

**NOTICE OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
OLIVENHAIN MUNICIPAL WATER DISTRICT  
1966 Olivenhain Road, Encinitas, CA 92024  
Tel: (760) 753-6466 • Fax: (760) 753-5640  
VIA TELECONFERENCE AND IN PERSON**

Pursuant to AB3035, effective January 1, 2003, any person who requires a disability related modification or accommodation in order to participate in a public meeting shall make such a request in writing to Stephanie Kaufmann, Executive Secretary, for immediate consideration.

DATE: WEDNESDAY, SEPTEMBER 14, 2022

**TIME: 4:00 P.M.**

PLACE: HYBRID REGULAR MEETING VIA TELECONFERENCE AND IN PERSON

Pursuant to the State of California Executive Order, and in the interest of public health, OMWD is temporarily taking actions to mitigate the COVID-19 pandemic by holding Board Meetings electronically or by teleconference. This meeting will be a hybrid of in person and teleconference. Our Boardroom will be open to the public.

To join this meeting via phone, please dial:

(669) 900-9128 or (346) 248-7799

Meeting ID: 834 9572 2882 and Password: 986303

**Public Participation/Comment:** Members of the public can participate in the meeting by emailing your comments on an agenda item to the Board Secretary at [skaufmann@olivenhain.com](mailto:skaufmann@olivenhain.com) or address the board directly in real-time under either of the public comment sections. If you do not receive a confirmation email that your comment has been received, please call (760) 632-4648 or address the board under either of the public comment sections to ensure that your comments are heard in real-time. The subject line of your email should clearly state the item number you are commenting on and should include your name and phone number. All comments will be emailed to the Board of Directors.

*NOTE: ITEMS ON THE AGENDA MAY BE TAKEN OUT OF SEQUENTIAL ORDER  
AS THEIR PRIORITY IS DETERMINED BY THE BOARD OF DIRECTORS*

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. DETERMINATION OF A QUORUM
5. CONSIDER IMPLEMENTING ASSEMBLY BILL 361 THAT PROVIDES THE ABILITY TO MEET REMOTELY DUE TO THE GOVERNOR'S PROCLAIMED STATE OF EMERGENCY UNDER MODIFIED BROWN ACT REQUIREMENTS

6. ADOPTION OF AGENDA

7. PERSONAL APPEARANCES AND PUBLIC COMMENTS

8. PRESENTATION OF AWARDS AND HONORABLE MENTIONS

- \*Jymy Briseno – WRF Operator Level III – GYO Promotion – July
- \*Jymy Briseno – WRF Operator Level III – 5 Years – August
- \*Andrea Scott – Engineering Technician III – New Hire – August
- \*Dominic “Bruno” Brunozi – Pump/Motor Technician II – 15 Years – September
- \*Jennifer Joslin – Human Resources Manager – 15 Years – September
- \* CSDA’S District of Transparency Certificate of Excellence
- \* CSDA’s Special District Leadership Academy District of Distinction – Platinum Award
- \* WateReuse California Awards for Excellence - Recycled Water Community Outreach Award
- \* GFOA’s Certificate of Achievement for Excellence in Financial Reporting

9. CONSIDER APPROVAL OF THE MINUTES OF THE AUGUST 17, 2022, REGULAR BOARD OF DIRECTORS MEETING

10. CONSENT CALENDAR

*NOTE: ANY ITEM MAY BE REMOVED FROM THE CONSENT CALENDAR  
FOR DISCUSSION*

C-a	CONSIDER ADOPTION OF A MOTION APPROVING THE PAYMENT OF LISTED WARRANTS FROM THE DISTRICT’S REVOLVING AND REGULAR ACCOUNTS; LISTED TRANSFERS OF FUNDS; REIMBURSEMENT OF EXPENSES TO BOARD MEMBERS AND STAFF; AND MONTHLY INVESTMENT REPORT
C-b	CONSIDER UPDATE ON THE COVID-19 EMERGENCY DECLARATION
C-c	CONSIDER ACCEPTANCE OF THE MAIN EXT. 257 – VIA RANCHO MICHELLE PROJECT (DEVELOPER) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED

11. CONSIDER WASTEWATER COLLECTION SYSTEM GROW-YOUR-OWN (GYO) PRESENTATION (INFORMATIONAL ITEM)

12. CONSIDER PRESENTATION ON ENTERPRISE ASSET MANAGEMENT WORK ORDER BACKLOG (INFORMATIONAL ITEM)

13. CONSIDER AN UPDATE ON RESULTS OF THE 2021 WATER LOSS AUDIT (INFORMATIONAL ITEM)

14. PUBLIC HEARING TO CONSIDER THE OLIVENHAIN MUNICIPAL WATER DISTRICT’S WATER CAPACITY FEES FOR 2022 (5:30 P.M.)

15. INFORMATIONAL REPORTS

- A. PRESIDENT
- B. GENERAL MANAGER
- C. CONSULTING ENGINEER

- D. GENERAL COUNSEL
  - E. SAN DIEGO COUNTY WATER AUTHORITY REPRESENTATIVE
  - F. LEGISLATIVE
  - G. TWELVE MONTH CALENDAR / OTHER MEETINGS / REPORTS BY  
BOARD MEMBERS PER AB 1234
  - H. BOARD COMMENTS
- 16. CORRESPONDENCE
  - 17. AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS
  - 18. FUTURE AGENDA ITEMS
  - 19. CONSIDER PUBLIC COMMENTS
  - 20. CLOSED SESSION
    - A) CONSIDER LITIGATION – HILLSIDE PATIO HOMES HOA [PURSUANT TO GOVERNMENT CODE SECTION 54956.9] • Additional Facts: Claim received on August 17, 2020. Claim rejected on September 9, 2020.
    - B) CONSIDER LITIGATION – LYNXT ENTERPRISES, LLC VS. PARS SORRENTO VALLEY SCIENCE PARK 1, LP [PURSUANT TO GOVERNMENT CODE SECTION 54956.9] • Additional Facts: OMWD was served a complaint as a nominal defendant.
  - 21. OPEN SESSION
  - 22. ADJOURNMENT

# Memo

Date: September 14, 2022  
To: Olivenhain Municipal Water District Board of Directors  
From: Kimberly A. Thorner, General Manager  
Subject: **CONSIDER IMPLEMENTING ASSEMBLY BILL 361 THAT PROVIDES THE ABILITY TO MEET REMOTELY DUE TO THE GOVERNOR'S PROCLAIMED STATE OF EMERGENCY UNDER MODIFIED BROWN ACT REQUIREMENTS**

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## Purpose

The purpose of this item is to consider implementing Assembly Bill (AB) 361 that would provide the ability for all Brown Act meetings (board and committee) to continue to meet remotely due to the Governor's proclaimed state of emergency under modified Brown Act requirements for the next 30 days.

## Recommendation

With guidance from the General Counsel, staff recommends invoking AB 361 in order to continue with virtual and/or hybrid Brown Act meetings. This will allow participation via remote access for any public, staff, or board that may need to quarantine, but still want to participate. It is recommended that board reassess the circumstances of the state of emergency at each subsequent board meeting to see if continuing under AB 361 is necessary, as the findings need to be reviewed every 30 days.

## Alternative(s)

The board could opt to not implement AB 361 and resume in person Brown Act compliant meetings for all board members, staff, and public. Not implementing AB 361 would result in the requirement to adhere to previous Brown Act provisions that include posting the

agenda at the publicly accessible teleconference site and would require publicly providing the location of those teleconferencing.

### **Background**

Beginning in March of 2020, Governor Newsom issued a series of Executive Orders in an effort to contain the spread of COVID-19. These Executive Orders (N-25-20, N-29-20, N-35-20) modified certain requirements of the Brown Act in order to continue with public meetings, public participation, and transparency in the safest manner possible during the pandemic.

While adhering to the Executive Orders, the district conducted its first public meeting virtually via Zoom video and teleconference in April of 2020. The General Manager and staff have remained flexible and have successfully modified work flows to comply with the ever-changing emergency laws. OMWD has been dedicated to keeping staff and customers safe while keeping the water system safe and operational.

In June of 2021, the Governor rescinded the Brown Act modifications made in the previous Executive Orders that were in effect as of September 30, 2021. On September 16, 2021, Governor Newsom signed AB 361, which extends virtual meetings for all Brown Act meetings (board and committee meetings) with conditions. These significant conditions include the following:

- There must be a proclaimed state of emergency.
- There are measures to promote social distancing.
- Agendas do not need to be posted at all teleconference locations nor do locations need to be identified.
- The agenda must include the meeting link or dial-in, so that members of the public may access the meeting.
- Members of the public must be allowed to address the board in real-time during the meeting.
- Public comments are no longer required to be submitted in advance.

AB 361 also has special provisions for technical glitches. In the event the meeting is disrupted, or if a technical issue on the district's end disrupts public comment, the board cannot take any further action on the agenda until the technical issue is resolved.

### **Fiscal Impact**

There is no cost associated with implementing AB 361.

## **Discussion**

As previously mentioned, on June 11, 2021, the Governor issued Executive Order N-08-21, which rescinds the modifications made to the Brown Act, effective September 30, 2021. After that date, all meetings subject to the Brown Act must comply with standard teleconference requirements as they existed prior to the pandemic or must comply with the newly passed requirements of AB 361. To continue with the virtual meeting format that gives the ability to attend Brown Act meetings virtually, the board will need to implement AB 361 at this board meeting in order to continue to hold virtual meetings so long as long as there is a state of emergency.

The board must also implement every 30 days that 1) the board has reconsidered the circumstances of the state of emergency and 2) the state of emergency continues to directly impact the ability of the members to meet safely in person or state or local officials continue to impose or recommend measures to promote social distancing.

Although subject to change, AB 361 provides the flexibility to meet virtually during a proclaimed emergency and will sunset on January 1, 2024. The General Manager and General Counsel are available to answer any questions the board may have.



# Memo

To: Board of Directors  
From: Stephanie Kaufmann, Executive Secretary  
Via: Kimberly A. Thorner, General Manager  
Subject: BOARD MEETING MINUTES

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Draft minutes of the most recently held Board of Directors meeting will be provided separately. Following board approval, the minutes will be posted on OMWD's website.

# Memo

Date: September 14, 2022  
To: Olivenhain Municipal Water District Board of Directors  
From: Leo Mendez, Accounting Supervisor  
Rainy Selamat, Finance Manager  
Via: Kimberly Thorner, General Manager  
Subject: **CONSIDER ADOPTION OF A MOTION APPROVING THE PAYMENT OF LISTED WARRANTS FROM THE DISTRICT'S REVOLVING AND REGULAR ACCOUNTS; LISTED TRANSFERS OF FUNDS; REIMBURSEMENT OF EXPENSES TO BOARD MEMBERS AND STAFF**

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The following monthly financial reports are enclosed for review and approval by the Board of Directors:

- August 2022 Summary of payment of listed warrants from the District's checking account and listed transfer of funds.
- August 2022 Monthly Summary of Reimbursement Expenses to Board Members and Staff.

The District's June Financial Statements (typically item C-b) and the June 2022 Monthly Investment Report will be available for review and approval by the Board after the fiscal year 2021/22 financial audit is completed in November 2022. As of the writing of this memo, Finance Staff is currently working on closing fiscal year 2021/22.

Olivenhain Municipal Water District  
Proposed Motions for September 14, 2022 Board of Directors Meeting  
August 2022 Activities  
Consent Calendar Item # C-a

Proposed Motions:

- I. That the following warrants and transfers be approved:

Regular Account	Warrants - by check	031676	to	031966	\$	2,101,244.15
	Warrants - by EFT	EFT000000000159	to	EFT000000000189		397,417.79
						<u>2,498,661.94</u>
	ACH Payments - Payroll					213,182.28
	Wire - SDCWA - Monthly Purchased Water Payment					2,936,420.06
	ACH Payments - Payroll					211,260.55
	ACH Payments - 2015A Bond Payment					604,000.00
	ACH Payments - 2016A Bond Payment					245,000.00
	ACH Payments - 2021A Bond Payment					78,000.00
	ACH Payments - 2021B Bond Payment					153,000.00
					\$	<u><u>6,939,524.83</u></u>

Major Category of Disbursements

Total warrants from the District's checking account:

\$ 2,498,661.94

Following is a breakdown of this total by major categories:

<u>Category</u>	
Outside services	\$ 652,446.54
Inventory and supplies	1,121,835.53
Utilities	289,352.29
Repairs and maintenance	261,419.59
Other	8,260.71
Refunds	12,822.86
Insurance	151,260.42
Permit Fees	1,264.00

Total

\$ 2,498,661.94

Sincerely,

  
Rainy K. Selamat/Finance Manager

Olivenhain Municipal Water District  
Proposed Motions for September 14, 2022 Board of Directors Meeting  
August 2022 Activities

California Bank and Trust

Regular Account

Warrants - by check	031676	to	031966	\$	2,101,244.15
Warrants - by EFT	EFT000000000159	to	EFT000000000189		397,417.79

2,498,661.94

8/5/2022 ACH Payments - Payroll	213,182.28
8/15/2022 Wire - SDCWA - Monthly Purchased Water Payment	2,936,420.06
8/18/2022 ACH Payments - Payroll	211,260.55
8/30/2022 ACH Payments - 2015A Bond Payment	604,000.00
8/30/2022 ACH Payments - 2016A Bond Payment	245,000.00
8/30/2022 ACH Payments - 2021A Bond Payment	78,000.00
8/30/2022 ACH Payments - 2021B Bond Payment	153,000.00

Total	\$	<u><u>6,939,524.83</u></u>
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Approved:

For Board Consideration and Approval

Olivenhain Municipal Water District  
August 2022 Warrant List - Check & EFT

Number	Date	Name	Amount	Inv Reference	Multiple Invoices?
031676	8/3/2022	4S Ranch Gasoline & Car Wash	1,242.37	WWTP GASOLINE	Yes
031677	8/3/2022	Advanced Air & Vacuum	6,010.19	WTP SUPPLIES	Yes
031678	8/3/2022	Aflac	1,271.60	FS005, 072522	
031679	8/3/2022	Aqua Metric	7,816.25	4" OMNI T2	Yes
031680	8/3/2022	Brandon Barnick	400.00	EDUCATION INCENTIVE PAY	
031681	8/3/2022	BNT Title Company of California	950.00	EASEMENT RESEARCH	
031682	8/3/2022	Boot World Inc	194.23	SAFETY BOOTS	
031683	8/3/2022	Jymy Briseno	50.00	5 YEAR SERVICE AWARD	
031684	8/3/2022	California State Disbursement Unit	123.23	ED100514-8/4/2022	
031685	8/3/2022	Charles P Crowley Company, Inc.	814.72	WWTP SUPPLIES	
031686	8/3/2022	Teresa L Chase	27.50	MILEAGE REIMBURSEMENT	
031687	8/3/2022	Cyber Marketing Network Inc	270.17	Safety Boots	Yes
031688	8/3/2022	Edco Waste & Recycling	190.43	25-4A 706676	
031689	8/3/2022	Encinitas Ford	629.40	PU92 SUPPLIES	Yes
031690	8/3/2022	Fieldman, Rolapp & Assoc	2,676.00	CONSULTING SERVICES	
031691	8/3/2022	Geoscience Support Svcs, Inc.	9,505.00	KT approved Request for Additional Work	Yes
031692	8/3/2022	Global Power Group Inc	400.50	WWTP PREVENT MAINT SERVICES	
031693	8/3/2022	Infosend	14,511.19	6/22 WATER BILL STATEMENTS	Yes
031694	8/3/2022	Interstate Battery Of San Diego Inc	436.50	SHOP SUPPLIES	
031695	8/3/2022	Jared Graffam	500.00	EDUCATION INCENTIVE PAY	
031696	8/3/2022	Joe Jansen	125.00	EDUCATION INCENTIVE PAY	
031697	8/3/2022	Kaufmann, Stephanie	500.00	EDUCATION INCENTIVE PAY	
031698	8/3/2022	KRC Rock	2,427.35	PARKS SUPPLIES	
031699	8/3/2022	Leonardo Fitness	720.00	YOGA WORKOUT CLASSES	
031700	8/3/2022	Lisa Maxwell	250.00	25 YEAR SERVICE AWARD	
031701	8/3/2022	Michelle McMahon	50.00	5 YEAR SERVICE AWARD	
031702	8/3/2022	Morton Salt Inc	4,754.71	WTP CHEMICALS	
031703	8/3/2022	Orion Construction Corporation	29,450.00	Construction Services	Yes
031704	8/3/2022	Pacific Pipeline Supply	2,035.18	SUPPLIES	Yes
031705	8/3/2022	Pacific Safety Center	595.00	BACKHOE OPERATOR TRAINING	
031706	8/3/2022	RECON Environmental, Inc.	11,450.50	HARRIS P/L CATHODIC RPL PJT	Yes
031707	8/3/2022	Redistricting Partners	32,000.00	REDISTRICTING & MAPPING	
031708	8/3/2022	Reed, Phillip	125.00	EDUCATION INCENTIVE PAY	
031709	8/3/2022	Republic Services	1,366.05	4-4530-0333405	
031710	8/3/2022	RS Instruments & Services	2,672.00	WWTP SERVICES	
031711	8/3/2022	Ryan Herco	39.80	WTP SUPPLIES	
031712	8/3/2022	San Diego Gas & Electric	45,806.42	0098000669143	Yes
031713	8/3/2022	Shane Sullivan	50.00	5 YEAR SERVICE AWARD	
031714	8/3/2022	Traffic Supply Inc	812.33	SUPPLIES	
031715	8/3/2022	US Bank	2,190.51	777321, 7/21/22	
031716	8/3/2022	Utility Service Co. Inc	226,191.20	QTRLY TANK MAINTENANCE	Yes
031717	8/3/2022	Water for People	60.00	WTRPL 8/4/2022	
031718	8/3/2022	West Coast Sand & Gravel	1,391.54	SCREENED FILL SAND	Yes
031719	8/3/2022	West Yost & Associates, Inc	4,229.14	Support for Manchester Recycled Water site connections	Yes
031720	8/3/2022	Western Hose & Gasket	1,301.45	SUPPLIES	
031721	8/3/2022	ARMET DAVIS NEWLOVE ARCHITECTS	92.33	RM REFUND: DEBIT0000000000561	
031722	8/3/2022	BALORD DESIGN GROUP	227.28	RM REFUND: DEBIT0000000000562	
031723	8/3/2022	Rachel Cannon	422.50	RM REFUND: DEBIT0000000000563	
031724	8/3/2022	DIVINE DESIGNS GENERAL CONTRACTING	182.26	RM REFUND: DEBIT0000000000564	
031725	8/3/2022	GLOBAL MARKET DEVELOPMENT INC	45.32	RM REFUND: DEBIT0000000000565	
031726	8/3/2022	GOODMAN MARGARET, PAPAY AMANADA	2,817.07	RM REFUND: DEBIT0000000000560	
031727	8/3/2022	JAFARI ROBENA	152.51	RM REFUND: DEBIT0000000000566	
031728	8/3/2022	LISAK MARK	637.74	RM REFUND: DEBIT0000000000567	
031729	8/3/2022	Andrew Phillips	4.62	REF:1088448_229565	
031730	8/3/2022	Christine Stacey	100.73	REF:1060851_126885	
031731	8/3/2022	Daniel Falkenberg	98.44	REF:1089526_159700	
031732	8/3/2022	Garrett Adelman	39.90	REF:1087141_128645	
031733	8/3/2022	James McDonald	122.09	REF:1084731_130060	
031734	8/3/2022	Leland Ritchie	17.94	REF:1038645_189685	
031735	8/3/2022	Navid Sarmadnia	43.17	REF:1089423_189760	
031736	8/3/2022	Sandhya Ramanujam	116.81	REF:1084164_147930	
031737	8/10/2022	Ababa Bolt Inc	48.33	WTP SUPPLIES	
031738	8/10/2022	Arcadis Us Inc	3,282.00	Technical Review Services	Yes
031739	8/10/2022	Tom Arellano	325.00	EDUCATION INCENTIVE	
031740	8/10/2022	AT & T	24.70	9391056562	
031741	8/10/2022	John Carnegie	500.00	EDUCATION INCENTIVE	
031742	8/10/2022	Core & Main LP	11,239.41	2" Vent-O-Mat Air Release	Yes
031743	8/10/2022	Dell Computers	18,095.51	Dell PowerEdge R350	Yes
031744	8/10/2022	Edco Waste & Recycling	237.36	25-4A 861816	
031745	8/10/2022	Encinitas Ford	571.51	PU102 SUPPLIES	Yes
031746	8/10/2022	GEI Consultants, Inc	2,534.25	WATER QUALITY SERVICES	
031747	8/10/2022	Grangetto's Ag. Supply	533.78	SUPPLIES	Yes
031748	8/10/2022	Gutermann Inc	421.00	AQUASCOPE LISTENING DEVICE (2)	
031749	8/10/2022	Hasa	4,606.23	WWTP CHEMICALS	
031750	8/10/2022	Jauregui & Culver Inc	394.44	FUEL TANK SERVICES	
031751	8/10/2022	Jiwon Ko	12.60	REF:1087116_208990	
031752	8/10/2022	Kaufmann, Stephanie	45.00	ACWA MTG REFRESHMENTS REIMB	
031753	8/10/2022	Lamees Khorshid	96.87	REF:1089105_231010	
031754	8/10/2022	Naumann Hobbs - San Diego	253.05	WTP SERVICES	
031755	8/10/2022	Pacific Pipeline Supply	3,561.97	SUPPLIES	Yes
031756	8/10/2022	Rudy Petrovski	400.00	EDUCATION INCENTIVE	
031757	8/10/2022	RCP Block & Brick Inc	228.11	SUPPLIES	

