Zone A to B Booster Pump Station Upgrades  
Project Number 06198

				Engineer's Estimate		1 R C Foster Corporation Corona, CA		2 Pacific Hydrotech Corporation Perris, CA		3 Gateway Pacific Contractors, Inc. Sacramento, CA		4 Pascal & Ludwig Constructors Sacramento, CA	
Item No.	Description	Qty	Unit	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
<b>Base Bid Items</b>													
1	Furnish all labor, materials, equipment, services and appurtenant work, except for items 2 through 7 listed below, for the construction of the IIC East Zone A to B Recycled Water Pump Station Upgrades Project	1	LS	\$1,450,000.00	\$1,450,000.00	\$1,393,000.00	\$1,393,000.00	\$1,380,400.00	\$1,380,400.00	\$1,381,092.00	\$1,381,092.00	\$1,477,000.00	\$1,477,000.00
2	Mobilization/Demobilization (not to exceed 4% of contract price)	1	LS	\$62,500.00	\$62,500.00	\$20,000.00	\$20,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$53,000.00	\$53,000.00
3	Payment and Performance Bonds, and Insurance	1	LS	\$33,000.00	\$33,000.00	\$35,000.00	\$35,000.00	\$32,000.00	\$32,000.00	\$60,000.00	\$60,000.00	\$25,000.00	\$25,000.00
4	Trench Safety Measures	1	LS	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$100.00	\$100.00	\$100.00	\$100.00	\$1,000.00	\$1,000.00
5	Start-up, Testing, and Training	1	LS	\$35,000.00	\$35,000.00	\$2,000.00	\$2,000.00	\$4,400.00	\$4,400.00	\$10,000.00	\$10,000.00	\$16,000.00	\$16,000.00
6	Operations and Maintenance Manuals	1	LS	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
7	Final Record Drawings	1	LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
<b>SUBTOTAL, Base Bid Items</b>					<b>\$1,602,000.00</b>		<b>\$1,471,500.00</b>		<b>\$1,486,900.00</b>		<b>\$1,521,192.00</b>		<b>\$1,592,000.00</b>
Adjustment (+ or -)					\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
<b>TOTAL AMOUNT OF BID</b>					<b>\$1,602,000.00</b>		<b>\$1,471,500.00</b>		<b>\$1,486,900.00</b>		<b>\$1,521,192.00</b>		<b>\$1,592,000.00</b>
						<b>Subcontractors:</b>		<b>Subcontractors:</b>		<b>Subcontractors:</b>		<b>Subcontractors:</b>	
						HVAC - Christian Brothers Mechanical Services, Inc.	HVAC - Airite Heating & Conditioning, Inc.	HVAC - Christian Brothers Mechanical Services, Inc.	HVAC - Christian Brothers Mechanical Services, Inc.	HVAC - Anderson Air Conditioning, L.P.			
						Paving - Hardy & Harper, Inc.	Paving - Wheeler Paving, Inc.	Paving - Hardy & Harper, Inc.	Paving - Hardy & Harper, Inc.	Paving - Hardy & Harper, Inc.			
						Electrical - Halcyon Electric, Inc.	Electrical - Halcyon Electric, Inc.	Electrical - Halcyon Electric, Inc.	Electrical - Halcyon Electric, Inc.	Electrical - Halcyon Electric, Inc.			
						Painting - MC Painting	Painting - MC Painting	Painting - MC Painting	Painting - MC Painting	Painting - MC Painting			

October 8, 2018  
Prepared by: K. Welch  
Submitted by: F. Sanchez / P. Weghorst  
Approved by: Paul A. Cook 

## ACTION CALENDAR

### AGREEMENT TO COST SHARE EARLY PLANNING ACTIVITIES FOR THE KERN FAN GROUNDWATER STORAGE PROJECT

#### SUMMARY:

In August 2017, IRWD and Rosedale-Rio Bravo Water Storage District (Rosedale) jointly submitted to the California Water Commission (CWC) a grant application for the proposed Kern Fan Groundwater Storage Project. In July 2018, the CWC conditionally awarded \$67.5 million to the project. In order to facilitate the design, construction and operation of the project, IRWD and Rosedale intend to form a Joint Powers Authority (JPA). While the JPA agreement is being developed, staff and legal counsel have prepared an agreement that would require IRWD and Rosedale to cost share early project planning activities. Staff recommends that the Board authorize the General Manager to execute the agreement, subject to substantive changes approved by the Supply Reliability Programs Committee.