Olivenhain Municipal Water District  
August 2022 Warrant List - Check & EFT

Number	Date	Name	Amount	Inv Reference	Multiple Invoices?
031758	8/10/2022	Republic Services	2,533.20	4-4530-033405	
031759	8/10/2022	Rush Truck Center, San Diego	1,850.29	D653 SERVICES	Yes
031760	8/10/2022	S D G & E	264.85	400000078	
031761	8/10/2022	San Diego Gas & Electric	67.38	0044471250047	Yes
031762	8/10/2022	Shane Sullivan	275.00	EDUCATION INCENTIVE	
031763	8/10/2022	Sonsray Machinery LLC	3,644.93	BA08 SERVICE	Yes
031764	8/10/2022	State Water Resources	90.00	D3 CERT RENEWAL - M.FERGUSON	
031765	8/10/2022	TASC	467.15	7/22 VEBA CLAIMS & FEES	
031766	8/10/2022	Thomas Elrod	71.58	REF:1088682_201870	
031767	8/10/2022	Traffic Supply Inc	736.75	SUPPLIES	
031768	8/10/2022	Utility Cost Management Llc	3,753.01	SDGE ELECTRICTY SERVICES	
031769	8/10/2022	Western Hose & Gasket	64.78	WWTP SUPPLIES	
031770	8/10/2022	Xylem Water Solutions USA, Inc.	3,891.72	SUPPLIES	Yes
031771	8/17/2022	VOID	-	Check run voided due to printing issue - corrected via checks 031825 to 031878	
-031824					
031825	8/17/2022	4S Ranch Gasoline & Car Wash	391.75	WWTP GASOLINE	
031826	8/17/2022	Ababa Bolt Inc	12.77	WTP SUPPLIES	
031827	8/17/2022	American Messaging	59.59	L1-072035	
031828	8/17/2022	AT & T	1,094.85	9391056789	Yes
031829	8/17/2022	Barbara Woolf	117.57	REF:1036565_221280	
031830	8/17/2022	Bee Rescue LLC	240.00	CADENCIA STREET	
031831	8/17/2022	Dominic Brunozi	374.14	TRI-STATE SEMINAR EXP REIMB.	
031832	8/17/2022	California State Disbursement Unit	123.23	ED100514-8/18/2022	
031833	8/17/2022	CCL Contracting Inc.	78,850.00	Construction Services - Manchester Recycled Water Project	Yes
031834	8/17/2022	Corodata Shredding, Inc	63.87	OFFSITE RECORDS STORAGE	
031835	8/17/2022	County Of San Diego	1,264.00	PARK DALE ELEMENTARY	Yes
031836	8/17/2022	CSDA San Diego Chapter	65.00	8/18 CSDA DINNER - L.WATT	
031837	8/17/2022	Donald MacQuarrie	81.68	REF:1037959_194655	
031838	8/17/2022	Eagle Paving Company, INC	1,602.64	REF:1091474_303195	
031839	8/17/2022	Encinitas Ford	3,320.49	PU92 SERVICES	Yes
031840	8/17/2022	Fallbrook Printing Corp	303.91	AMI POSTCARD	Yes
031841	8/17/2022	Federal Express Corp	184.01	SHIPPING	
031842	8/17/2022	Ferguson Enterprises Inc. #1083	651.09	1" U-Branch Twinsetter	Yes
031843	8/17/2022	First Choice Technology	167.42	13001474	Yes
031844	8/17/2022	VOID	-	Check voided and re-issued	
031845	8/17/2022	Hill Brothers Chemical Company	18,915.51	WTP CHEMICALS	
031846	8/17/2022	Home Depot/Gecf	10,220.37	7/22 SUPPLIES	Yes
031847	8/17/2022	Idexx Distribution Inc	219.87	WTP SUPPLIES	
031848	8/17/2022	J.M.D. Landscape Inc	13,500.00	Yearly cleaning of the 4S Pond basin	Yes
031849	8/17/2022	Jenna Gehring-Metcalf	102.31	REF:1085832_197815	
031850	8/17/2022	Joan Rovegno	48.17	REF:1087182_100055	
031851	8/17/2022	Jolie Mesmer	17.38	REF:1089782_218000	
031852	8/17/2022	Josh Westbrook	100.00	CROSS CONNECTION RENEW REIMB	
031853	8/17/2022	Kaman Industrial	866.59	WTP SUPPLIES	
031854	8/17/2022	Lisa Nava	82.25	REF:1023877_195165	
031855	8/17/2022	Mega Engineering Co	942.40	REF:1022253_303040	
031856	8/17/2022	Mission Electric Supply, Inc.	216.34	WWTP SUPPLIES	Yes
031857	8/17/2022	MPA Architects	3,187.50	Construction Support Services	Yes
031858	8/17/2022	Napa Auto Parts	695.47	7/22 SUPPLIES	Yes
031859	8/17/2022	NexusTek Phoenix	9,337.70	Cloud Support Services Software	Yes
031860	8/17/2022	Otay Landfill	1,055.25	4-4531-0018538	
031861	8/17/2022	Pacific Pipeline Supply	3,315.98	8"R.W. Flng X P.O. Gate Valve	Yes
031862	8/17/2022	Palomar Health	495.00	PRE-EMPLOYMENT TESTING	
031863	8/17/2022	Parkhouse Tire Inc	1,137.21	PU102 SUPPLIES	Yes
031864	8/17/2022	Peterson Structural Engineers, Inc.	7,440.00	Amendment #1 21AGR069	Yes
031865	8/17/2022	Rancho Santa Fe Community Svs	14,123.62	7/22 17.11 AC/FT RECYCLED WTR	
031866	8/17/2022	Ryan Herco	395.11	WTP SUPPLIES	
031867	8/17/2022	Samba Holdings Inc	189.91	DRIVER RECORD MONITORING	
031868	8/17/2022	San Diego Building Maintenance	5,396.00	7/22 JANITORIAL SERVICES	
031869	8/17/2022	San Diego Gas & Electric	216,099.89	0099949341729	Yes
031870	8/17/2022	San Elijo Joint Powers Auth.	57,702.00	7/22 32.60 AC/FT RECYCLED WTR	
031871	8/17/2022	SiteOne Landscape Supply, LLC	14,777.78	SUPPLIES	Yes
031872	8/17/2022	Sunbelt Rentals, Inc.	448.45	CONCRETE MIXER RENTAL	
031873	8/17/2022	Tri-Group	1,452.61	REF:1082914_303135	
031874	8/17/2022	Troy Stokes	29.08	REF:1052668_161780	
031875	8/17/2022	Verizon Connect Fleet USA, LLC	924.85	100000112726	
031876	8/17/2022	VWR International LLC	110.56	WTP SUPPLIES	
031877	8/17/2022	Water for People	60.00	WTRPL 8/18/2022	
031878	8/17/2022	Zenon Environmental Corporation	708,757.11	MEMBRANE REPLACEMENT	Yes
031879	8/23/2022	San Diego County Recorder	50.00	CEQA - NOE FILING FEE	Yes
031880	8/24/2022	Advanced Air & Vacuum	842.41	SHOP LIFT INSPECTION SERVICES	
031881	8/24/2022	AG Tech Llc	1,334.88	WWTP BIOSOLIDS WASTE DISPOSAL	
031882	8/24/2022	Alpha Mechanical, Inc	6,055.93	VILLAGE PARK MOTOR RPLCMNT	Yes
031883	8/24/2022	Jeff Anderson	200.00	BOOT PURCHASE REIMBURSEMENT	
031884	8/24/2022	Aqua Metric	57,827.16	Mxu-520M Touch Coupler Single	Yes
031885	8/24/2022	AT & T	86.89	9391059578	
031886	8/24/2022	Bay City Electric Works	1,888.23	WTP GENERATOR MAINT	Yes
031887	8/24/2022	Bee Rescue LLC	480.00	WWTP BEE REMOVAL SERVICES	Yes
031888	8/24/2022	Bob Davis Painting	2,800.00	4S-1 RSVR TRIM & PAINT	
031889	8/24/2022	Dominic Brunozi	150.00	15 YEAR SERVICE AWARD	
031890	8/24/2022	Teresa L Chase	100.00	EDUCATION INCENTIVE	

**Olivenhain Municipal Water District**  
**August 2022 Warrant List - Check & EFT**

Number	Date	Name	Amount	Inv Reference	Multiple Invoices?
031891	8/24/2022	Cintas First Aid & Safety	93.94	WWTP FIRST AID SUPPLIES	
031892	8/24/2022	Corodata	302.41	OFFSITE RECORDS STORAGE	
031893	8/24/2022	County of San Diego, RCS	171.00	7/22 RADIO SERVICES	
031894	8/24/2022	D&H Water Systems	7,406.08	Maintenance for Analyzers at DCMWTP	Yes
031895	8/24/2022	DCL Enterprise Inc Db	1,276.54	HQ DOOR HARDWARE RPCLMNT	
031896	8/24/2022	Dean Wampler	178.82	REF:1084461_196800	
031897	8/24/2022	Encinitas Ford	2,245.24	PUBS SUPPLIES	Yes
031898	8/24/2022	ESS	1,891.10	ACCESS CONTROL KEYPADS	
031899	8/24/2022	Geo Pacific Services Inc	1,828.07	REF:1085988_301475	
031900	8/24/2022	Geoffrey Fulks	375.00	EDUCATION INCENTIVE	
031901	8/24/2022	Jennette Company Inc.	136,396.54	ERT Removal & Reinstallation	Yes
031902	8/24/2022	Jennifer Joslin	150.00	15 YEAR SERVICE AWARD	
031903	8/24/2022	Matthew Mitchell	51.52	REF:1085973_131720	
031904	8/24/2022	Omar Martinez	200.00	SAFETY BOOT EXPENSE REIMB	
031905	8/24/2022	Otay Landfill	1,055.25	4-4531-0018538	
031906	8/24/2022	Pacific Pipeline Supply	5,228.93	SUPPLIES	Yes
031907	8/24/2022	Jaroith Inc., dba	78.00	760-489-9971	
031908	8/24/2022	Patriot Environmental	575.00	WWTP ROLL OFF BIN DISPOSAL SVC	
031909	8/24/2022	PWLC I, INC	14,848.00	LANDSCAPE MAINTENANCE	Yes
031910	8/24/2022	Quentin Alexander dba	225.00	LONE JACK PRS REPLACEMENT	Yes
031911	8/24/2022	Republic Services #661	790.67	3-0661-2000037	Yes
031912	8/24/2022	Richard Roethke	120.79	REF:1054771_137865	
031913	8/24/2022	San Diego Gas & Electric	9,071.15	0099818500413	Yes
031914	8/24/2022	Santa Fe Irrigation Dist	3,497.30	008128-009, 08/01/2022	Yes
031915	8/24/2022	SiteOne Landscape Supply, LLC	242.86	IRRIGATION SUPPLIES	
031916	8/24/2022	Sunita Boudreaux	62.07	REF:1089488_241840	
031917	8/24/2022	Transene Company, Inc.	395.18	WTP SUPPLIES	
031918	8/24/2022	Two Oaks Sweeping LLC	542.50	8/1/22 SWEEPING SERVICES	
031919	8/24/2022	Underground Service Alert	1,449.38	DIG ALERT TICKETS	Yes
031920	8/24/2022	UniFirst Aid Corp	251.57	FIRST AID SUPPLIES	
031921	8/24/2022	USA Blue Book	852.77	WTP SUPPLIES	
031922	8/24/2022	West Coast Arborists, Inc.	683.89	3/4" CRUSHED ROCK	
031923	8/24/2022	Whitson CM	150.00	7/22 SITE INSPECTIONS	
031924	8/31/2022	4S Ranch Gasoline & Car Wash	911.33	WWTP GASOLINE/CAR WASH	
031925	8/31/2022	Ababa Bolt Inc	54.65	WTP SUPPLIES	
031926	8/31/2022	Abigail Archer	107.34	REF:1090367_167700	
031927	8/31/2022	Aflac	1,271.60	FS005, 8/21/22	
031928	8/31/2022	American Backflow Specialties	388.05	SUPPLIES	
031929	8/31/2022	American Conservation & Billing Solutions, I	3,251.00	AQUAHAWK 9/22-10/1/22	
031930	8/31/2022	Jeff Anderson	400.00	EDUCATION INCENTIVE	
031931	8/31/2022	Angela Good	83.60	REF:1012296_190295	
031932	8/31/2022	Aqua Metric	73,576.09	Mxu-520M Touch Coupler Dual	Yes
031933	8/31/2022	AT & T	604.71	9391056158	
031934	8/31/2022	Barrett Engineered Pumps	3,297.15	SUPPLIES	
031935	8/31/2022	Bay City Electric Works	4,775.39	RANCHO LAKES PS MAINT SVCS	Yes
031936	8/31/2022	California State Disbursement Unit	123.23	ED100514-9/1/2022	
031937	8/31/2022	Corey Collier	14.97	REF:1006429_221685	
031938	8/31/2022	Dale Tourtelotte	144.65	REF:1087002_163070	
031939	8/31/2022	Edco Waste & Recycling	190.43	25-4A 706676	
031940	8/31/2022	Jason Emerick	768.73	TRI-STATE SEMINAR EXP REIMB	
031941	8/31/2022	ESS	216.00	WWWTP GATE SERVICES	
031942	8/31/2022	Federal Express Corp	623.68	SHPPING	Yes
031943	8/31/2022	GEL Consultants, Inc	1,673.00	REGULATORY SUPPORT SVCS	
031944	8/31/2022	Hazen and Sawyer	6,202.50	Pre Lim and Final Design Services	Yes
031945	8/31/2022	Infosend	11,944.80	WATER BILL STATEMENTS	Yes
031946	8/31/2022	Lynda MacFarland	80.28	REF:1082786_153785	
031947	8/31/2022	Molly Pereira	238.39	REF:1051130_228535	
031948	8/31/2022	Morton Salt Inc	5,026.70	WTP CHEMICALS	
031949	8/31/2022	Raymond Motas	629.65	TRI-STATE SEMINAR EXP REIMB	
031950	8/31/2022	Myers & Sons	239.72	SUPPLIES	Yes
031951	8/31/2022	Pacific Pipeline Supply	7,001.95	SUPPLIES	Yes
031952	8/31/2022	Pacific Safety Center	195.00	FALL PROTECTION TRAINING	
031953	8/31/2022	Piperin Corporation	18,755.30	RETENTION	
031954	8/31/2022	Radwell International, Inc.	97.06	WTP SUPPLIES	
031955	8/31/2022	Reed, Phillip	200.00	EDUCATION INCENTIVE	
031956	8/31/2022	Republic Services	302.40	4-4530-0333405	
031957	8/31/2022	San Diego Gas & Electric	5,526.63	009800669143	Yes
031958	8/31/2022	Scott Alexander Smith	134.51	REF:1084776_158245	
031959	8/31/2022	SiteOne Landscape Supply, LLC	231.95	IRRIGATION CONTROLLER - HQ	
031960	8/31/2022	Standard Insurance Co.	5,800.57	9/22 LIFE, LTD INSURANCE PREM	
031961	8/31/2022	TASC	467.15	8/22 VEDA ADMIN FEES	
031962	8/31/2022	TS Industrial Supply	523.53	MISC TOOLS	
031963	8/31/2022	United Parcel Service	32.67	SHIPPING	
031964	8/31/2022	Urban Futures Inc	8,200.00	PENSION MODEL	
031965	8/31/2022	US Bank	2,190.51	777321	
031966	8/31/2022	Water for People	60.00	WTRPL 9/1/2022	Yes
EFT000000000159	8/3/2022	McMaster-Carr Supply Co.	1,517.48	WTP SUPPLIES	Yes
EFT000000000160	8/3/2022	Traffic Safety Solutions	2,690.00	MOUNTAIN VISTA DRIVE	Yes
EFT000000000161	8/3/2022	Parsons	953.11	Preliminary and Final Design Services	Yes
EFT000000000162	8/3/2022	Nossaman LLP	18,091.35	6/22 LEGAL SERVICES	Yes

**Olivenhain Municipal Water District**  
**August 2022 Warrant List - Check & EFT**

Number	Date	Name	Amount	Inv Reference	Multiple Invoices?
EFT000000000163	8/3/2022	Harrington Industrial Plastics Inc	690.56	WTP SUPPLIES	Yes
EFT000000000164	8/10/2022	ACWA - JPIA	142,916.65	9/22 GROUP INSURANCE PREM	
EFT000000000165	8/10/2022	Southern Counties Lubricants, LLC.	8,945.73	FUEL SUPPLIES	Yes
EFT000000000166	8/10/2022	B. Weber Consulting LLC	4,354.88	CONSULTING SERVICES	
EFT000000000167	8/10/2022	CyberlinkASP Technology	7,764.64	HOSTING SERVICES	
EFT000000000168	8/10/2022	Woodard & Curran	7,483.85	SDIRWM PROP 1 ROUND 2	
EFT000000000169	8/10/2022	Martin Marietta Materials Inc	343.50	SUPPLIES	
EFT000000000170	8/17/2022	Brown & Bigelow	11,434.16	UNIFORM HATS/SWEATSHIRTS	Yes
EFT000000000171	8/17/2022	McMaster-Carr Supply Co.	27.46	MISC TOOLS - WTP	
EFT000000000172	8/17/2022	Woodard & Curran	5,101.25	Environmental and Grant Admin Services for Title XVI	Yes
EFT000000000173	8/17/2022	Martin Marietta Materials Inc	493.22	SUPPLIES	Yes
EFT000000000174	8/17/2022	Intergraph Corporation	82,252.26	HEXAGON EAM 2022-2023 HOSTED SERVICES	Yes
EFT000000000175	8/17/2022	CDW Government Inc	49,117.69	SUPPLIES	Yes
EFT000000000176	8/17/2022	TK Elevator Corporation	963.87	WTP SERVICES	
EFT000000000177	8/24/2022	Westamerica Communications, Inc.	1,069.92	MANCHESTER AVE P/L PJT	
EFT000000000178	8/24/2022	Wageworks	236.00	7/22 VEDA SERVICES	
EFT000000000179	8/24/2022	Evoqua Water Technologies	262.77	WWTP PREVENT MAINT SVCS	
EFT000000000180	8/24/2022	PSI Water Technologies	25,901.91	NOVA 240 PPD Cell	Yes
EFT000000000181	8/24/2022	Calif. Surveying & Drafting Supply	219.55	SUPPLIES	
EFT000000000182	8/24/2022	The Pun Group LLP	5,000.00	AUDIT SERVICES 06/30/22	
EFT000000000183	8/24/2022	Martin Marietta Materials Inc	782.67	MATERIALS	Yes
EFT000000000184	8/24/2022	CDW Government Inc	47.10	SUPPLIES	
EFT000000000185	8/24/2022	Univar Solutions Usa Inc	5,752.55	WWTP CHEMICALS	Yes
EFT000000000186	8/31/2022	Southern Counties Lubricants, LLC.	4,270.49	UNLEADED FUEL	
EFT000000000187	8/31/2022	Westamerica Communications, Inc.	4,212.42	WATCHING WATER	
EFT000000000188	8/31/2022	Martin Marietta Materials Inc	1,068.75	DUMP BOBTAIL - CONCRETE	Yes
EFT000000000189	8/31/2022	Konecranes Inc	3,452.00	Crane & Hoist Inspections at Multiple Locations	Yes
			<u>2,498,661.94</u>		

**Olivenhain Municipal Water District**  
**Monthly Directors Fee and Reimbursed Expenses for Directors and Staff**  
**August 2022**

<u>Name</u>	<u>Payment Date</u>	<u>Check#/ Credit Card</u>	<u>Meals &amp; Lodging</u>	<u>Travel &amp; Transport</u>	<u>Other</u>	<u>Total Reimbursed Expenses</u>	<u>Directors Fee</u> *
Director Bruce-Lance			0.00	0.00	0.00	0.00	300.00
			0.00	0.00	0.00	0.00	300.00
Director Guerin			0.00	0.00	0.00	0.00	450.00
			0.00	0.00	0.00	0.00	450.00
Director Meyers			0.00	0.00	0.00	0.00	450.00
			0.00	0.00	0.00	0.00	450.00
Director Topolovac			0.00	0.00	0.00	0.00	300.00
			0.00	0.00	0.00	0.00	300.00
Director Watt			0.00	0.00	0.00	0.00	300.00
			0.00	0.00	0.00	0.00	300.00
General Manager Thorner			0.00	0.00	0.00	0.00	
			0.00	0.00	0.00	0.00	
Human Resources Manager Joslin			0.00	0.00	0.00	0.00	
			0.00	0.00	0.00	0.00	
Finance Manager Selamat			0.00	0.00	0.00	0.00	
			0.00	0.00	0.00	0.00	
Operations Manager Fulks			0.00	0.00	0.00	0.00	
			0.00	0.00	0.00	0.00	
Engineering Manager Stephenson			0.00	0.00	0.00	0.00	
			0.00	0.00	0.00	0.00	
Assistant General Manager Randall			0.00	0.00	0.00	0.00	
			0.00	0.00	0.00	0.00	
Customer Service Manager Carnegie			0.00	0.00	0.00	0.00	
			0.00	0.00	0.00	0.00	

Notes:

(1) Reviewed and discussed with the Finance Committee (02/05/18).

(2) Reimbursement of expenses are in compliance with Article 19 of the District's Administrative and Ethics Code.

(3) Travel and other expenses charged to District's credit cards and paid by the District are recorded and maintained separately.

# Memo

Date: September 14, 2022  
To: Olivenhain Municipal Water District Board of Directors  
From: Kimberly A. Thorner, General Manager  
Subject: **CONSIDER UPDATE ON THE COVID-19 EMERGENCY DECLARATION**

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## Purpose

The purpose of this Board item is to provide an update on the COVID-19 Emergency Declaration. The General Manager declared an emergency on March 12, 2020, and the Board has received updates of this emergency declaration at all subsequent Board Meetings. The Board shall receive an update of the General Manager's emergency action at subsequent Board Meetings until we are no longer in the state of emergency.

## Recommendation

This is an informational update pursuant to the Administrative and Ethics Code §3.2.1. No Board action is required. To date, fifty-six employees have had COVID-19 and we have had one workplace exposure.

## Background

Pursuant OMWD's Administrative and Ethics Code §3.2.1, it is under my authority as the General Manager to declare an emergency if there is an unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent and mitigate

the loss or impairment of life, health, property, or essential public services. COVID-19 poses an imminent danger to the health of OMWD employees and customers. After notifying the Board via email, I declared a state of emergency regarding COVID-19 on March 12, 2020 based on the threat of the spreading pandemic.

There have been a series of email communications with the Board, staff, teleconferences with other General Managers in the County, and multiple messages conveyed to customers ensuring that OMWD's water is safe. The chart below shows the ongoing efforts we are taking here at OMWD to help navigate and mitigate the COVID-19 emergency while remaining prepared and reliable to our customers and community.

### CORONAVIRUS (COVID-19) ACTIONS

DATE	ACTION
<b>February 2020</b>	OMWD began actively monitoring situation.
<b>March 5, 2020</b>	Staff begins formulating outreach plan and design of OMWD's online COVID-19 Response Center.
<b>March 9, 2020</b>	Staff participated in regional meeting regarding COVID-19 at the San Diego County Water Authority.
<b>March 11, 2020</b>	OMWD's online COVID-19 Response Center published.
	Social Media outreach regarding water safety during COVID-19.
<b>March 12, 2020</b>	Emergency Declaration made by GM to ensure critical supplies, parts, and inventory are in stock or can be purchased more freely. OMWD implemented Pandemic Response Plan.
	Staff advised not to report to work if they exhibit any signs or symptoms.
	Travel to large conferences, group meetings, and trainings by OMWD employees suspended until further notice.
	Public Tours of OMWD delayed until further notice. Events and workshops postponed.
	Laptops and phones to be ordered in anticipation of telecommuting needs.
	Elfin Forest Recreational Reserve's Interpretive Center closed until further notice.
<b>March 13, 2020</b>	OMWD's lobby temporarily closed until further notice.
	Disconnection moratorium for customers facing financial difficulty.
<b>March 16, 2020</b>	Staff advised not to report to work if family/friends/people they have interacted with exhibited any symptoms.

	Employees can work remotely or on alternate schedules, so long as essential services are not interrupted.
	All non-vital construction, outside work, and outside meetings are cancelled.
	Social distancing policies implemented within the District. (E.g. no sharing vehicles, no congregating, etc.)
	OMWD Sick Time Bank established for employees to donate sick leave to those who do not have enough accrued sick time to meet their needs, thereby encouraging employees to call in sick if needed.
<b>March 17, 2020</b>	OMWD's Emergency Operations Center plans reviewed in order to prepare should it be activated.
	General Manager participates on region-wide water teleconference regarding status of all water agencies. All agencies commit to mutual aide, especially at the operator level. OMWD begins providing San Diego County Water Authority and San Diego County Office of Emergency Services with daily status updates via WEBEOC.
<b>March 18, 2020</b>	OMWD's regularly scheduled board meeting transitioned to teleconference format.
<b>March 21, 2020</b>	California Public Utilities Commission informed that OMWD has initiated a temporary disconnection moratorium.
<b>March 22, 2020</b>	OMWD's Elfin Forest Recreational Reserve closed until further notice.
<b>March 23, 2020</b>	OMWD participated in second teleconference meeting regarding wastewater mutual aid with SEJPA, LWWD, VWD, Oceanside, Carlsbad, and Encina.
	Finance Department creates account to track costs associated with COVID-19.
<b>March 24, 2020</b>	Schedules further modified to ensure as much social distancing as possible; operations divisions separated into alternating teams to allow for separation on a weekly basis. Teams not working are to stay home, safe and sober in the event of an emergency need. Remaining administrative employees authorized remote working capability with laptops.
<b>March 25, 2020</b>	Deployed additional laptops to enable additional employees to work from home.
	Filmed informational video about the safety of our water that will be released in the near future.
	Prepared a list of shovel ready projects to CWA.
<b>March 26, 2020</b>	Sent an informational mailer to all customers regarding the safety of their water supply.
	Secured adequate supply of N95 masks for employees.
<b>March 27, 2020</b>	Staff has contacted certified retired operators to determine their ability to provide support in the event our current staff was impacted.
<b>March 30, 2020</b>	Made and distributed hand sanitizer to be used as needed.

	OMWD participated in third teleconference meeting regarding wastewater mutual aid with SEJPA, LWWD, VWD, Oceanside, Carlsbad, and Encina.
<b>March 31, 2020</b>	Posted an informational video about the safety of our water on website and social media.
<b>April 3, 2020</b>	Secured Zoom meeting software license; Reviewed security protocols to ensure a safe and successful meeting.
<b>April 6, 2020</b>	Ordered cloth masks for each employee to take home and have while out in the community
	Provided one dust mask and gloves for employee significant others and family members who you are exposed to on a daily basis to wear while out in the community.
<b>April 7, 2020</b>	Participated in an EPA COVID-19 Webinar
	Provided employees with an Essential Worker letter in the event that they are stopped by law enforcement while on the clock.
<b>April 15, 2020</b>	Submitted a Request for Public Assistant (RPA) to FEMA within 30 days of our area being designated in the emergency declaration. OMWD anticipates submitting for costs that were incurred outside of normal business practices to respond to the emergency, including additional overtime paid due to the isolation of employees in shifts.
	Participated in an ACWA webinar: COVID-19 Response: Understanding the Financial Aspects.
	Distributed COVID care package supplies to Board Members with sanitizer, masks, and gloves.
<b>April 16, 2020</b>	Received 275 gallons of hand sanitizer to distribute to all OMWD facilities.
<b>April 23, 2020</b>	Participated in the ACWA Brown Act COVID Webinar.
<b>April 28, 2020</b>	Discussed transitioning efforts with Managers and Supervisors.
	Established guidelines for contractor work at the DCMWTP.
<b>May 1, 2020</b>	Presented on a Governments COVID 19 Town Hall Webinar hosted by The Pun Group.
<b>May 4, 2020</b>	OMWD participated in third teleconference meeting regarding wastewater mutual aid with SEJPA, LWWD, VWD, Oceanside, Carlsbad, and Encina.
<b>May 5, 2020</b>	Prepared list of OMWD shovel ready projects to MWD.
<b>May 11, 2020</b>	OMWD participated in fourth teleconference meeting regarding wastewater mutual aid with SEJPA, LWWD, VWD, Oceanside, Carlsbad, and Encina.
	Per the May 10 County Order for essential workers, all employees are to wear face coverings while in public. Thermometers for temperature checks have been ordered.

<b>May 12, 2020</b>	Secured software to enable front desk phone rollover capabilities.
<b>May 14, 2020</b>	Provided COVID-19 IgG Antibody Testing for employees and family members.
<b>May 20, 2020</b>	Executed a Resolution for California Office of Emergency Services (Cal OES) and Federal Emergency Management Agency (FEMA) Funding for expenditures incurred by the District as a result of the COVID-19 Pandemic.
<b>May 26, 2020</b>	Replaces the podium PC in the Boardroom that had Zoom issues.
<b>June 1, 2020</b>	Modified employee work schedules to stagger shifts and isolate, ended the shelving of employees.
	Created a Telecommuting Policy; currently under management review.
<b>June 2, 2020</b>	Hosted an Employee Forum via Zoom.
<b>June 15, 2020</b>	Reopened the Elfin Forest Recreational Reserve with the following restrictions: require that visitors have face coverings at all times and they must be worn when six feet of social distancing is not possible.
<b>June 15, 2020</b>	Slowly started to increase in office presence with fewer telecommuting shifts.
<b>June 17, 2020</b>	Revised the Annual Goals and Objectives to reflect the impacts of COVID-19.
<b>June 19, 2020</b>	Reminded employees that masks should be worn outside of offices in the halls and/or when in a meeting when unable to stay 6 feet apart.
<b>June 22, 2020</b>	Reopened the Lobby with the following restriction: visitors and receptionist to wear face masks.
<b>June 26, 2020</b>	Moved back to increased telecommuting and split shifts due to COVID surge.
<b>June 30, 2020</b>	Closed lobby due to non-compliance with the County Health Order requiring all visitors to wear facial coverings.
<b>July 22, 2020</b>	Implemented employee temperature and COVID-19 symptom certification portal, with mandatory/daily reporting.
<b>July 29, 2020</b>	Implemented emergency sick leave for employees through the end of the calendar year to cover the time off pursuant to the Families First Coronavirus Act (FFCRA). The emergency sick leave time will only be for COVID-19 quarantine related situations and separate from normal sick leave.
<b>July 30, 2020</b>	Review emergency telecommuting policy with managers for implementation in August.
<b>August 1, 2020</b>	Continued split schedules, remote site reporting, distancing, and telecommuting for all employees.
<b>August 31, 2020</b>	Started research on the August 8 Executive Order for payroll tax deferral and its applicability to OMWD.
<b>September 1, 2020</b>	Implemented Telecommuting Policy District wide.
	EOC books updated.

<b>September 15, 2020</b>	Switched to regional reporting to SDCWA to once per week versus daily.
<b>September 22, 2020</b>	Directed supervisors to continue split schedules, telecommuting, remote site reporting, and distancing through at least the end of November. Will revisit as needed.
<b>September 22, 2020</b>	Updated all supervisors on new legislation regarding COVID outbreaks in the workplace and employee notification.
<b>October 28, 2020</b>	Reminded all employees on the importance of resisting COVID fatigue.
<b>November 4, 2020</b>	Requested Supervisors prepare plans in case San Diego gets second Purple Tier rating on 11/10/20.
<b>November 10, 2020</b>	Implemented increased distancing/remote work, modifications to use of Wellness Center, switch to Zoom meetings if unable to distance, lobby remains closed, reinforced importance of mask wearing and daily self-reporting.
<b>November 19, 2020</b>	Reminded employees to have the essential worker letter if out on OMWD business, duty calls, or leaks, etc., past the curfew.
<b>December 1, 2020</b>	Began working with staff on plan for the reinstitution of late charges in 2021.
<b>December 1, 2020</b>	Implemented further distancing work from home schedules due to purple tier.
<b>December 8, 2020</b>	Prepared social media posts for OMWD's COVID preparedness and response.
<b>December 17, 2020</b>	Signed on to a Vaccine Coalition letter to the California Community Vaccine Advisory Committee regarding prioritization of water sector essential critical infrastructure workers for COVID vaccination.
<b>December 21, 2020</b>	Email to all employees about COVID reporting requirements.
<b>January 19, 2021</b>	Ordered hands free door openers for bathrooms.
<b>January 25, 2021</b>	Divided the District into 6 separate workplaces (pods) with physical barriers to separate pods, closed Wellness Center to those without a COVID vaccine, shut down the ice machine, modified warehouse access with new procedures, secured mass testing if needed, approved the purchase of new air filters for the HVAC system that are MERV 13 rated, and secured a contract for industrial cleaning services in case of an outbreak in a pod.
<b>February 1, 2021</b>	Created a COVID Task Force with employee representatives from each pod that will meet bi-weekly.
<b>February 9, 2021</b>	Held a COVID Task Force Meeting.
<b>February 22, 2021</b>	Held a COVID Task Force Meeting.
<b>February 23, 2021</b>	Addressed respirator N95 needs, porta potties deployed, and more sanitizer.

<b>March 2, 2021</b>	Contacted the County of San Diego and determined vaccine eligibility for emergency operations center (EOC) employees, duty operators, and those on call to respond.
<b>March 4, 2021</b>	Distributed individual approval letters to employees as emergency service workers to schedule vaccine appointment.
<b>March 8, 2021</b>	Coordinated with SDCWA on CALFire vaccinations for OMWD employees.
<b>March 22, 2021</b>	Held a COVID Task Force Meeting.
<b>March 23, 2021</b>	Employees eligible to sign up for CALFire vaccinations.
<b>March 30, 2021</b>	Joined CSDA Coalition on COVID relief for Special Districts.
<b>April 15, 2021</b>	Held a COVID Task Force Meeting.
<b>April 19, 2021</b>	HR coordinated a COVID Wellness Challenge
<b>April 29, 2021</b>	Email to all employees about the path moving forward – removing the pod walls, vaccinated employee exposure requirements, targeted lobby re-opening, self-certification form, and meeting requirements, and reminded employees that mask wearing and social distancing is still required at OMWD subject to OSHA requirements.
<b>May 4, 2021</b>	Held a COVID Task Force Meeting.
<b>May 5, 2021</b>	Removed the Pod walls.
<b>May 10, 2021</b>	Reopened the front lobby.
<b>May 11, 2021</b>	Email to all employees about continued mask wearing until OSHA guidelines are updated, self-certification on Target Safety, and schedules starting late May/early June.
<b>June 9, 2021</b>	CALOSHA voted unanimously to withdraw the revisions approved on June 3 that are currently at OAL for review but have not yet become effective. CALOSHA will review the new mask guidance and bring any recommended revisions to the board. All OMWD precautions will remain in effect until the CALOSHA meeting and decision.
<b>June 9, 2021</b>	Held a COVID Task Force Meeting.
<b>June 15, 2021</b>	Email to all employees on the updated CalOSHA ruling – fully vaccinated employees do not have to wear masks, provide proof or self-attest, social distancing rules no longer apply, and N-95 masks are available for any employee who wants one. These revised regulations will be in effect for 210 days, unless they revisit it earlier in the event of a surge in statewide cases.
<b>June 22, 2021</b>	Email to all employees that the wellness facility may now be used at 50% capacity. If not vaccinated, you can use the facility, but must be masked.

<b>July 21, 2021</b>	Held a COVID Task Force Meeting.
<b>July 23, 2021</b>	Email to all employees with a reminder of the COVID guidelines – self certification on Target Safety, mask wearing if unvaccinated.
<b>July 27, 2021</b>	Email to all employees regarding the CDC’s new guidance asking employees who are vaccinated to use their own discretion on mask wearing indoors at this time, and not mandating employee vaccinations (or weekly testing) at this time.
<b>August 21, 2021</b>	Re-instituted masks required indoors immediately unless you are in your office alone with door shut and asked that meetings be Zoom whenever possible.
<b>August 31, 2021</b>	Held a COVID Task Force Meeting.
<b>September 15, 2021</b>	Announced that the 2021 COVID-19 Supplemental Paid Sick Leave will end on September 30, 2021.
<b>September 16, 2021</b>	Governor Newsom signed AB 361, which extends virtual meetings for all Brown Act meetings (Board and Committee) with conditions.
<b>September 10, 2021</b>	Attended workshops on the SWRCB Arrearages Process and CSDA’s Special District Relief Fund Program.
<b>September 30, 2021</b>	Governor Newsom’s Executive Order N-15-21 comes to an end.
<b>October 13, 2021</b>	With the County showing a downward trend in a positive direction, mask wearing returned to optional indoors for vaccinated employees. The Board also implemented AB 361 in order to continue with virtual board and committee meetings for the next 30 days.
<b>November 17, 2021</b>	The Board continued to implement AB 361 in order to continue with virtual board and committee meetings for the next 30 days.
<b>December 9, 2021</b>	Held a COVID Task Force Meeting.
<b>December 14, 2021</b>	Email sent to all employees on the new California Department of Public Health and San Diego County mask mandates go into effect on December 15th requiring masks to be worn in all indoor public settings, irrespective of vaccine status, for the next four weeks (December 15, 2021 through January 15, 2022).
<b>January 3, 2022</b>	With positive cases increasing, sent all employee email to keep up your safe practices and reporting.
<b>January 5, 2022</b>	Sent email to employees that for at least the month of January, any employee that develops COVID symptoms, if you get a rapid test by a health professional and OMWD will reimburse you the out of pocket cost up to \$200. This will shorten the time waiting in isolation for results and will assist OMWD in maintaining critical staffing levels
<b>January 6, 2022</b>	Implemented separation work scheduling for the next two weeks based on the already declared emergency from 2020 and emergency telecommuting agreements on file with HR. Ordered a supply of home tests for employee use. Tests are locked in an outdoor safe where an OMWD Manager or telehealth provider can witness in real time.

<b>January 10, 2022</b>	Sent booster shot clarification email for the updated January 14 <sup>th</sup> CALOSHA regulations that you are now deemed in the unvaccinated bucket (for exposure purposes) if you are eligible for a booster shot and have not received one.
<b>January 14, 2022</b>	CALOSHA adopted new regulations that go into effect on January 14, 2022 – face covering must pass light test, Testing for all employees (regardless of vaccination status) due to “close contact” in the workplace will be on paid regular work time, not sick leave, home COVID-19 tests are now permissible, however the employer or an authorized telehealth provider must observe the testing in real time.
<b>January 18, 2022</b>	Held a COVID Task Force Meeting.
<b>January 25, 2022</b>	Met via Zoom with Managers and Supervisors to discuss signs COVID fatigue in employees.
<b>February 1, 2022</b>	Awarded certificates to the top 5 employees who completed the most COVID symptom certification checklists since it was implemented at the beginning of the pandemic.
<b>February 14, 2022</b>	Email sent to all employees on the Governor’s COVID-19 paid sick leave retroactive to January 1, 2022, which will remain in effect through September 30, 2022, masks are no longer required for vaccinated individuals, and the COVID-19 Isolation and Quarantine flowchart.
<b>March 2, 2022</b>	Investigated and participated in a webinar on how to request County transfer of federal COVID relief funds. Will submit to County for OMWD impacts.
<b>March 3, 2022</b>	State extended the CALOSHA ETS to May 5, 2022. Informed the Employees at the Employee Forum.
<b>March 15, 2022</b>	Commenced planning for “End of COVID” restrictions event with employees to honor their frontline work for the past two years.
<b>May 5, 2022</b>	Email sent to all employees on CALOSHA’s updated COVID ETS Rules that are in effect from May 6 through December 31, 2022. These rules included that masks no longer require a light test, OMWD does not have to disinfect after a case at work, “high risk period” is now “infectious period.” Also, per supplemental COVID leave requirement, employees need to provide results from a medical provider, health facility or in front of a manager at OMWD. Employees still must complete Vector Solutions symptom certification.
<b>August 30, 2022</b>	Reviewing and researching new CALOSHA regulations anticipated to be adopted in September 2022. CALOSHA hearing set for September 15, 2022.

### **Fiscal Impact**

Staff has reviewed all mission critical chemicals, supplies, parts, and inventory on hand and was instructed to order 120 days of mission critical supplies and chemicals to store here at OMWD. OMWD is using funds from Water and Wastewater Operating Reserves to pay for these expenditures, as water sales have been lower than projected through

March 2020 due to weather conditions. Total expenditures in the categories of information technology, inventory, supplies, and customer service total \$331,920.64 as of the publishing of this memo. Of this amount, only \$134,033.45 represents special expenditures that would not have otherwise been incurred but for the COVID-19 pandemic. The remaining \$197,887.19 of expenditures represents parts, supplies, chemicals and materials that were ordered earlier than normal in order to have 5 to 6 months of supplies, materials, chemicals and parts on hand in case of lack of availability. The chart below reflects the COVID-19 expenditures incurred since March 12, 2020. OMWD submitted a Request for Public Assistant (RPA) to FEMA on September 18, 2020. OMWD has submitted for costs that were incurred outside of normal business practices to respond to the emergency, including additional overtime paid due to the isolation of employees in shifts. To date, OMWD's FEMA claim is still pending and we are awaiting direction as to what will be reimbursed. OMWD's FEMA representative indicated that the delay is due to the Presidential transition and that FEMA has been prioritizing vaccine projects.

On October 14th, 2021, OMWD submitted an application for the \$100 million Special District Relief Fund, available through the State of California, for the potential reimbursement of the district's unanticipated COVID-related costs incurred between March 2020 and June 2021. Costs totaling \$372,547 that are not anticipated to be reimbursed by FEMA were included in the application. These costs included: technology costs that allowed select staff to work remotely, customer outreach costs related to water safety and COVID, supplemental COVID sick leave provided to employees, and wages incurred for non-telecommuting employees that were required to stay home at the onset of the pandemic to ensure social distancing. The district was successful in its application and was awarded \$43,561.00 in COVID-19 relief funding to reimburse OMWD for our extraordinary incurred costs for staffing and supplies related to the pandemic.

#### **COVID-19 Expenditures Incurred Since March 12, 2020**

<b>Item</b>	<b>Cost</b>	<b>Category</b>	<b>Note</b>
Laptops	30,605.96	Information Technology	15 laptops
Laptop backpacks	486.33	Information Technology	15 laptops
Zoom meetings	2,398.80	Information Technology	

Duo 2 FA	980.00	Information Technology	
Mitel IP Phone Licenses	1,290.00	Information Technology	
Jabra headsets	645.24	Information Technology	
Sonim phones	611.55	Information Technology	
Samsung phones w/ Case and Hotspot	2,171.00	Information Technology	
Wireless mice & misc. supplies	528.47	Information Technology	
Bluetooth keyboards & mice, headsets, and phone chargers	440.47	Information Technology	
Spray bottles for sanitizer	940.00	Supplies	
Hand soap	817.00	Supplies	
Gloves, Glycerol, Hydrogen Peroxide, Distilled Water, batteries, safety glasses, and stock up of other warehouse supplies	7,957.06	Supplies	Warehouse supplies for the next 5-6 months.
Pinesol disinfectant	459.00	Supplies	
Janitorial supplies – hand wipes, paper towels, trash bags, cleaner, hand soap, facial tissue, bleach, toilet paper, hand sanitizer, etc.	9,352.33	Supplies	Janitorial supplies for the next 5-6 months.
Dust masks (not N95)	322.71	Supplies	
Hand sanitizer packets	397.33	Supplies	

Propanol	515.23	Supplies	
Pacific Pipeline Supply- hydrants, gate valves, copper pipe, repair couplings, and various other inventory items	100,714.07	Inventory	Inventory restock for the next 5-6 months.
AquaMetric - meters	68,954.48	Inventory	Inventory restock for the next 5-6 months.
Hach - Laboratory supplies - reagents and other supplies (WTP)	4,738.00	Supplies	6 month supply
IDEXX - Laboratory supplies - BAC-T bottles (WTP)	315.08	Supplies	120 day supply
Nalco - Water treatment chemicals - 7768 polymer barrels, four 55 gallon drums (WTP)	5,053.83	Supplies	
Sterling Water Technologies - Water treatment chemicals - ACH coagulant 2,000 gallons to top off tank (WTP)	8,759.40	Supplies	
Traffic cones to block off street parking (EFRR)	385.21	Supplies	
Custom COVID-19 park closure signs (EFRR)	221.10	Supplies	
COVID-19 Safety of Your Water Postcard - printing and mailing	9,559.69	Customer Service	Quantity sent: 25,584 postcards
Hair Trigger LLC - Hand Sanitizer	15,015.63	Supplies	Qty. 55 - 5 gallon buckets
Masks, disinfectants, hand soap, DIY hand sanitizer supplies	1,921.24	Supplies	
Barricades (EFRR)	56.01	Supplies	
Hydrogen peroxide, propanol for DIY cleaners	922.48	Supplies	

Disposable gloves	556.19	Supplies	
N95 Masks	242.44	Supplies	
Masks for employees	1,293.50	Supplies	
Containers for hand sanitizer	53.17	Supplies	
Propanol	412.19	Supplies	
Disposable gloves	1,559.72	Supplies	
Reusable masks	118.01	Supplies	
Hydrogen peroxide for DIY cleaners	161.85	Supplies	
Disinfectants, hand sanitizer packets, reusable masks, spray bottles, disposable gloves	2,019.92	Supplies	
Fork/Spoon/knife dispensers	47.97	Supplies	
Hydrogen peroxide for DIY cleaners	107.90	Supplies	
Cleaning wipes	2,248.56	Supplies	
Reusable masks	1,787.86	Supplies	
Thermometers, batteries for thermometers, bins to hold thermometers, bottles for hand sanitizer.	2,940.38	Supplies	
Disinfecting wipes, hand sanitizer, cleaning supplies	1,694.39	Supplies	

Custom COVID-19 park signs (EFRR)	738.24	Supplies	
Disinfecting wipes, alcohol wipes	467.61	Supplies	
Washable Masks (Qty. 400)	1,869.61	Supplies	
N95 masks (Qty. 1,000)	5,710.75	Supplies	
N95 masks (Qty. 130), spray bottles, utensil dispensers, thermometers, touchless soap dispensers, reusable masks (Qty. 250), hand soap	6,959.25	Supplies	
Customer COVID-19 courtesy letters for past due accounts	1,546.51	Customer Service	
Touchless items for Building D including: touchless soap dispensers, touchless paper towel dispensers, hands-free trash cans,	1,656.20	Supplies	
Wall-mounted forehead thermometer (touchless)	109.90	Supplies	
Disposable masks (Qty. 950)	292.82	Supplies	
Disposable masks (Qty. 1,000), alcohol wipes (24 packs)	672.32	Supplies	
Thermometers (5), Surface disinfectant spray (49), alcohol wipes (24 packs).	704.70		
Surface disinfectant, alcohol wipes, disposable face masks	628.42	Supplies	
Materials for temporary walls to divide Building D into pods.	658.29	Supplies	
N95 Masks (Qty 300), disinfectant	1,384.34	Supplies	

Heating, Ventilation, and Air Conditioning (HVAC) Filters	3,868.00	Supplies	
Disposable masks (Qty. 1,500)	398.35	Supplies	
N95 masks (Qty. 80) and thermometers (Qty. 3)	177.76	Supplies	
Disposable masks (500), N95 masks (240), alcohol wipes.	1002.20	Supplies	
Reusable masks (Qty. 100), Disposable masks (Qty. 1,060)	718.80	Supplies	
Disposable masks (Qty. 350)	188.44	Supplies	
Disposable masks (Qty. 1050)	329.28	Supplies	
COVID rapid tests (Qty. 540 total tests)	6369.77	Supplies	
Reusable "no light" masks for OSHA compliance (Qty. 300)	1008.60	Supplies	
Disposable masks (Qty. 800), alcohol wipes	464.41	Supplies	

Category	Total
Information Technology	40,990.12
Inventory	169,668.55
Supplies	110,155.77
Customer Service	11,106.20
<b>Grand Total</b>	<b>\$331,920.64</b>

### Discussion

OMWD will continue to take proactive measures to stay ahead of the curve while keeping customers supplied with safe and reliable drinking water. Monthly COVID-19 emergency updates will continue at each subsequent board meeting until further notice. The district

will continue our objectives to protect the health and safety of employees and customers;  
and ensure the continuity of business operations.