#### BACKGROUND:

Proposition 1, also known as the Water Quality, Supply and Infrastructure Improvement Act of 2014, dedicated \$2.7 billion for investments in new water storage projects through the Water Storage Investment Program (WSIP). In August 2017, IRWD and Rosedale jointly submitted an application for the proposed Kern Fan Project with a request for \$86 million in WSIP grant funding. This amount equals 50% of the total estimated capital cost of the project. In July 2018, the CWC conditionally awarded \$67.5 million in grant funding to the Kern Fan Project.

In order to secure the funding from the CWC, certain project planning and feasibility related tasks need to be completed by January 2022. In anticipation of fulfilling these requirements and proceeding with the project, IRWD and Rosedale intend to form a JPA. The JPA would carry out functions necessary to implement the Kern Fan Project including land acquisition, environmental review, permitting, planning, design, construction and operations.

#### Cost Sharing Agreement for Early Planning Activities:

During the time that the JPA Agreement is being developed and executed, it would be mutually beneficial to initiate certain early planning activities related to the Kern Fan Project. Such early planning activities include property investigations, geophysical investigations, hydraulic evaluations and alignment studies for certain components of the project. Among other benefits, these early planning activities will help to define a stable and finite project description to facilitate preparation of environmental documentation for the project that is consistent with the California Environmental Quality Act. Staff and legal counsel have prepared the cost sharing agreement provided as Exhibit "A", which would require IRWD and Rosedale to share equally in the cost of early project planning activities. Staff recommends that the Board authorize the General Manager to execute the agreement, subject to non-substantive changes or substantive changes approved by the Supply Reliability Programs Committee.

FISCAL IMPACTS:

On August 27, 2018, the Board approved the addition of the Kern Fan Groundwater Storage Project, Project 10854, to the Fiscal Year 2018-19 Capital Budget with initial expenditures limited to \$5 million. The CWC will provide \$67.5 million in WSIP funding through a grant agreement. Rosedale and IRWD will split the costs for the balance of the project. The existing authorization limits for IRWD staff approval of expenditures will not be changed by this agreement.

ENVIRONMENTAL COMPLIANCE:

A Final EIR for the Stockdale Integrated Banking Project was prepared, certified and approved in compliance with 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. Rosedale, as lead agency, filed a Notice of Determination for the Stockdale Integrated Banking Project with the County of Kern. IRWD, as a responsible agency, filed Notices of Determination with the County of Orange and with the County of Kern. The EIR includes a program-level analysis of impacts of a third project site. When a third Stockdale project site is identified, subsequent project-level environmental review will be necessary prior to implementation of phase one of the Kern Fan Project. It is expected that a new EIR will be required for the construction and operation of the second phase facilities contemplated in the proposed Kern Fan Project.

COMMITTEE STATUS:

This item was reviewed in concept by the Supply Reliability Programs Committee. The attached draft agreement was not reviewed by the Committee due to limited time constraints and the need to proceed with early planning activities.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXECUTE THE AGREEMENT BETWEEN ROSEDALE-RIO BRAVO WATER STORAGE DISTRICT AND IRVINE RANCH WATER DISTRICT FOR COST SHARING EARLY PLANNING ACTIVITIES FOR THE KERN FAN GROUNDWATER STORAGE PROJECT, SUBJECT TO NON-SUBSTANTIVE CHANGES OR SUBSTANTIVE CHANGES APPROVED BY THE SUPPLY RELIABILITY PROGRAMS COMMITTEE.