# Memo

Date: September 14, 2022  
To: Olivenhain Municipal Water District Board of Directors  
From: Steve Weddle, Engineering Services Supervisor  
Via: Kimberly A. Thorner, General Manager  
Subject: **CONSIDER ACCEPTANCE OF THE MAIN EXT. 257 – VIA RANCHO MICHELLE PROJECT (DEVELOPER) INTO OMWD’S SYSTEM AND ORDER A NOTICE OF COMPLETION FILED**

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## Purpose

The purpose of this agenda item is to consider acceptance of the transfer of the potable water facilities constructed by the Developer into OMWD’s system and authorize the filing of a Notice of Completion with the San Diego County Recorder.

## Recommendation

Staff recommends acceptance of the potable water facilities into OMWD’s system.

## Alternative(s)

None; the project is complete, and facilities were constructed to OMWD’s standards and specifications per the Development Construction Agreement.

## **Background**

The Main Extension 257 – Via Rancho Michelle Project is located at the far east end of Via Rancho Michelle in Director Division 1 (Topolovac). The project consists of the installation of a 12-inch and 8-inch PVC water main extension and all related facilities and appurtenances.

OMWD entered into an agreement with Developer in July 2021 to construct the facilities and dedicate said facilities to OMWD. The facilities are now complete and have been built in accordance with the plans and specifications of OMWD. The warranty period will terminate one (1) year following the acceptance of the facilities by OMWD's Board.

## **Fiscal Impact**

There is no fiscal impact to accepting the facilities into OMWD's system. The new assets will be reported to Finance for capitalization.

## **Discussion**

OMWD staff is available to answer questions.

*Attachments:*

*Notice of Completion;*

*Location map*

**RECORDING REQUESTED BY &  
WHEN RECORDED RETURN TO:**

Olivenhain Municipal Water District  
1966 Olivenhain Road  
Encinitas, California, 92024-5699

(This space for recorder's use)

**NOTICE OF COMPLETION**

NOTICE IS HEREBY GIVEN that the facilities for the Main Ext. 257 – Via Rancho Michelle, Parcel 3, Tract No. 1001178 recorded December 21, 1972, and Parcel 1 through 4 of Parcel Map No. 12234, recorded July 15, 1982, in the County of San Diego, State of California for which CRAIG LEWIS (“Developer”) contracted with the OLIVENHAIN MUNICIPAL WATER DISTRICT (“Owner,” in fee, of the facilities), headquartered at 1966 Olivenhain Road, Encinitas, CA 92024 and constructed by DRAVES PIPELINE, INC., PO BOX 1051, Bonsall, CA 92003 have been completed in accordance with the plans and specifications as of September 14, 2022. The facilities have been accepted by the Board of Directors of the OLIVENHAIN MUNICIPAL WATER DISTRICT on this 14th day of September, 2022.

In witness whereof this Notice of Completion has been executed under authority from the Board of Directors of said OLIVENHAIN MUNICIPAL WATER DISTRICT by Kimberly A. Thorner, General Manager.

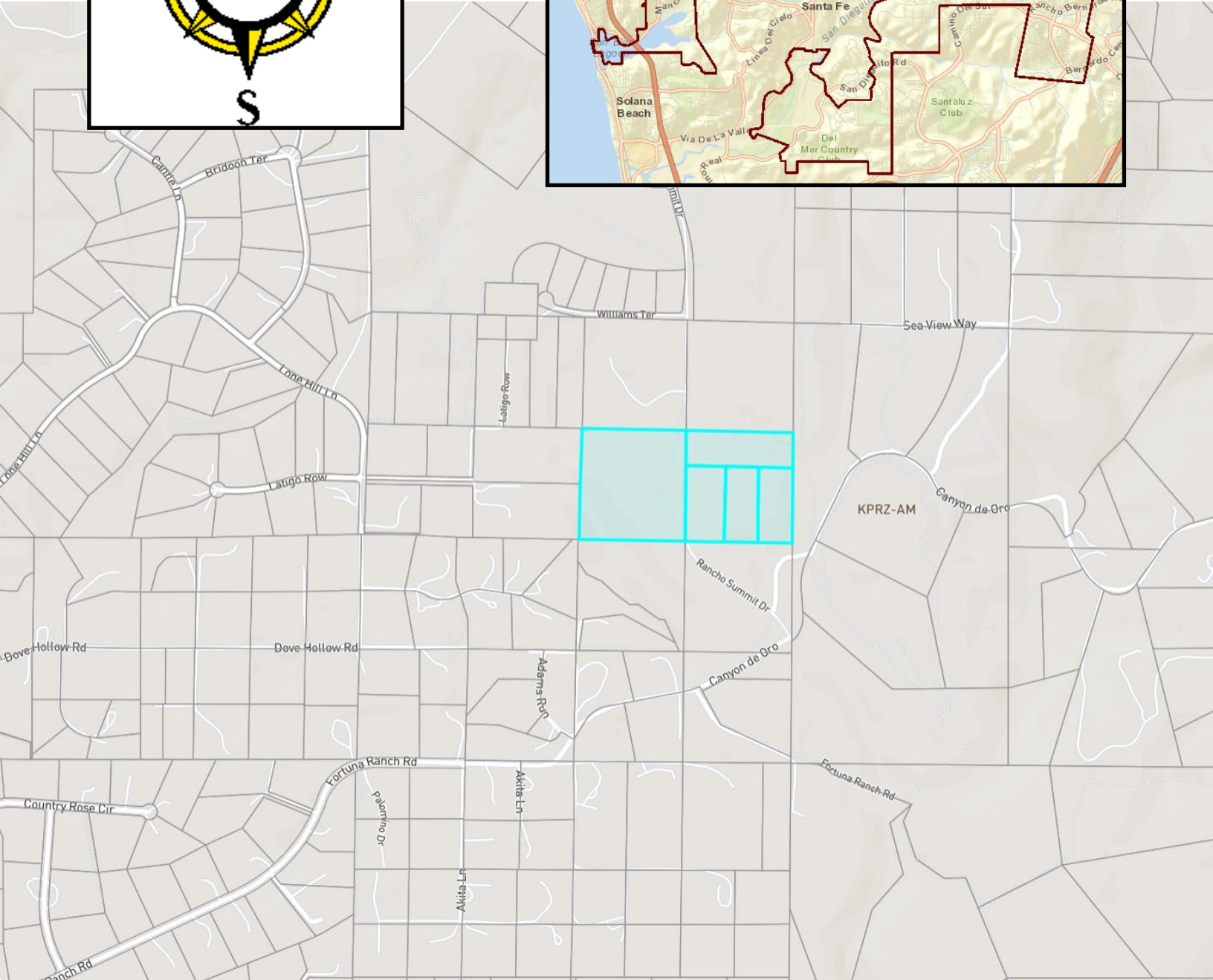
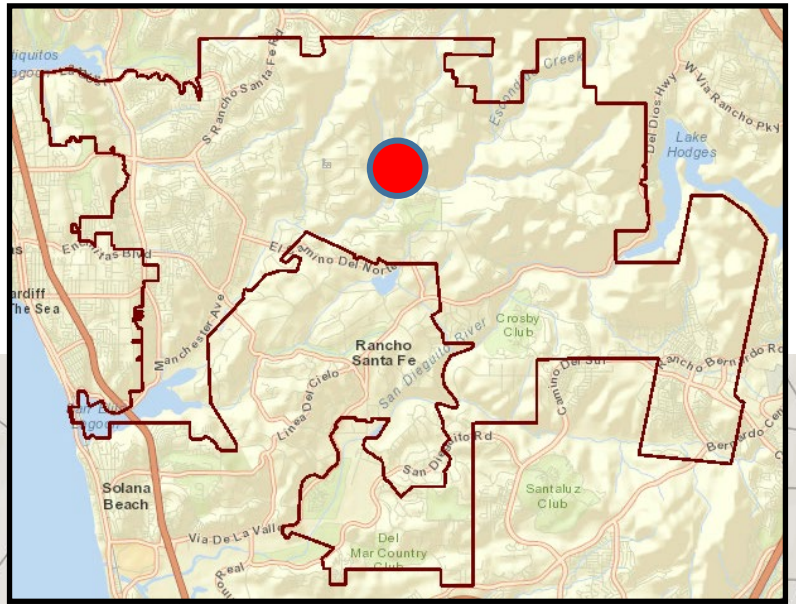
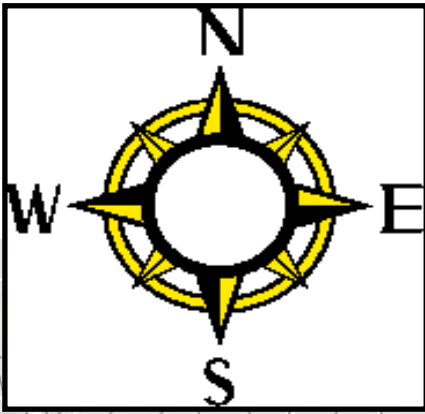
KIMBERLY A. THORNER, being first duly sworn, deposes and says that she is General Manager of the OLIVENHAIN MUNICIPAL WATER DISTRICT and is familiar with the facts stated in the foregoing Notice of Completion executed for and on behalf of said Agency, that she has read the foregoing Notice of Completion and knows the contents thereof and that the same are true.

OLIVENHAIN MUNICIPAL WATER DISTRICT

Date: \_\_\_\_\_, 2022

By: \_\_\_\_\_  
Kimberly A. Thorner  
General Manager

District Project No. W560013 – Ext. 257 – Via Rancho Michelle



**MAIN EXT. 257 – VIA RANCHO MICHELLE**  
**OMWD PROJECT NO. W560013**

# Memo

Date: September 14, 2022  
To: Olivenhain Municipal Water District Board of Directors  
From: Jennifer Joslin, Human Resources Manager  
Via: Kimberly A. Thorner, General Manager  
Subject: **CONSIDER WASTEWATER COLLECTION SYSTEM GROW-YOUR-OWN (GYO) PRESENTATION (INFORMATIONAL ITEM)**

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## Purpose

The purpose of this agenda item is to receive an informational report from Jymy Briseno who was recently selected for the Water Reclamation Operator III Grow-Your-Own (GYO) internal promotion.

## Recommendation

No board action is required. This is an informational item only and a good review of the OMWD wastewater collection system.

## Background

An oral presentation is required as part of the GYO selection process in addition to a comprehensive application and a panel interview. Attached is Mr. Briseno's GYO presentation regarding the District's sewer collection system. Staff thought the informational report would be beneficial to help inform the Board about how the system functions. Mr. Briseno also recently assisted with completing the annual objective to conduct a self-audit of the Sewer System Management Plan (SSMP).



OM WD

MADE IN USA  
3800  
GMI

A DAY IN THE LIFE:



COLLECTION SYSTEM

GYO WRO III PRESENTATION  
BY JYMY BRISENO

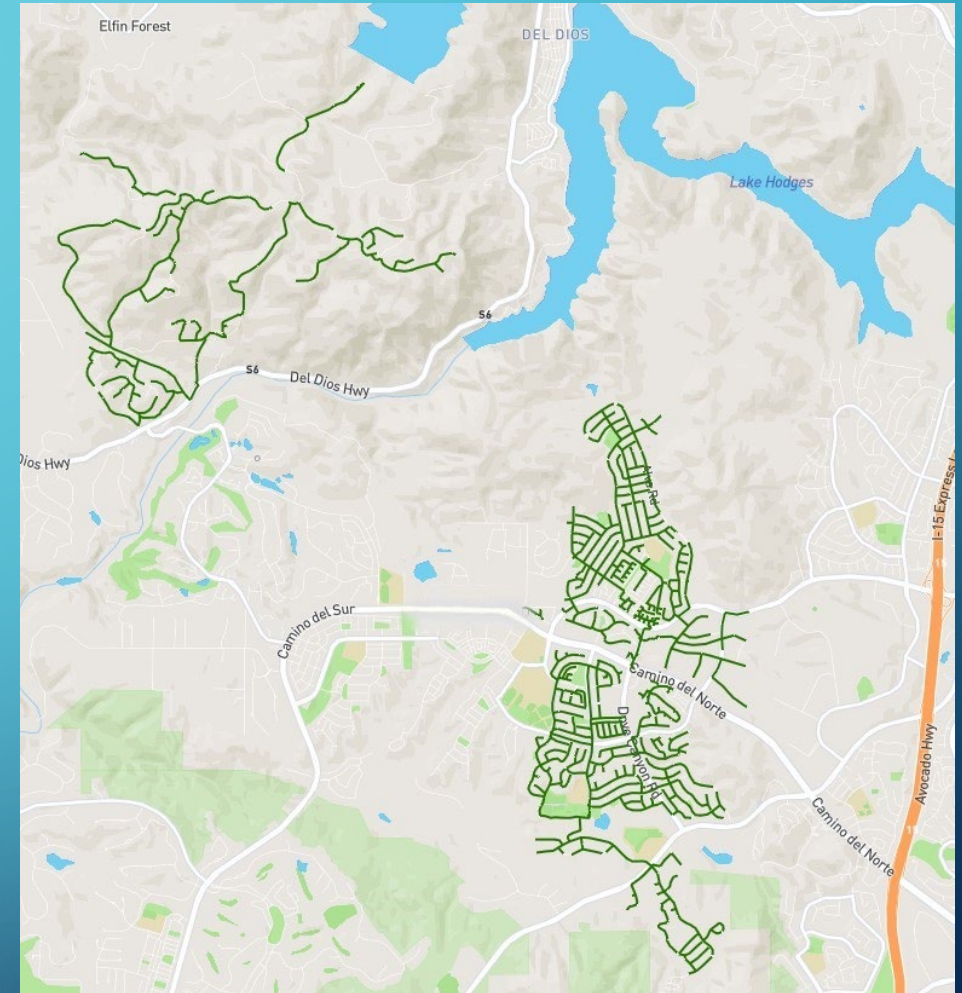
# THE CHALLENGE

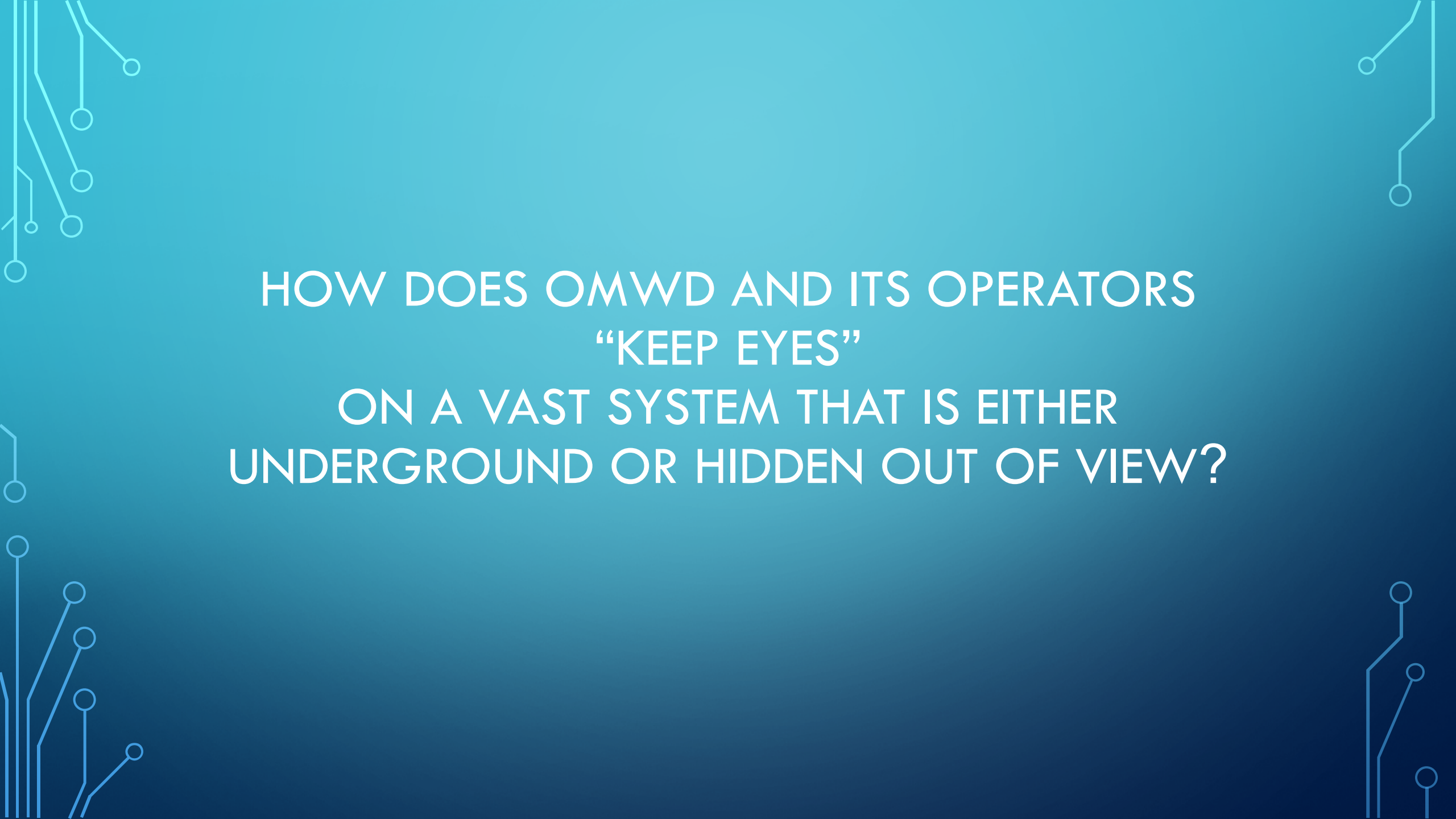
- GENERAL WASTE DISCHARGE REQUIREMENTS (WDRS) SPECIFIES THAT OMWD MUST PROPERLY MANAGE, OPERATE, AND MAINTAIN ALL PARTS OF THE COLLECTION SYSTEM
- WATER RECLAMATION OPERATORS AT OMWD TASKED WITH OPERATING AND MAINTAINING THE COLLECTION SYSTEM AND THE WATER RECLAMATION PLANT
- MUST ALSO MONITOR CONTINUOUSLY TO AVOID BLOCKAGES, ILLEGAL DISCHARGES, SMELL COMPLAINTS AND MOST IMPORTANTLY...
- MINIMIZE SANITARY SEWER OVERFLOW (SSO)

# THE DETAILS

THE SEWER COLLECTION SYSTEM IS COMPRISED OF:

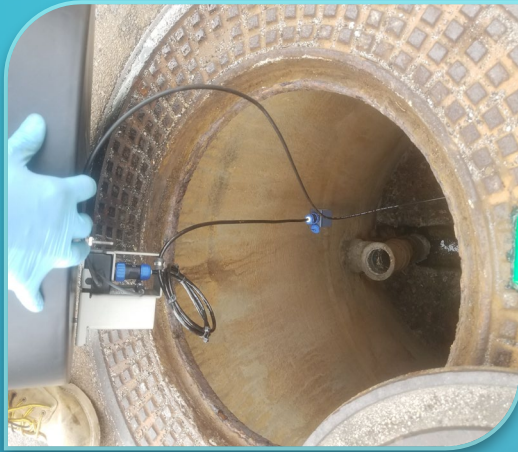
- 65 MILES OF GRAVITY SEWER
- 20 MILES OF SEWER FORCED MAINS
- 14 PUMP STATIONS/LIFT STATIONS
- 1300+ MANHOLES



The background is a blue gradient. In the corners, there are white line-art illustrations of circuit boards or neural networks, with lines and small circles representing nodes and connections.

HOW DOES OMWD AND ITS OPERATORS  
“KEEP EYES”  
ON A VAST SYSTEM THAT IS EITHER  
UNDERGROUND OR HIDDEN OUT OF VIEW?

# THE SOLUTION

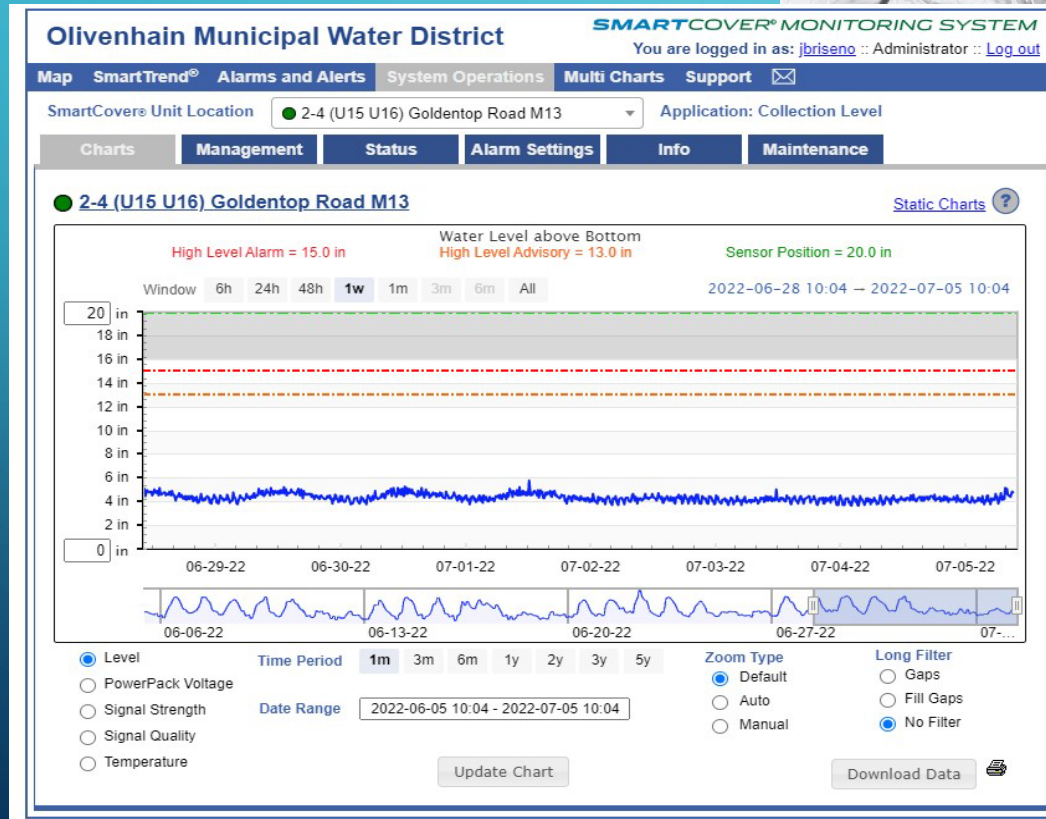
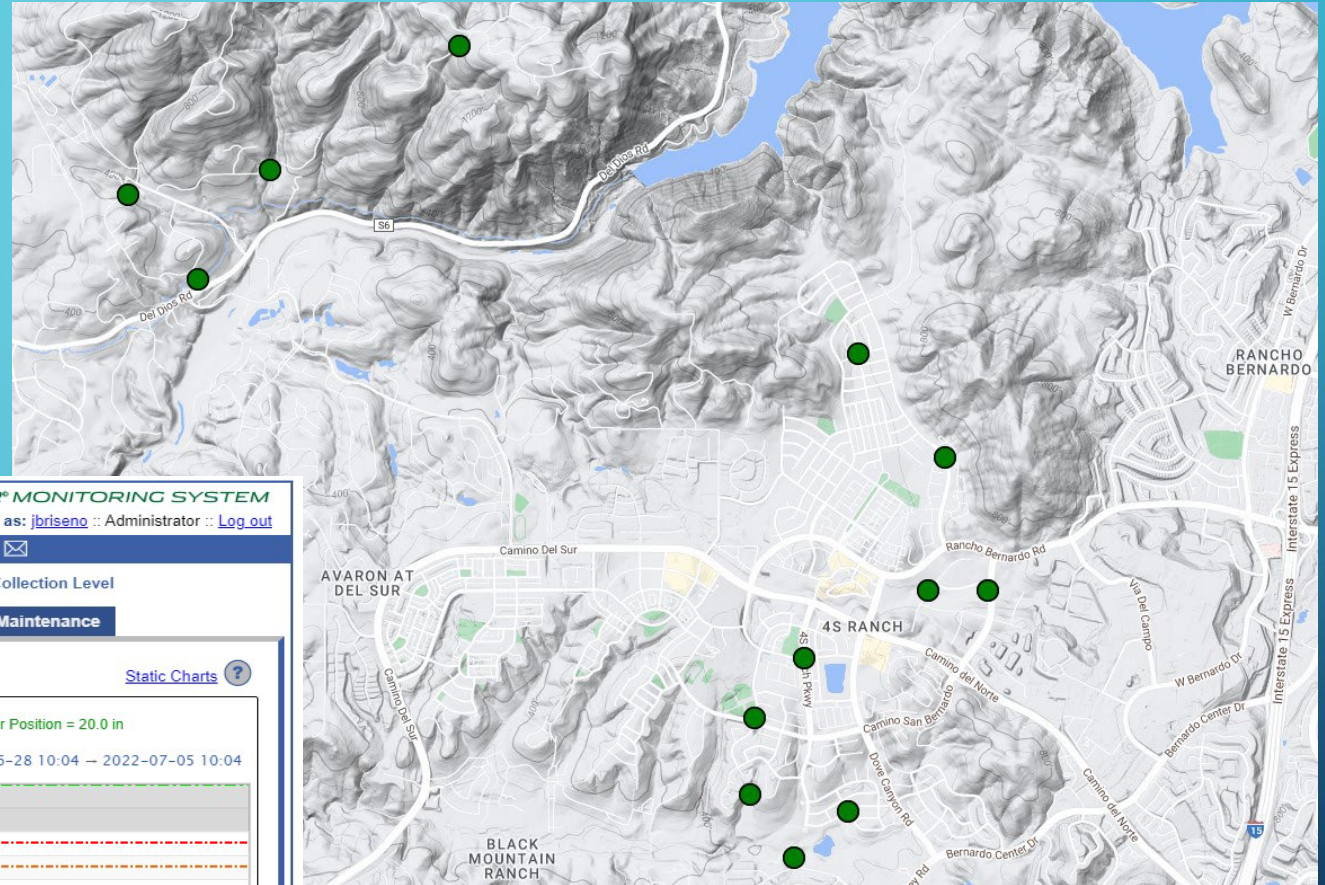


## WIRELESS REMOTE SENSORS

- RELIABLE SATELLITE-BASED DATA TRANSMISSION
- PROVIDES REAL-TIME MONITORING AND EARLY WARNING DETECTION
- COST-EFFECTIVE

# SMART LEVEL MONITORING

- USED FOR MEASURING AND REPORTING SEWER LEVELS
- CONTINUOUS MONITORING IN REAL-TIME 24/7/365



- SENDS NOTIFICATIONS IF IRREGULARITIES ARE DETECTED
- TILT ALARM
- PORTABLE VERSION ALSO AVAILABLE

# CIELO ODOR COMPLAINTS

- BEGAN RECEIVING ODOR COMPLAINTS FROM A CUSTOMER
- INVESTIGATION INTO SOURCE AND LOCATION OF SMELL
- TRIED TO MITIGATE SMELL BY USING MANHOLE INSERTS AND RUNNING EXTRA WATER THROUGH THE SEWER LINE
- BEGAN RECEIVING ODOR COMPLAINTS ALONG THE SAME LINE
- HIGH CONCENTRATION OF HYDROGEN SULFIDE ( $H_2S$ ) GAS HAD BECOME A NUISANCE TO RESIDENTS

# H<sub>2</sub>S LEVELS MONITORING

## ODALOG

- OLDER STYLE OF H<sub>2</sub>S DATA LOGGER
- PLACED IN THE FIELD TO RECORD DATA
- DATA IS DOWNLOADED FROM THE UNIT
- APPROXIMATELY 2 MONTHS OF DATA STORAGE
- DO NOT SUBMERGE LOGGER
- RANGE 0-200 PPM OF H<sub>2</sub>S



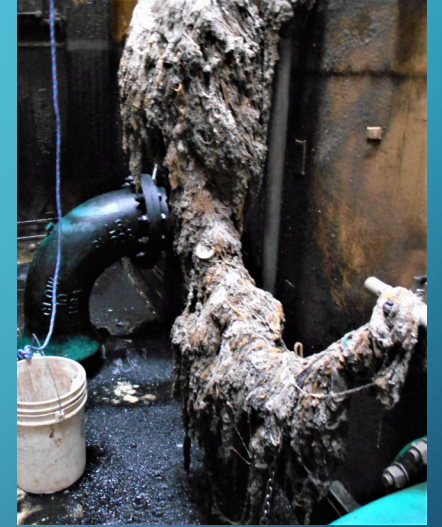
# H2SCENTS

- RELIABLE REAL-TIME H<sub>2</sub>S LEVELS
- SEALED SENSOR AND MAINTENANCE FREE
- ABLE TO SET HIGH READING ALARMS
- USER-FRIENDLY DATA ANALYTICS
- VIRTUALLY UNLIMITED DATA STORAGE
- RANGE 0-1000 PPM OF H<sub>2</sub>S



# THE RESULTS

- IN COMBINATION WITH OTHER TOOLS AND RESOURCES
- HELPS TO MANAGE THE COLLECTION SYSTEM EFFICIENTLY WITH LIMITED STAFFING
- NEXT STEP: USE THE DATA COMPILED TO PINPOINT AREAS OF HIGH RISK AND SETUP SENSORS





THANK YOU

# Memo

Date: September 14, 2022  
To: Olivenhain Municipal Water District Board of Directors  
From: Geoff Fulks, Operations Manager  
Via: Kimberly A. Thorner, General Manager  
Subject: **CONSIDER PRESENTATION ON ENTERPRISE ASSET MANAGEMENT WORK ORDER BACKLOG (INFORMATIONAL ITEM)**

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## Purpose

The purpose of this agenda item is to provide the Board with an update on Work Order backlog as tracked in the Enterprise Asset Management (EAM) system.

## Recommendation

This is an informational item; no action is required. This is an annual report to the Board which has been presented since 2013.

## Alternative(s)

Not applicable; informational item only.

### **Background**

This item is part of the ongoing effort to inform the Board on the status of Work Order backlog in the Operations Department (Construction, System Operations, Water Treatment Plant, Water Reclamation Facility, and Technical Services).

### **Fiscal Impact**

There are no costs directly associated with this informational report.

### **Discussion**

Staff will review the attached presentation at the September 14, 2022 meeting and respond to any questions.

*Attachment(s):*

*EAM Work Order Backlog Update PowerPoint Presentation*

# EAM WORK ORDER BACKLOG UPDATE

September 14, 2022



# Enterprise Asset Management

- Enterprise asset management (EAM) is the process of managing the lifecycle of physical assets
- Purpose of EAM software:
  - Prioritizes rehabilitation and replacement needs
  - Reduces downtime and emergency repairs
  - Demonstrates to the community that we are being good stewards of our rate payers' investments
  - Increases system knowledge

# Work Defined in EAM

- OMWD utilizes Hexagon's EAM software to track activities (work) performed on infrastructure, systems, and equipment
- Activities categorized as:
  - Preventative Maintenance (PM): routine scheduled maintenance and inspections
  - Corrective Maintenance (CM): unplanned repair or replacement

# Factors Contributing to Backlog

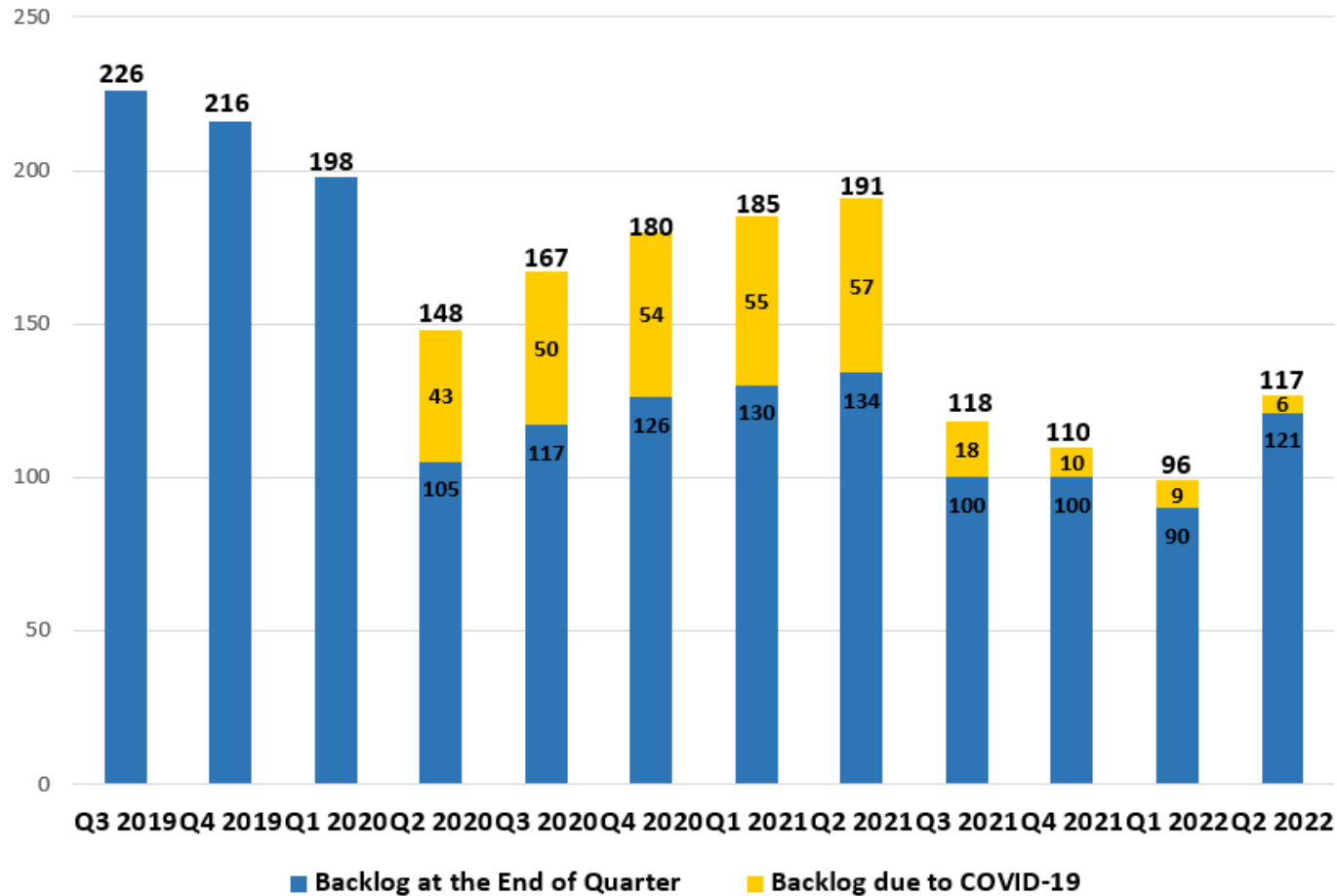
- Competing priorities
  - CM activities take priority over PM activities
  - Capital Improvement Project (CIP) execution; annual objective support
- Staffing levels and experience
  - Newer employees due to retirements or vacancies
  - COVID-19 (frozen positions, temporary staff unavailable, separated staffing schedules)
- Aging infrastructure
  - Breaks and leaks on service lines, distribution and transmission mains, gravity and force-main sewer pipelines
  - Valve and appurtenance failures
  - Plant and systems equipment reaching end-of-life

# Construction Department Workload

- Primary focus on CM repair or replacement work
  - Valve Replacements
  - Main and service laterals
  - Hydrants
  - Construction support
  - Fleet



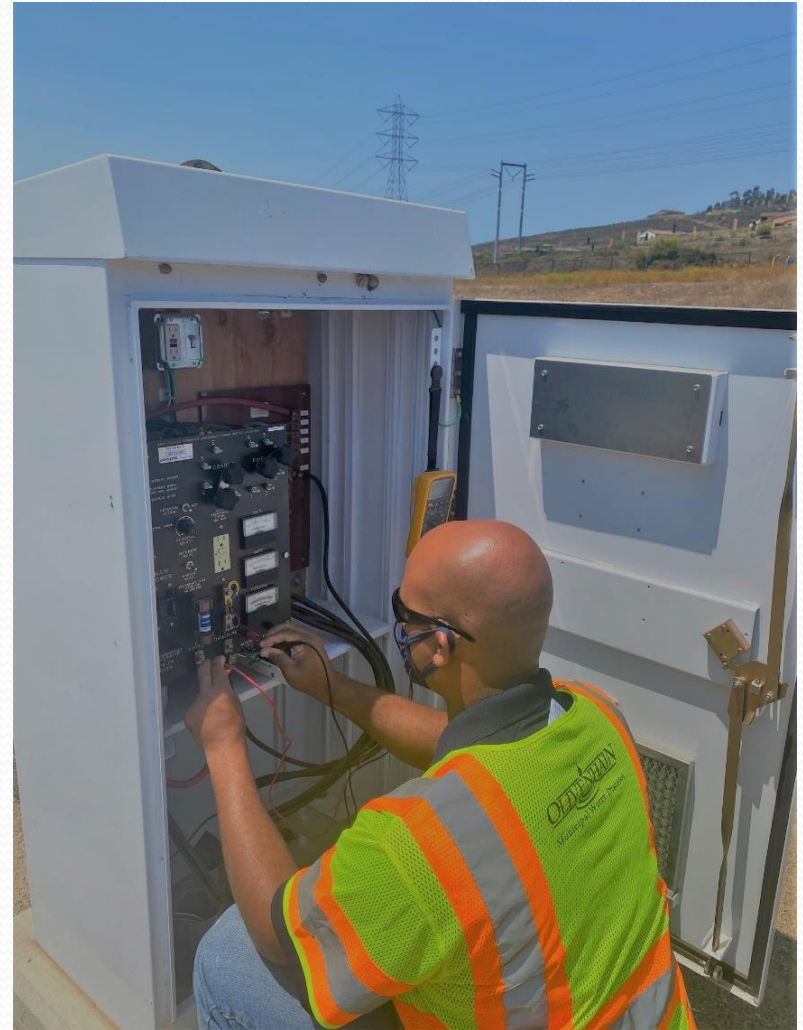
# Construction Backlog



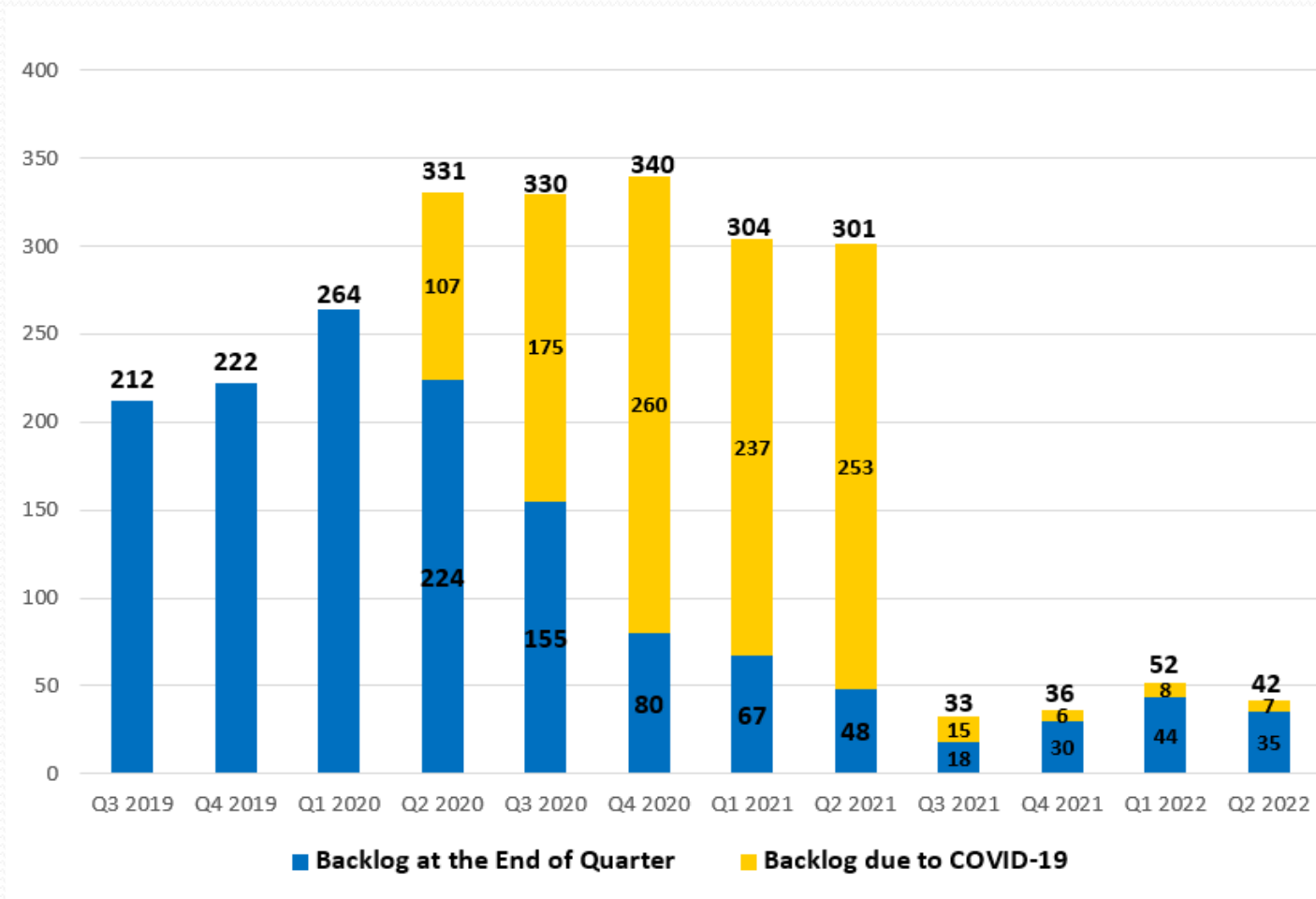
# System Operations Department Workload

- Potable and recycled pump stations, pressure reducing stations and flow control facilities
- Cathodic protection\*
- Water quality monitoring and sampling
- Valves, hydrants and appurtenances
- Reservoirs