LIST OF EXHIBITS:

Exhibit "A" – Agreement Between Rosedale-Rio Bravo Water Storage District and Irvine Ranch Water District for Cost Sharing Early Planning Activities for the Kern Fan Groundwater Storage Project

## Exhibit "A"

October 4, 2018 Draft

### Agreement Between Rosedale-Rio Bravo Water Storage District and Irvine Ranch Water District for Cost Sharing Early Planning Activities for the Kern Fan Groundwater Storage Project

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Rosedale-Rio Bravo Water Storage District ("Rosedale") and Irvine Ranch Water District ("IRWD") (individually "Party" and collectively "Parties") intend to enter into a Joint Powers Authority ("JPA") Agreement creating the Kern Fan Project Authority ("Authority") to design, construct, operate and administer the Kern Fan Groundwater Storage Project ("Kern Fan Project").

On July 24, 2018, the California Water Commission conditionally approved a Water Storage Investment Program grant for the Kern Fan Project. Following the conditional grant approval, Rosedale and IRWD have determined that it would be mutually beneficial to initiate certain early planning activities related to the Kern Fan Project prior to the execution of the JPA Agreement. The early planning activities include, but are not necessarily limited to, property investigation, geophysical investigation, a hydraulic evaluation, and alignment evaluations for certain components of the proposed project.

Rosedale and IRWD agree to equally share the cost of the agreed-upon early planning activities including all technical studies necessary to support the Kern Fan Project planning. It is anticipated that Rosedale and IRWD each will separately enter into agreements with consultants to perform the planning activities. Prior to entering into a professional services agreement with a consultant, Rosedale and IRWD each will submit to the other Party the respective consultant's proposal, including scope of work, rates, total cost, and schedule. Any consultant work change orders shall be submitted to the other Party.

The consultant work cost shall be subject to cost-sharing under this Agreement if the General Manager of Rosedale, or his designee, and the General Manager of IRWD, or his designee, each approve the same consultant work cost, including any change orders, in a writing delivered to the other Party (e.g., by letter or electronic mail). Consultant work costs incurred after July 24, 2018, but prior to the effective date of this Agreement are subject to cost-sharing under this Agreement only so long as the General Manager of Rosedale, or his designee, and the General Manager of IRWD, or his designee, each approve the same consultant work cost in a writing delivered to the other Party (e.g., by letter or electronic mail). Each Party's cost share approval of any consultant scope of work and associated costs shall be subject to the limits of signatory authority of the Party's General Manager, or his designee or as otherwise approved by the Party's Board of Directors.

Rosedale and IRWD each agree to pay their respective consultants directly and to provide consultant invoices to the other Party for purposes of implementing the equal cost-sharing under this Agreement. Upon completion of the consultant work, Rosedale and IRWD shall each deliver to the other documentation of the work performed and to present an invoice with supporting detail and backup for reimbursement of one-half of the cost incurred for the services provided. Payment of the invoices shall be due and payable within forty-five (45) days of presentation of each invoice with supporting detail and backup. For any approved early planning activities

## Exhibit "A"

### Agreement Between Rosedale and IRWD for Cost Sharing Early Planning Activities for the Kern Fan Groundwater Storage Project (continued)

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consultant work that continues after formation of the Authority, Rosedale and IRWD agree to equally share the costs of such approved work through the Authority. To that end, Rosedale and IRWD anticipate the Authority will assume their respective consultant contracts for early planning activities.

Rosedale and IRWD anticipate that the standard costs for their respective staff time, the costs for their respective outside counsel, and their costs for other professional services administering early planning activities will be reimbursed by the Authority after its formation. Rosedale and IRWD agree that each Party shall account for its respective staff time, outside counsel costs, and any other professional services administering early planning activities prior to formation of the Authority. Rosedale and IRWD anticipate that reimbursement for their respective staff time, outside counsel costs and any other professional services after Authority formation will be governed by the JPA Agreement and any administrative services agreement formed between the Authority, on one hand, and Rosedale or IRWD, on the other hand.

This Agreement shall be effective as of the date last executed by Rosedale or IRWD.

This Agreement may be executed in counterparts.

IRVINE RANCH WATER DISTRICT

ROSEDALE-RIO BRAVO WATER  
STORAGE DISTRICT

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_