# System Operations Backlog

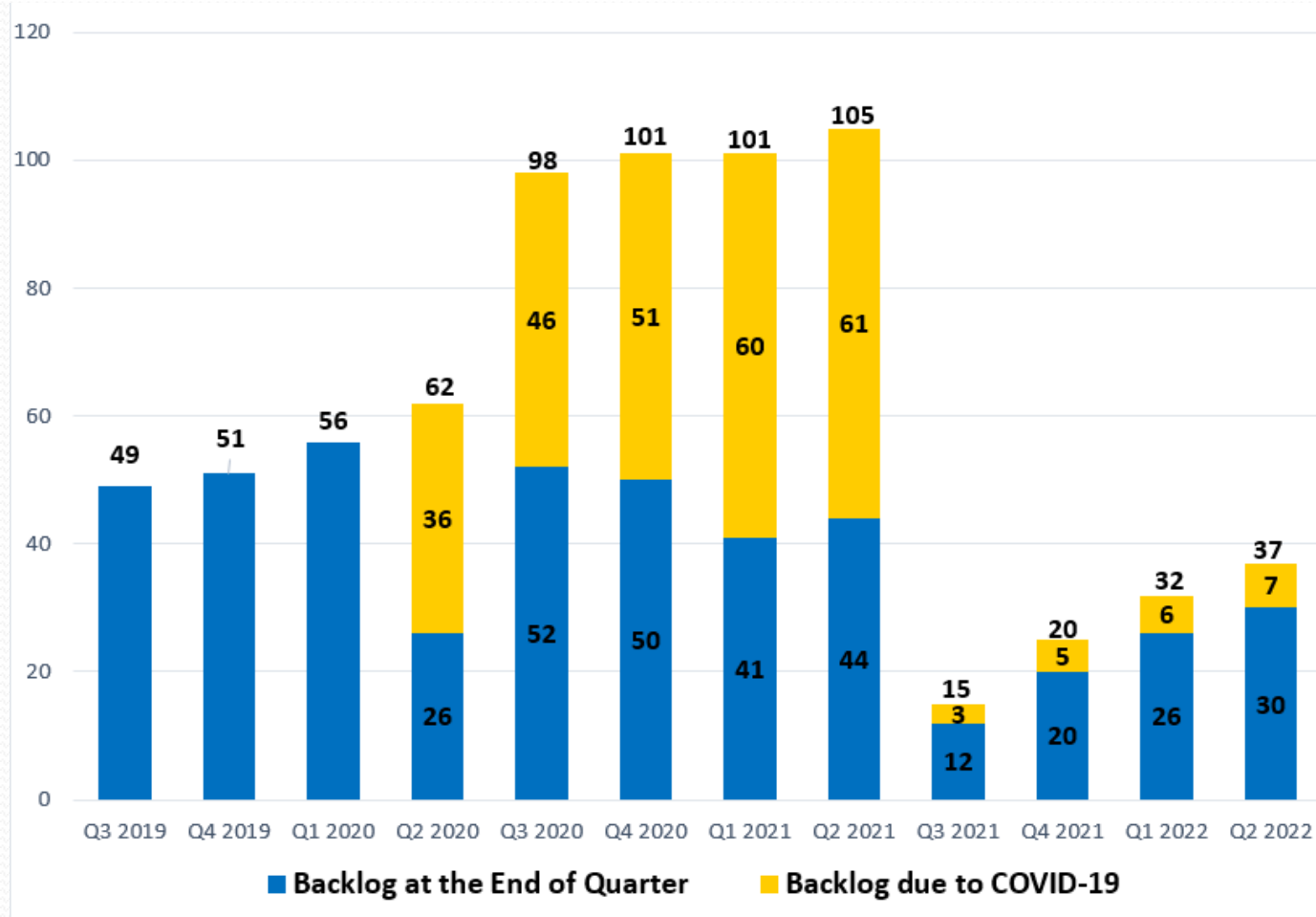


# Tech Services Department Workload

- Generators, electrical panels, switchgear
- Pumps, motors, variable frequency drives
- Instrumentation devices, programmable logic controllers, radios
- SCADA and enterprise network communication hardware and software
- Computer, mobile device, phone system user, and cybersecurity training/support
- Software support: CIS, GP, Paramount, RoseASP, GIS, EAM



# Tech Services Backlog

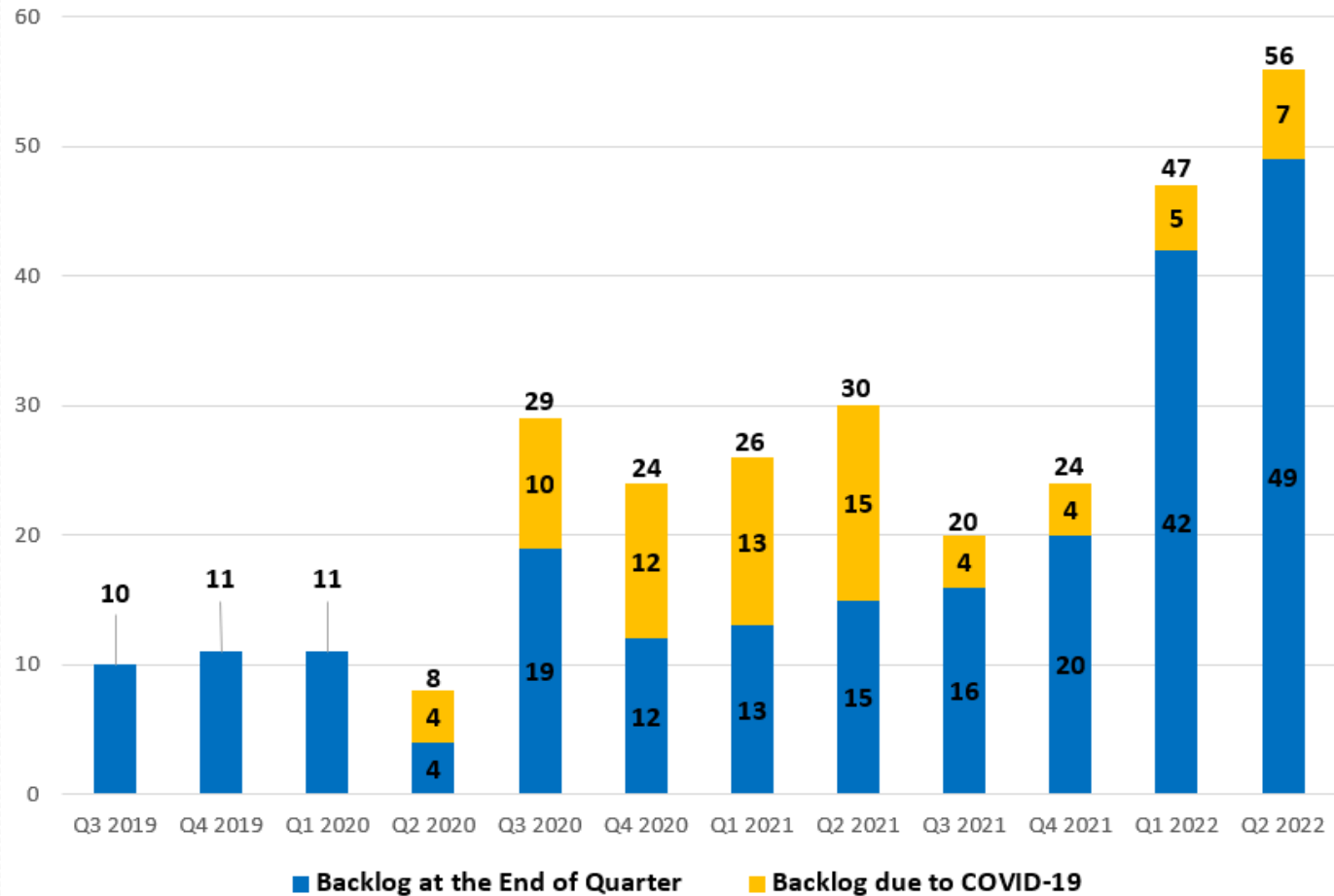


# Water Treatment Plant Workload

- Plant equipment maintenance and data collection
- Water quality monitoring (Regulatory and Process Control sampling and analysis)
- Instrumentation maintenance and calibration
- Membrane replacements and primary mover equipment upgrades



# Water Treatment Plant Backlog

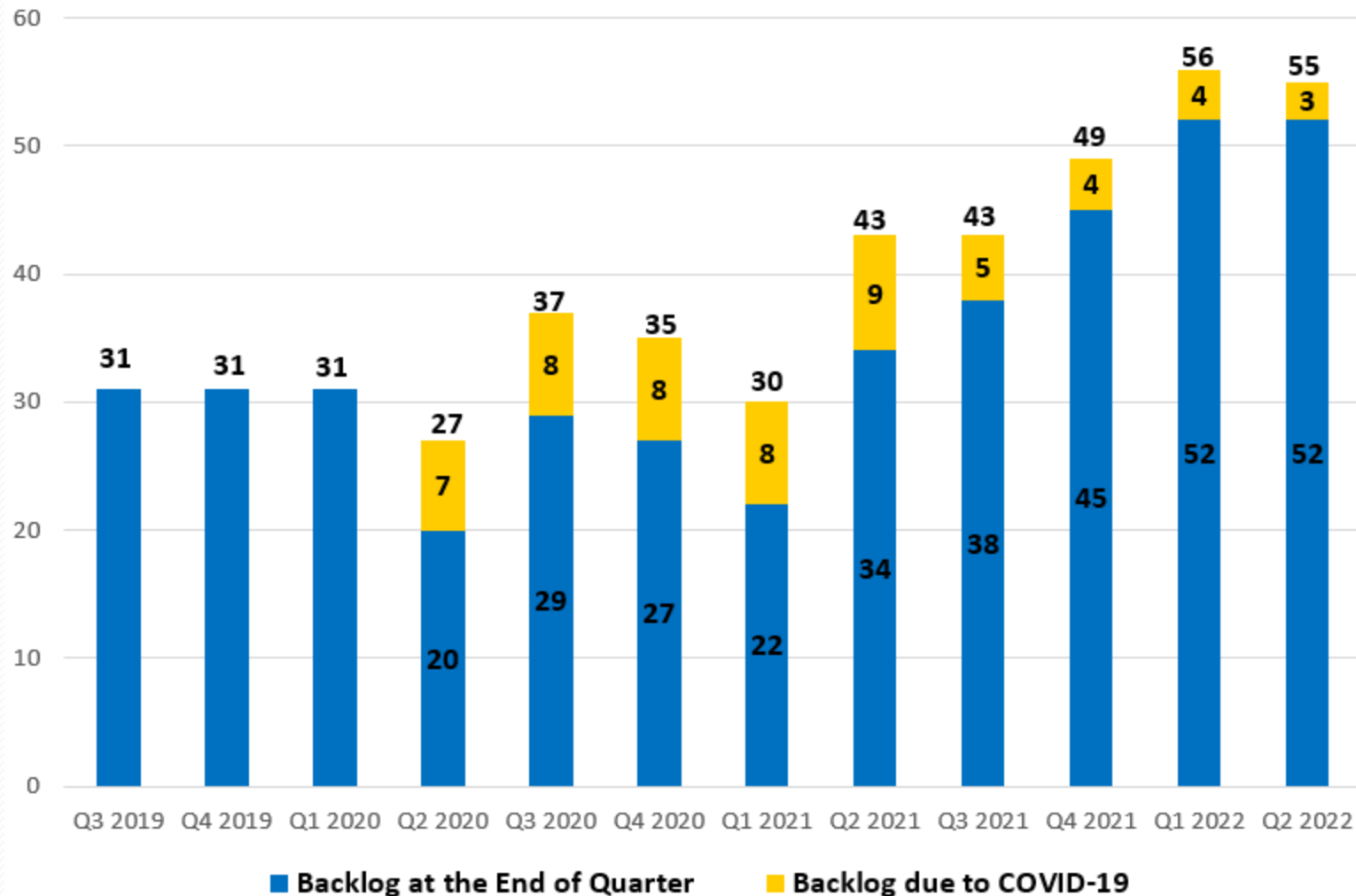


# Water Reclamation Facility Workload

- Sewer collection system inspections: pump stations, manholes, gravity and force main systems
- Plant equipment data collection
- Water quality monitoring (Regulatory and Process Control sampling and analysis)
- Instrumentation maintenance and calibration
- Primary mover equipment upgrades
- Cross Connection and Backflow



# Water Reclamation Facility Backlog



# What does this tell us?

- Is this an acceptable amount of backlog?
- Industry Standards / Performance Metrics?

# Summary

- Competing priorities:
  - CM activities taking priority over PM programs
  - CIP execution
- Staffing levels
- COVID-19 impacts – split shifts

# Questions?

# Memo

Date: September 14, 2022  
To: Olivenhain Municipal Water District Board of Directors  
From: Joe Jansen, Administrative Analyst  
Via: Kimberly A. Thorner, General Manager  
Subject: **CONSIDER AN UPDATE ON RESULTS OF THE 2021 WATER LOSS AUDIT  
(INFORMATIONAL ITEM)**

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## **Purpose**

The purpose of this agenda item is to provide the board with an update on the results of the 2021 Water Loss Audit. This item was presented at the Conservation Committee (Directors Guerin and Meyers) Meeting on August 30. The Conservation Committee requested this item be presented to the full board.

## **Recommendation**

This is an informational item; no action is required.

## **Alternative(s)**

Not applicable; informational item only.

## **Background**

SB 555 (Wolk) was adopted in 2015 and requires that all urban retail water suppliers submit annual water loss audits to the Department of Water Resources. Drought and water supply shortages have highlighted the need for water suppliers to manage water loss in distribution systems as a means to maximize available water supplies, recover revenue, and minimize water waste.

## **Fiscal Impact**

There are no costs directly associated with this informational report.

## **Discussion**

OMWD has submitted annual water loss audits to DWR since 2016. Staff uses the annual water loss audit process and results to identify potential areas for improvement in the distribution system. There are several performance indicators that measure the amount of water lost in the distribution system relative to the size and complexity of the system that provide indications of the system's performance and overall efficiency.

Some water loss throughout the distribution system is unavoidable and typically results from factors such as leaks, hit fire hydrants, and water used by staff at treatment facilities. The average water loss percentage for all California agencies is around nine percent. OMWD has a target Key Performance Indicator to limit total water lost to no more than eight percent of total water imported. For the 2021 calendar year, OMWD's distribution system lost just 6.53% of the total water imported, well below the target KPI and indicative of a very well-managed system.

Infrastructure Leak Index is a ratio between Current Annual Real Losses and Unavoidable Annual Real Losses. The ratio compares how the actual or Real water loss results of a given distribution system compare to the conceptual or Unavoidable water loss figures of a distribution system of the same size operating at the lowest, technically achievable real loss amount. For this ratio, when comparing the losses of a real system to a conceptual system operating at maximum efficiency, the best result is 1. The average ILI amongst California water agencies is over 2.15 indicating most agencies in the state are losing more than twice the amount of water that is technically achievable. For the 2021 water loss audit, OMWD's ILI is 1.03.

The Data Validity score of a distribution system's water loss audit is indicative of the trustworthiness of data submitted with a maximum available score of 100. The score is a measure of the accuracy of the data submitted based on the methods used to obtain

the information. Several factors contribute to this score such as the implementation of meter calibration testing programs, up-to-date billing systems, frequency of third-party audits, transparency of record keeping and sound policy documentation, as well as other methods used to ensure the system-generated information is correct. OMWD continues to improve its Data Validity and obtained a score of 84 for 2021 based on the results. With a top score of 87 amongst all California water agencies, a grade of 84 places OMWD in the top 99 percent.

The State Water Resources Control Board reviews each agency's water loss audit results and provides recommendations for ways to further improve the validity of the data submitted. Recommendations for OMWD have included increasing the frequency of calibration testing of the inflow meters owned by San Diego County Water Authority at the David C. McCollom Water Treatment Plant, adding additional flow meters to the outbound pipelines of the WTP, and intensifying the meter testing and replacement program with a goal of servicing 10% of total meters annually or roughly 2,300 each year. Upon review of the audit results and recommendations by the SWRCB, it was determined that the costs of implementing said improvement measures far exceed the value of the water lost and therefore are not justified. The attached slide deck further discusses the results of the 2021 annual water loss audit as well as progress made compared to prior years.

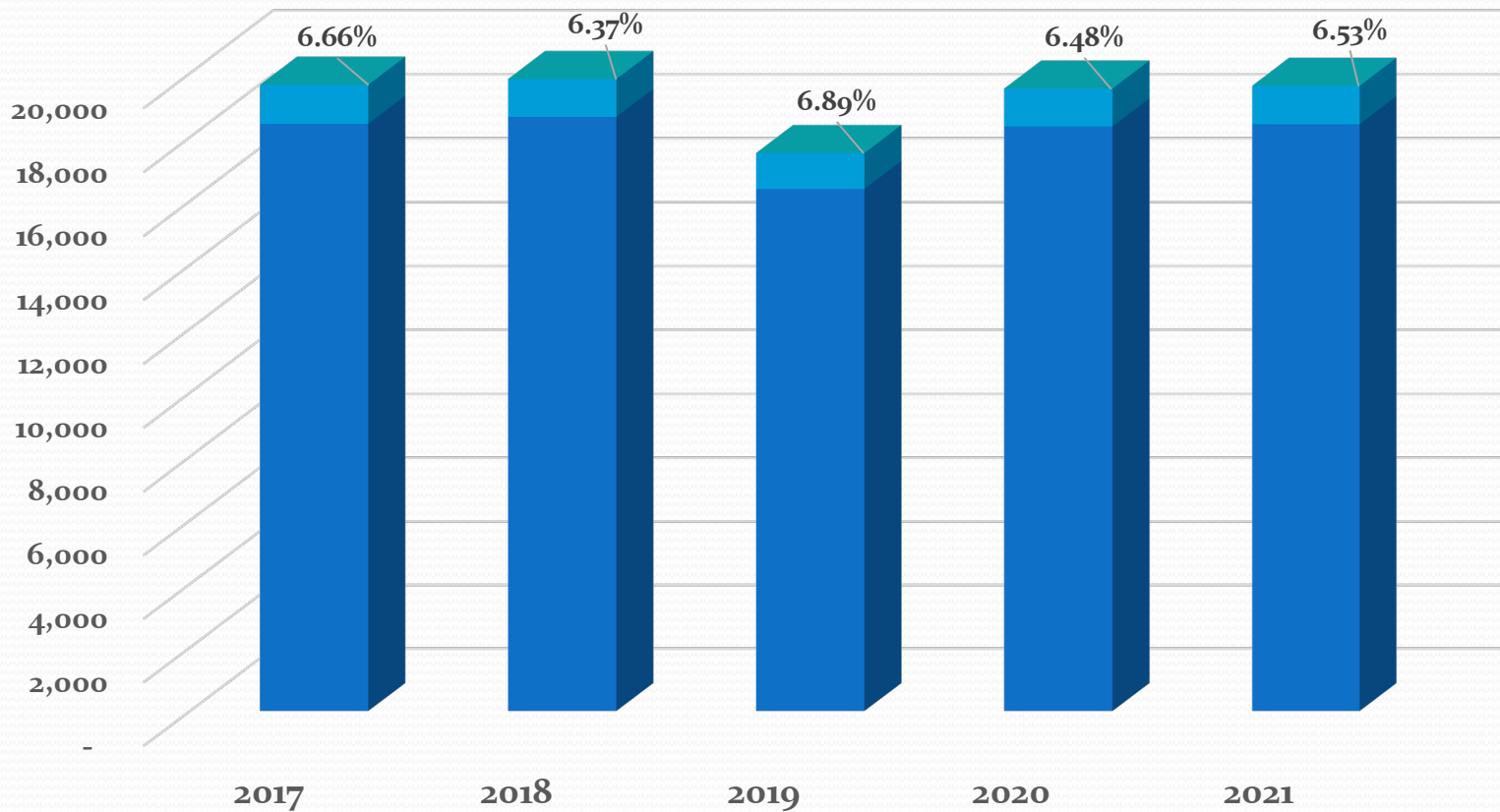
*Attachments: PowerPoint presentation*

# 2021 WATER LOSS AUDIT REVIEW

September 14, 2022

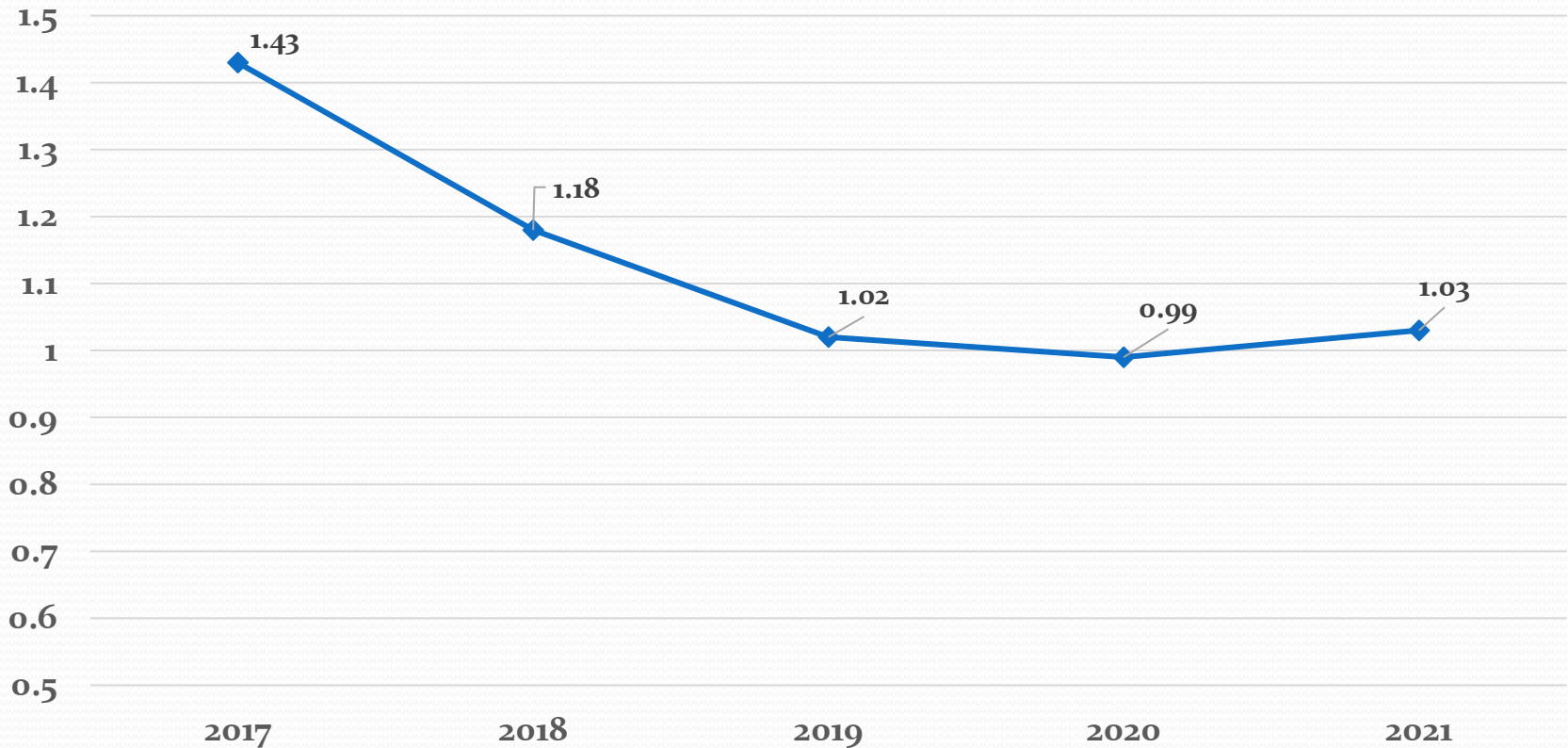


## Water Loss % of Total Supplied



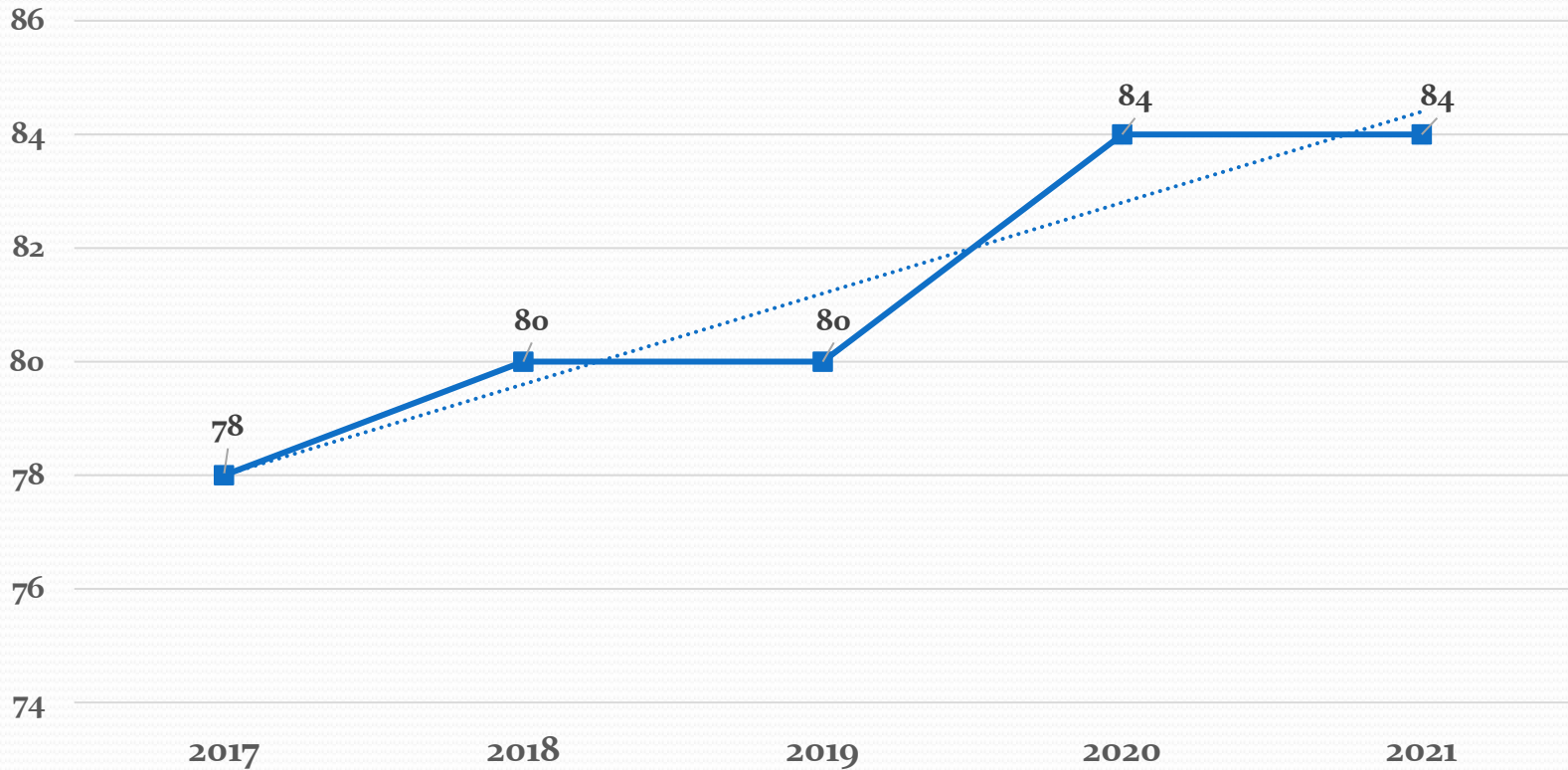
*OMWD Key Performance Indicator < 8.0%*

## Infrastructure Leak Index Trend



*ILI is the ratio of Real Losses to Unavoidable Real Losses and is considered a highly effective performance indicator where a score of 1 is ideal.*

## Data Validity Trend



*Measures the accuracy and accountability of the data submitted based on the use of policies, procedures, programs, calibration tests, audit programs, and other means to verify the information submitted is correct.*

## Data Validity Considerations

- Increase frequency of calibration tests on WTP inflow meters (SDCWA) to semi-annually.
- Develop more accurate policies to document water lost to leaks.
- Implement ongoing customer meter testing and replacement program with a goal of servicing 10% of total meters annually or roughly 2,300 and have said program reviewed by third party using M36 methodology.

# Questions?

# Memo

Date: September 14, 2022  
To: Olivenhain Municipal Water District Board of Directors  
From: Leo Mendez, Accounting Supervisor  
Rainy Selamat, Finance Manager  
Via: Kimberly Thorner, General Manager  
Subject: **PUBLIC HEARING TO CONSIDER THE OLIVENHAIN MUNICIPAL WATER DISTRICT'S WATER CAPACITY FEES FOR 2022 (5:30 p.m.)**

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## Purpose

The purpose of this agenda item is to receive and consider public comments regarding the proposed changes to the District's water capacity fees for 2022. The date and time of this public hearing was set by the Board at the August 17, 2022 meeting.

## Recommendation

Staff recommends a 3.8% increase to the District's water capacity fees for 2022, based on the annual increase in the Engineering News-Record (ENR) Cost Construction Index (CCI) for Los Angeles, which will be brought to the Board for consideration and approval at the October 19, 2022 meeting.

The existing and proposed fees for a  $\frac{3}{4}$ " meter are as follows:

<b>Zone of Benefit</b>	<b>2021 Existing Fees (¾" meter)</b>	<b>2022 Proposed Fees (¾" meter)</b>
Zone A	\$ 15,536	\$ 16,126
Zone B	\$ 11,147	\$ 11,570
Zone C	\$ 11,354	\$ 11,785
Zone D	\$ 23,527	\$ 24,421
Zone E	\$ 11,514	\$ 11,951

### **Alternatives**

The Board may choose to not increase the District's water capacity fee recommended by Staff (3.8%), or delay the District's water capacity fees increase for 2022.

The District's water capacity fees were last increased in October 2021. Delaying capacity fee increases for another year will increase the burden on existing water users for the construction of the District's water infrastructure. This burden rightly belongs to new construction developments.

### **Background**

A capacity fee is a one-time fee assessed by the District to new users to pay for their share of costs to construct required facilities to provide services to their respective area (zone of benefit.) Revenues generated from capacity fees are used by the District to reimburse existing users (through lower rates and charges) for existing water infrastructure in the District and to pay for facilities included in the District's water capital improvement program included in the District's ten-year planned capital expenditures.

A 2012 Water Capacity Fee Study is the basis for calculating the District's water capacity fee. The 2012 Water Capacity Fee Study used a Combined Fee Methodology to calculate water capacity fees. The Combined Fee Methodology calculates water capacity fees by dividing existing assets and future water capital improvement projects by total equivalent dwelling units (EDUs) at build-out. The 2012 Water Capacity fee used the costs of District assets and capital improvement project cost estimates for the five zones of benefit in the District. The District's water capacity fees are collected by zone of benefit. Staff is of the opinion that collection of the District's capacity fees from future users by zone of benefit continues to be the fairest and most equitable methodology to reimburse existing users for their capital investments to date by zone of benefit.

The District evaluates capacity fees on an annual basis to determine if appropriate funds are being collected to fund necessary capital improvement projects included in the District's ten-year capital spending plan. In order to keep up with anticipated cost increases, ENRCCI-LA has been used by the District as part of the annual adjustment. This practice is consistent with the District's Administrative and Ethics Code (Article 13-Policy for District Facilities.)

### **Fiscal Impact**

The District is currently estimated at 95% build-out. Water capacity fee revenue collected in fiscal year 2021-22 was about \$361,000. Projected water capacity fee revenue over the next ten fiscal years is \$4.8 million. Delaying this water capacity fee increase would result in a revenue loss of about \$182 thousand over this ten-year period.

### **Discussion**

Staff is proposing a 3.8% increase to the District's capacity fee based on the change in the Engineering News Record Construction Cost Index for Los Angeles (ENR CCI-LA) from May 2021 to June 2022.

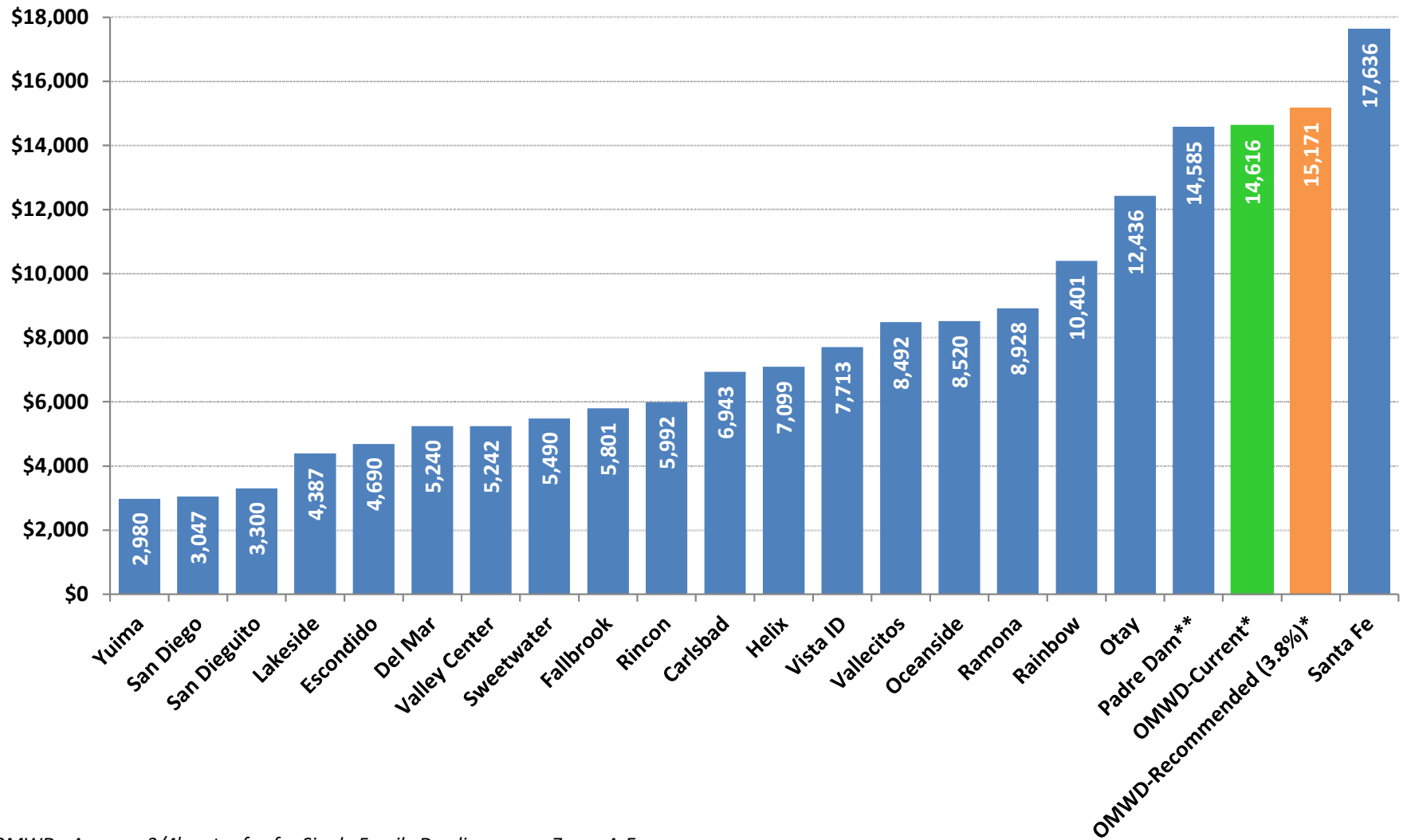
Notification of the September 14, 2022 public hearing was posted in the San Diego Union Tribune on September 2, 2022 and September 9, 2022 and posted on the District's website. The notice of public hearing was sent electronically to the Building Industry Association on August 22, 2022.

A copy of the most recent survey of SDCWA Member Agency Water Capacity Fees for ¾" meter with OMWD current and proposed average water capacity fees by zone of benefit is attached for information.

Staff and the District's Capacity Fees Consultant, Mr. Sudhir Pardiwala with Raftelis Financial Consultants, will be available at the hearing.

Attachment: 2022 Water Capacity Fee Survey

# **SURVEY OF SDCWA MEMBER AGENCY WATER CAPACITY FEES** **As of August 2022**



\*OMWD - Average 3/4' meter fee for Single Family Dwelling across Zones A-E

\*\*Padre Dam - Average 3/4' meter fee for Single Family Dwelling in a gravity feed zone actual fee varies by Acreage and pumped zone vs gravity zone

# Memo

**A**

To: Olivenhain Municipal Water District Board of Directors

Subject: INFORMATIONAL REPORTS  
PRESIDENT

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Any report will be oral at the time of the Board meeting.

# Memo

**B**

To: Olivenhain Municipal Water District Board of Directors

Subject: INFORMATIONAL REPORTS  
GENERAL MANAGER

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Any written report will be attached; any oral report will be provided at the time of the Board Meeting.

September 14, 2022

Board of Directors  
Olivenhain Municipal Water District  
1966 Olivenhain Road  
Encinitas, CA 92024

The following are brief highlights of the District's departmental operations for the month of **August 2022:**

<b>Operations &amp; Maintenance</b>	<b>August 2022</b>	<b>July 2022</b>
<b>DCMWTP Total Production</b>	650.8 million gallons	650.3 million gallons
<b>DCMWTP Average Daily Production</b>	21 million gallons	21 million gallons
<b>DCMWTP Peak Day Production</b>	25.8 million gallons	24.8 million gallons
<b>Source Water Blend (% State Project Water)</b>	0%	0%
<b>Total Deliveries to VWD</b>	No Deliveries	No Deliveries
<b>4S and Rancho Cielo Sewer Systems Total Inflow</b>	40.04 million gallons	38.65 million gallons
<b>4S and Rancho Cielo Sewer Systems Average Daily Inflow</b>	1,291,814 gallons	1,247,080 gallons
<b>4S and Rancho Cielo Sewer Systems Peak Day Inflow</b>	1,426,327 gallons	1,470,983 gallons
<b>4S and Rancho Cielo Sewer Systems Low Day Inflow</b>	1,184,452 gallons	1,138,499 gallons
<b>4SWRF Average Daily Production</b>	1,088,866 gallons	1,175,326 gallons
<b>4SWRF Peak Day Production</b>	1,422,643 gallons	1,238,751 gallons
<b>4SWRF Total to Recycled Water Distribution System</b>	33.75 million gallons	35.35 gallons
<b>4S Recycled Water Storage Pond Volume</b>	0 acre feet	0 acre feet
<b>Repaired Potable Water Main Leak(s)</b>	0	0
<b>Repaired Potable Water Service Lateral Assembly Leak(s)</b>	4	4
<b>Repaired Recycled Water Main Leak(s)</b>	0	0
<b>Repaired Recycled Water Service Lateral Leak(s)</b>	0	0
<b>Repaired Hit Fire Hydrant Lateral Assembly Leak(s)</b>	1	1
<b>Replaced Valve(s) Monthly Total</b>	0	0
<b>Replaced Valve(s) Calendar Year To Date</b>	11	11
<b>Recycled Water Use Site Inspections &amp; Visits</b>	34	28
<b>Recycled Water Use Site Cross Connection Tests</b>	2	8
<b>Cross Connection Site Surveys</b>	2	3
<b>Backflow Inspections &amp; Testing (New)</b>	6	3
<b>IT Help Requests</b>	24	18
<b>Customer Services</b>	<b>August 2022</b>	<b>July 2022</b>
<b>Customer Calls and Inquiries</b>	1036	1084
<b>Total Monthly Bills Issued</b>	22,955	22,948
<b>Service Orders</b>	727	472
<b>New Potable Meters</b>	1	0
<b>New Fire Meters</b>	0	0
<b>New Recycled Water Meters</b>	1	1
<b>AMI Troubleshooting Investigations</b>	46	28

<b>Customer Services - Continued</b>	<b>August 2022</b>	<b>July 2022</b>
AMR Troubleshooting Investigations	44	33
Stopped/Underperforming Meters Replaced	66	58
MXUs Upgraded to AMI	226	91
Meter Accuracy Tests Performed	0	0
Water Use Evaluations	32	19
Water Use Violation Reports	7	13
Workshops, Events, and Tours	0	0
High-Efficiency Clothes Washer Rebate Applications	12	1
Weather-Based Irrigation Controller Rebate Applications	22	0
Hose Irrigation Controller Rebate Applications	1	0
High-Efficiency Rotating Nozzle Rebate Applications	2	0
High-Efficiency Toilet Rebate Applications	0	0
Rain Barrel Rebate Applications	2	0
Flow Monitor Device Rebate Applications	1	0
Turf Removal Project Rebate Applications	8	3
Social Media Posts	33	22
News Releases/Media Advisories	4	0
<b>EFRR</b>	<b>August 2022</b>	<b>July 2022</b>
Special Use/Event Permits	0	1
Parking Notices	51	52
Incident Reports	10	5
Vehicle Count	2,710	3,589
Trail Use Count	4,947	7,099
Days Closed Due to Rain/Red Flag/COVID-19	0	0
Days IC Open	16	13
Number of IC Visitors	187	264
Volunteer Trail Patrol Shifts	5	5
Volunteer Docent Hours	59	66
Total Number of Docents	61	64
<b>Finance</b>	<b>August 2022</b>	<b>July 2022</b>
Infosend Payments	10,874	10,510
OMWD Auto Debit Payments	2,189	2,214
CB&T Lockbox Payments	3,488	2,945
Over the Counter Payments	581	597
Check-free, Metavante and Chase	4,956	4,547
Paymentus (Credit Card) Payments	1,058	765
Finance Calls and walk-ins	60	47
Service Orders Processed	11	8
Service Orders Closed Out	14	1
Purchase Orders	15	12
Inventory Items Received	3,854	303
Invoices Processed	426	424
Payroll Direct Deposits Processed	245	241
Accounts Payable Checks and Electronic Fund Transfers	398	333

## **ENGINEERING DEPARTMENT**

### **Engineering Manager Lindsey Stephenson Highlights for August 2022:**

4S Ranch Neighborhood 1 Sewer Pump Station Replacement Project continued progress through processing submittals and contractor has begun potholing facilities at the site. The Lone Jack PRS Replacement project is nearing completion. The Manchester Avenue and South El Camino Real Recycled Water Pipelines Project has begun with pipe installation at the West end of the project. Coordination with Caltrans and their contractor for work occurring at I-5 and Manchester Avenue continued during the month of August. The DCMWTP PH control project is progressing, with completion expected in fall. Staff issued a Request for Proposals (RFP) for the DCMWTP Condition Assessment and Improvement Recommendations Project, with proposals due in September. Staff continued design meetings for the FY 2023 Recycled Water Pipeline Extension Project. Staff continues to handle developer requests, continues to assist other departments with engineering-related work, and continues to manage OMWD's right of ways.

## **HUMAN RESOURCES DEPARTMENT**

### **Human Resources Manager Jennifer Joslin Highlights for August 2022:**

Human Resources conducted new hire orientations and safety training for the new Utility I, Equipment Technician, Engineering Technician I, Engineering Technician III, and San Diego County Water Authority intern. Hosted the annual Bring Your Kids to Work Day event for all employees and their children. Met with the District insurance broker to review Kaiser Permanente's health insurance renewal for 2023. Attended the Military Career Day event at Cuyamaca College's Center for Water Studies. Hosted the Take Your Pet to Work Day for all interested employees. Attended the American Water Works Association's San Diego Women in Water luncheon. Records staff processed multiple public records requests. Met with representatives from the Carlsbad Fire Department, University of California San Diego, and the San Diego County Office of Emergency Services at Denk Reservoir to assess the site for AlertWILDFIRE and HPWREN systems. Facilitated the Boot World Boot Truck event at District headquarters for field staff to select safety boots. Hosted Safe Hearing America for on-site audiometric testing for necessary staff. Safety staff attended a Fall Protection "Train the Trainer" course at Pacific Safety Center. Hosted the August Safety Committee meeting.

## **OPERATIONS & MAINTENANCE**

### **Operations Manager Geoff Fulks Highlights for August 2022:**

Energy Recovery Turbine 123 was recommissioned and put back into service on August 11<sup>th</sup>. Staff continued to work with Hazen & Sawyer on the Fourth Stage Centrifuge project design. System Operators reviewed sampling results from the triennial Lead & Copper Testing with all sample results reporting under the action levels. Construction and Sys Ops staff investigated possible valve and meter locations for the Ext. 153 Flow Meter project. Provided support for the Department of Transportation on the Manchester potable water pipeline and pressure reducing station interconnect and relocation. Construction installed a new sample test point on Mt. Israel. Telemetry Techs and Construction exposed conduits for repairs on the underdrain system at the 4S Overflow Storage Pond. Relocated a 1" copper service for customer at Levante Steet.

## **CUSTOMER SERVICES DEPARTMENT**

### **Customer Services Manager John Carnegie Highlights for August 2022:**

Published August issue of Watching Water newsletter; mailed 750 postcards notifying customers within proximity of the Manchester Avenue Recycled Water Pipeline Project of upcoming work; mailed 203 postcards notifying customers affected by the next AMI Expansion Project phase of upcoming work and the My Water Use dashboard; received notice from USBR that under OMWD's leadership, the North San Diego Water Reuse Coalition was awarded a grant of up to \$17.8 million for the development of recycled water infrastructure in San Diego's North County; submitted application for the County of San Diego Community Enhancement Program funding for rehabilitation of EFRR's Equine Incline; and hosted Conservation Committee meeting.

At EFRR, trained new interpretive center docent; met with a certified arborist to discuss Golden Spotted Oak Borer treatment options; provided site visit to Department of Parks and Recreation grant administrator for the Recreational Trails Program grant application submitted for the Elfin Forest Recreation Reserve Visitor Access Expansion Project; and closed on August 25 due to homicide investigation west of EFRR entrance.

## **FINANCE DEPARTMENT**

### **Finance Manager Rainy Selamat Highlights for August 2022:**

Attended SDCWA's Member Agency Finance Officers Rate Workgroup meeting; completed annual review of water capacity fee study update (annual goal) and continued working on updating the District's water capacity fees for 2023; discussed pass-through inflation and pass-through purchased water wholesale increases on OMWD water rates and charges for 2023 with GM Thorner (annual goal); reviewed various audit schedules and reconciliation in preparation for fiscal year 2021/22 financial audits in September; staff completed OMWD's annual sewer billing and successfully submitted the District's annual sewer service fees to the SD County Tax Assessor's office for collection on the county's tax roll for fiscal year 2022-23; completed annual review of water related service fees for 2022 (annual goal); finalized the District's first capital asset procedures (annual goal); staff completed annual workers compensation payroll reconciliation and submitted to SDRMA; staff worked with auditors on the implementation of new Government Accounting Standard Board pronouncements (leases and compensated absences) for presentation on the District's financial statement in fiscal year 2021/22; met with the District's auditors and Customer Service Manager Carnegie on single audit requirements for Title XVI grants; completed and submitted the District's Biennial Budget Document for fiscal years 2023 and 2024 to GFOA for their distinguished budget award program (annual goal); and staff provided on-going support and assistance with respect to grants administration.

## **ASSISTANT GENERAL MANAGER:**

### **The Assistant General Manager reports the following:**

Participated in an NSDWRC partner meeting; coordinated meeting set-up, logistics and hosted tour for ACWA Region 10 event at OMWD; participated in multiple meetings on San Dieguito Groundwater Project; attended San Diego IRWM RAC Meeting; met with Fairbanks Ranch to discuss with USBR Staff Recycled Water; conducted an OMWD Funding Opportunity Meeting to discuss grant funding; attended SD Chapter WaterReuse Meeting; dedicated significant time to

personnel matters, employee recruitment, and claims management.

**GENERAL MANAGER:**

**The General Manager reports the following:**

General Manager Thorner participated in the SDCWA Board Meeting, the SDCWA Financial Strategy Work Group Meeting, moderated a panel and hosted the ACWA Region 10 event, attended the SDCWA Audit Committee Meeting, held Finance Committee and a Conservation Committee Meetings, led a new employee tour, attended and presented at the LAFCO Rainbow-Fallbrook Ad Hoc Committee Meeting, participated in a legal matter mediation, participated in the SDCWA PLA Work Group Meeting, attended the SD Chapter CSDA Quarterly Dinner, attended the City of Carlsbad State of the Community, attended the CSDA Annual Conference in Palm Desert, hosted and presented at the AWWA Women in Water event, and dedicated significant time to preparing for panels and presentations, and reviewing legal matters.

# Memo

C

To: Olivenhain Municipal Water District Board of Directors

Subject: INFORMATIONAL REPORTS

CONSULTING ENGINEER

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Any written report will be attached; any oral report will be provided at the time of the Board Meeting.

# Memo

D

To: Olivenhain Municipal Water District Board of Directors

Subject: INFORMATIONAL REPORTS

GENERAL COUNSEL

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Any written report will be attached; any oral report will be provided at the time of the Board Meeting.



**TO:** Olivenhain Municipal Water District

**FROM:** Alfred Smith

**DATE:** September 14, 2022

**RE:** Attorney Report: Endangered Species Law Update  
150152-0005

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**I. INTRODUCTION.**

This attorney report provides an update on a recent California Court of Appeal decision involving the California Endangered Species Act (“CESA”). In *Almond Alliance of California v. Fish and Game Commission* (Case No. C093542), the Third District Court of Appeal rendered a decision extending protections under the state’s endangered species law to bumblebees and other insects.

The appellate court’s decision overturned the lower court ruling that the California Fish and Game Commission (“Commission”) may not rely upon the definition of “fish” in the California Endangered Species Act to list four subspecies of bumble bees. The appellate court found that the statutory definition of “fish,” which includes invertebrates and amphibia, enables the Commission to list any invertebrate species as threatened or endangered if they meet listing requirements.

The case opens the door, for the first time, to listing any invertebrate under CESA, which may ultimately result in increased regulatory requirements and compliance costs for water agencies.

**II. BACKGROUND.**

In June 2019, the Commission accepted petitions to list four subspecies of native California bees for protection under CESA. This decision resulted in the bumblebee subspecies being designated a candidate species, meaning “a native species or subspecies of a bird, mammal, fish, amphibian, reptile or plant that the Commission has formally noticed as being under review.” This entitled the bumblebee species to receive full protection under CESA, while the Commission determined whether to permanently list the subspecies as endangered or threatened.

A group of trade associations challenged the Commission’s decision by filing a petition for writ of mandate in Sacramento Superior Court, arguing that CESA does not

authorize the Commission to designate insects, such as bumblebees, as endangered, threatened, or candidate species.

The trial court sided with the trade associations and ordered the Commission to rescind its decision. However, the Third District Court of Appeal reversed the lower court's decision, finding that insects can be listed as an endangered, threatened, or candidate species under CESA.

The trade associations argued that the term "invertebrate" under CESA only covers aquatic invertebrates and not terrestrial invertebrates, given that fish are connected to aquatic environments. The court rejected this argument as well, noting that CESA's legislative history supported a liberal interpretation of the term.

ACWA and a number of other trade and industry associations have filed letters seeking California Supreme Court review of the decision.

### **III. COURT'S ANALYSIS.**

The appellate court's decision hinged on whether bees and other terrestrial invertebrates fit within the statutory definition of fish under CESA. Fish are eligible for listing under CESA. Fish and Game Code Section 45 defines fish as "a wild fish, mollusk, crustacean, *invertebrate*, amphibian, or part, spawn, or ovum of any of those animals" (emphasis added). While the court acknowledged that the statutory definition was ambiguous and that fish is commonly understood to refer to aquatic species, the court ultimately reached the conclusion that the Legislature intended the definition to encompass any invertebrate, including terrestrial insects, such as bumblebees.

The trade associations disagreed, arguing that the Commission's decision to list the bumblebees is contrary to the plain meaning of CESA, the Commission and the Department of Fish And Wildlife's practices under CESA, and the legislative history of CESA. The trade associations argued that the bumblebee listing upends the long held understanding that CESA does not apply to terrestrial invertebrates, including insects.

The petitioners cited to the California Attorney General's issuance of a formal opinion in 1998 reaffirming that insects cannot be listed under CESA. That same year, the Department of Fish and Wildlife promulgated a regulation—a regulation that is still in effect today—that states: "Take of insects. The take of insects and other invertebrates that are not fish as defined in the Fish and Game Code is not prohibited." (Cal. Code Regs., tit. 14, § 783.1.)

The trade associations further argued that the question of whether CESA should be extended to terrestrial invertebrates is a policy decision for the Legislature to address, not the courts.

#### **IV. CONCLUSION.**

The appellate court's decision has generated significant concern in the statewide water community. ACWA and a number of other industry associations have requested Supreme Court review of the appellate decision. ACWA's letter to the California Supreme Court states:

"In seeking California Supreme Court review, ACWA argues that the lower court's decision upends the wide-held, decades-old understanding that CESA does not apply to terrestrial invertebrates, including insects. This decision would greatly expand the number of species that may be listed as endangered or threatened, resulting in significant burdens for ACWA members.

Water agencies and their water users would be required to seek certain permits for infrastructure, agricultural and conservation activities that will include strict measures to address potential adverse impacts. ACWA notes that this will add time and expense to efforts to remain in compliance with CESA, and increase the likelihood of projects and activities being curtailed or prohibited altogether."

AES

# Memo

E

To: Olivenhain Municipal Water District Board of Directors

Subject: INFORMATIONAL REPORTS

SAN DIEGO COUNTY WATER AUTHORITY REPRESENTATIVE

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Any report will be oral at the time of the Board meeting.

**SUMMARY OF FORMAL BOARD OF DIRECTORS' MEETING  
AUGUST 25, 2022**

1. Amend Professional Services Contract with ChezKK Consulting, LLC.  
The Board authorized the General Manager to execute Amendment No. 3 to professional services contract with ChezKK Consulting for continued consulting services to the Water Authority through August 31, 2024, by \$156,000 for a period of 24 additional months, with total contract funding not to exceed \$460,400 over a total period of 71 months.
2. Extension of Agreement with San Diego Gas & Electric to Rent Water Authority Property.  
The Board authorized the General Manager to extend the agreement with San Diego Gas & Electric (SDGE) to rent Water Authority property to store construction materials and equipment for an additional amount up to \$560,000.
3. Construction Contract with Mac Dad Builders, Inc. for the Dulin Hill Erosion Repair project.  
The Board authorized the General Manager, or designee, to award a construction contract to Mac Dad Builders, Inc., in the amount of \$1,965,884 for the Dulin Hill Erosion Repair project.
4. Monthly Treasurer's Report on Investments and Cash Flow.  
The Board noted and filed the Treasurer's report.
5. Resolution establishing amount due from the City of San Diego for the In-Lieu Charge as a condition of providing water service for Fiscal Year 2023.  
The Board adopted Resolution No. 2022-17 establishing an amount due of \$2,951,047.58 from the City of San Diego for the In-Lieu Charge for Fiscal Year 2023.
6. Professional services contract with HDR Engineering, Inc. to provide support with rate design efforts.  
The Board authorized the General Manager to award HDR Engineering, Inc. with a professional services contract to assist in reviewing, presenting, moderating, and discussing future rate design approaches and alternatives with the Member Agency Rate Workgroup, and by assisting the Water Authority in analytical analysis to support the rate design alternative discussions for two years, with an option to extend the contract for an additional one year, for a not-to-exceed amount of \$200,000.
7. Amendments to the San Diego County Water Authority Local Conflict of Interest Code.  
The Board adopted Resolution No. 2022-18 approving amendments to the San Diego County Water Authority Local Conflict of Interest Code.
8. Carlsbad Desalination Plant Intake Modifications Project: Modified Intake Design.  
The Board approved the scope of the proposed changes to the Carlsbad Desalination Plant (CDP) Intake Modifications Project (Proposed Modifications) and ratify staff's approval of the Seventh Addendum to the Precise Development Plan and Desalination Plant Final Environmental Impact Report (FEIR) (State Clearinghouse Nos. 200404181 and 2015091060).



9. Assembly Bill 361 Continued Determination Acknowledging the Governor of the State of California's Proclamation of a State of Emergency and of Remote Teleconference Meetings of the Legislative Bodies of San Diego County Water Authority due to the Emergency Pursuant to Brown Act Provisions.

The Board approved the Governor's proclaimed State of Emergency, and approve continued remote teleconference meetings of the legislative bodies of San Diego County Water Authority due to the emergency pursuant to Brown Act after reconsidering the circumstances and finding that state or local officials continue to impose or recommend measures to promote social distancing.

10. Closed Session: Public Employee Appointment

The Board approved a General Counsel employment contract with David Edwards with the following basic terms: 1) Annual salary of \$295,000; 2) same benefits as other executives of the Water Authority, with the exception that he will earn vacation at a rate of 5.53 hours per pay period and receive a cell phone allowance of \$125 per month; 3) relocation/temporary housing assistance up to \$10,000 total; 4) term of three years, to begin October 3, 2022; and 4) severance pay for reasons other than cause for remaining contract term, to a maximum of one year.

11. Approval of Minutes.

The Board approved the minutes of the Special Board of Directors' meeting of July 14, 2022, and the Formal Board of Directors' meeting of July 28, 2022.

# Memo

F

To: Olivenhain Municipal Water District Board of Directors

Subject: INFORMATIONAL REPORTS  
LEGISLATIVE REPORT

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Any written report will be attached; any oral report will be provided at the time of the Board Meeting.

**TO:** Olivenhain Municipal Water District

**FROM:** Ashley Walker, Senior Policy Advisor, Nossaman LLP  
Jennifer Capitolo, Jennifer M. Capitolo and Associates LLC

**DATE:** September 7, 2022

**RE:** September 2022 Public Policy Report

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**State Legislative Update:**

**Status of the Legislature:** The Legislature adjourned on in the very early hours of September 1. All bills that were passed by the Legislature and to the Governor will need to be acted on. The Governor has 30 days to take action on legislation presented to him. There was debate on several key water related bills right up until the very end of session.

**Governor's Actions and Executive Orders:** The following actions have been taken by the Governor since the last legislative report. This list is compiled from CalOES, California Health and Human Services, California Department of Public Health, and FEMA. We are happy to provide the details of any item listed below, should OMWD desire.

- September 1 -Governor Newsom gave an update on extreme heat and grid reliability.
- August 31 – California and the western U.S. begin to endure a heat wave that will strain the electrical grid with increased demands. In response, Governor Gavin Newsom proclaimed a State of Emergency to temporarily increase energy production and reduce demand. The California Independent System Operator has called a Flex Alert asking Californians to reduce their electricity consumption between 4 p.m. and 9 p.m. to save power and reduce the risk of outages.
- August 29 – As hot, dry conditions and strong winds continue to fuel dangerous wildfire conditions across the West, Governor Gavin Newsom announced the deployment of firefighting resources to Oregon to help combat the Rum Creek Fire.
- August 25 - Cal OES continues to support safe, in-person learning by distributing 13.5 million COVID-19 test kits and pieces of PPE to California school.
- August 16 - Cal OES and the California Military Department announced the creation of the first all-hazards fire engine strike team – known as Team Blaze – operated by a state military department.
- August 15 - Low-interest federal disaster loans were available to California businesses and residents affected by the Oak Fire were from the U.S. Small Business Administration.
- August 11 - Governor Gavin Newsom announced California's latest actions to increase water supply and adapt to more extreme weather patterns caused by climate change. The actions, outlined in a strategy document published by the Administration called "California's Water Supply Strategy, Adapting to a Hotter, Drier Future" calls for investing in new sources of water supply, accelerating projects and modernizing how the state manages water through new technology.

**California's Water Supply Strategy, Adapting to a Hotter, Drier Future:** The Governor released this Strategy on August 11. Nossaman provided feedback and comments on the Strategy's goals and how those may impact the District. Nossaman will strategize with the District on ways to best leverage these new policy and funding proposals.

**Legislation:** Below is an update on current positions OMWD has taken.

- **AB 2142 (Gabriel): Income taxes: exclusion: turf replacement water conservation program.** This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under both of these laws, provide 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 replacement water conservation program. **Current Position: Support. Current status: On the Governor's Desk.**
- **AB 2247 (Bloom): Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible reporting platform:** Would require manufacturers of PFAS or products containing PFAS, to disclose the presence of PFAS in those products in a publicly accessible database. **Current Position: Support. Current status: On the Governor's Desk.**
- **SB 222 (Dodd): Water Rate Assistance Program.** Requires the State Water Resources Control Board (State Water Board) to develop and administer the Water Rate Assistance Program (Program) to provide rate assistance to low-income residential ratepayers of a community water system or sewer system and to a tribal water system that chooses to participate in the Program. **Current position: Request for Veto. Current status: On the Governor's Desk.**
- **SB 1157 (Hertzberg): Urban water use objectives: indoor residential water use.** This bill would change the change the standards for indoor residential water use, to reflect those recommended by DWR and the SWRCB. Specifically, it would change the indoor residential water use standards beginning January 1, 2025, to be: Beginning January 1, 2025, until January 1, 2030 – 47 gpcd; Beginning January 1, 2030 – 42 gpcd. SB 1157 (Hertzberg) was heard this week in the Assembly Water, Parks and Wildlife Committee. This bill as currently written limits indoor water usage, and we have an “oppose unless amended” position on the bill. The Committee suggested amendments that were accepted by Senator Hertzberg. CMUA and WaterReuse and others are moving to a neutral and position with those amendments. ACWA is still concerned about the bill and going to bring it back to the State Legislative Committee to reevaluate with the amendments. We have provided OMWD with the amendments to review. **Current position: Request for Veto. Current status: On the Governor's Desk.**

### **Water Quality Update:**

#### **SAFER 2022 Drinking Water Cost Assessment:**

The State Water Board is implementing the Safe and Affordable Funding for Equity and Resilience (SAFER) Drinking Water Program with a set of tools, funding sources, and regulatory authorities designed to ensure that the approximately one million Californians who currently lack safe drinking water receive safe and affordable drinking water as soon as possible. The SAFER Program is responsible for conducting an annual Needs Assessment, which consists of three components: (1) Affordability Assessment, (2) Risk Assessment, and (3) Cost Assessment. Results of the Needs Assessment are used to inform the prioritization of projects in the annual Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund. On August 8, the State Water Board held a workshop to provide an opportunity for stakeholders to learn about and contribute to the [State Water Board's proposed updates](#) to the Costs Assessment Model for estimating interim and/or emergency measures and long-term solutions for failing public water systems, at-risk public water systems, at-risk state small water systems, and domestic wells.

#### **SWRCB Affordability Workshop:**

The State Water Board, in partnership with the California Office of Environmental Health Hazard Assessment, is holding three public webinar workshops to provide an opportunity for stakeholders to contribute towards the enhancement of the drinking water Affordability Assessment, a component of the Drinking Water Needs

Assessment. The first meeting was held on August 11. The three affordability workshops will cover the following topics:

**Workshop 1: Potential Affordability Indicators**

- Overview of affordability in the Needs Assessment
- Review of previous approaches to measuring affordability
- Discussion of how the Affordability Assessment can be refined for 2023 and beyond

**Workshop 2: Potential Affordability Indicators**

- Explore options for new and existing public water systems affordability indicators, drawing from recommendations received after Workshop 1.
- Explore options for new affordability indicators for state small water systems and communities served by domestic wells.

**Workshop 3: Affordability Assessment Methodology & Threshold Setting**

- Explore options for affordability indicator thresholds and the affordability assessment.
- Explore options for incorporating affordability indicators into the risk assessment for state small water systems and domestic wells.

**Conservation/Water Use Efficiency Committee Updates:**

**Drought Update:**

Although late July brought some monsoonal rainfall to parts of southeastern California that has somewhat moderated some previously extreme drought conditions, the August 11 U.S. Drought Monitor report indicates that 99.77 percent of the state is still classified in Moderate (D1) to Exceptional (D4) Drought, including almost 30 percent of the state remaining in Extreme Drought and over 16 percent now in Exceptional Drought.

State Water Resources Control Board (State Water Board) show a water use decrease of 7.7 percent for June 2022 compared to June 2020. Water use was lower in all hydraulic regions of the state and is now showing a consistent downward trend statewide. Cumulative water use is currently down 2.7 percent overall from 2020 levels

State Water Board staff and the Governor's office have expressed appreciation for submittal of preliminary water use earlier than the cycle but continue to remind water suppliers that water use still needs to be significantly reduced in most communities in the state.

On August 11 the Governor held a press conference to announce the release of a new strategy to address the drought and the longer-term water supply reliability challenges posed by climate change. This document "[CALIFORNIA'S WATER SUPPLY STRATEGY: Adapting to a Hotter, Drier Future](#)" represents an update of the Administration's "Water Resilience Portfolio" and prioritizes key actions that include immediate and near-term infrastructure projects to help address the current and future droughts. The Governor also announced the appointment of Antonio Villaraigosa as California's "Infrastructure Czar". Regarding conservation policy, this document contains a new initiative directing the State Water Board to develop emergency conservation targets for urban water suppliers that would be a "bridge" to long-term targets that are already being developed. These new short-term water use reduction requirements would take effect next spring if the drought continues through this winter. Details are not yet available, but this new initiative may take the form of emergency use reduction mandates assigned to water suppliers by the SWB during the last drought.

### **State Water Board Updates:**

**Water Loss Standards Rulemaking:** On August 8 Water Board staff released the revised Water Loss regulations for informal review, and on August 11 posted the changes to the economic model and resulting changes in water loss targets regulations. A workshop is scheduled for August 17 to present these changes and receive informal comments. A formal 15-day comment period could begin shortly thereafter.

### **Department Of Water Resources Updates:**

**Water Use Standards Recommendations:** DWR staff has continued to indicate that their revised recommendations are ready to transmit to the State Water Board once they receive direction to do so from the Governor's Office. These recommendations include long-term water use standards associated with outdoor residential water use, Commercial, Industrial, and Institutional (CII) outdoor irrigation with dedicated irrigation meters (DIMs), CII best practices reporting procedures, residential outdoor landscape standards, and variance recommendations. Once the recommendations are sent to the State Water Board, they will be the subject of a comprehensive rulemaking process. It is also now likely that they will be used by Water Board staff to inform development of the 2023 emergency conservation targets described above.



**Olivenhain Legislative Report 2021-22  
Report as of 9/7/2022**

**Oppose**

**SB 1157 (Hertzberg D) Urban water use objectives.**

**Last Amend:** 8/25/2022

**Status:** 8/31/2022-Reconsideration granted. Read third time. Passed. Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending. Assembly amendments concurred in. (Ayes 29. Noes 10.) Ordered to engrossing and enrolling.

**Location:** 8/31/2022-S. ENROLLMENT

**Summary:** Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Current law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. Current law requires the board, in coordination with the department, to adopt by regulation variances recommended by the department and guidelines and methodologies pertaining to the calculation of an urban retail water supplier's urban water use objective recommended by the department. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use. The bill would instead require that from January 1, 2025, to January 1, 2030, the standard for indoor residential water use be 47 gallons per capita daily and beginning January 1, 2030, the standard be 42 gallons per capita daily.

**Position**

Oppose

**Oppose Unless Amended**

**SB 222 (Dodd D) Water Rate Assistance Program.**

**Last Amend:** 8/24/2022

**Status:** 9/6/2022-Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 9/6/2022-S. ENROLLED

**Summary:** Current law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This bill would establish the Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income residential ratepayers. The bill would make

moneys in the fund available upon appropriation by the Legislature to the state board to provide, in consultation with relevant agencies, direct water bill assistance to low-income residential ratepayers served by eligible systems, as defined, and would require 80% of total expenditures from the fund to be directly applied to residential ratepayer accounts.

**Position**

Oppose Unless  
Amended

## Support

**AB 2142 (Gabriel D) Income taxes: exclusion: turf replacement water conservation program.**

**Last Amend:** 4/6/2022

**Status:** 8/30/2022-Enrolled and presented to the Governor at 4 p.m.

**Location:** 8/30/2022-A. ENROLLED

**Summary:** The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines "gross income" as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. Current law provides an exclusion from gross income for any amount received as a rebate or voucher from a local water or energy agency or supplier for the purchase or installation of a water conservation water closet, energy efficient clothes washers, and plumbing devices, as specified. This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under both of these laws, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a public water system, as defined, local government, or state agency for participation in a turf replacement water conservation program.

**Position**

Support

**AB 2247 (Bloom D) Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible data collection interface.**

**Last Amend:** 8/25/2022

**Status:** 8/30/2022-In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/30/2022-A. ENROLLMENT

**Summary:** Would require, as part of the hazardous waste control laws, the department to contract with an existing multistate chemical data collection entity that is used by other states and jurisdictions to implement, by January 1, 2026, a publicly accessible data collection interface to collect information about perfluoroalkyl and polyfluoroalkyl substances (PFAS) and products or product components containing intentionally added PFAS. The bill would require, on or before July 1, 2026, and annually thereafter, a manufacturer, as defined, of PFAS or a product or a product component containing intentionally added PFAS that, during the prior calendar year, is sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state to register the PFAS or the product or product component containing intentionally added PFAS, and specified other information, on the publicly accessible data collection interface. The bill would specify that the above requirements do not apply to certain products regulated by the United States Food and Drug Administration or products intended for certain animal uses that are regulated under certain federal laws.

**Position**  
Support

**No Position**

**AB 30 (Kalra D) Equitable Outdoor Access Act.**

**Last Amend:** 8/11/2022

**Status:** 8/31/2022-Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 64. Noes 11.).

**Location:** 8/31/2022-A. ENROLLMENT

**Summary:** Would establish the Equitable Outdoor Access Act, which sets forth the state's commitment to ensuring all Californians can benefit from, and have meaningful access to, the state's rich cultural and natural resources. The bill would declare that it is state policy, among other things, to ensure that all Californians have equitable opportunities to safe and affordable access to nature and access to the benefits of nature, and to prevent and minimize the intentional and unwarranted limitation of sustainable public access to public lands, where appropriate, including, but not limited to, local, regional, state, and federal parks, rivers, lakes, beaches, forests, mountain ranges, deserts, and other natural landscapes. The bill would require specified state agencies to consider and incorporate, as appropriate, the state policy when revising, adopting, or establishing policies, regulations, or grant criteria, or making expenditures, as specified. The bill would require all state agencies implementing the above-described state policy to do so in a manner consistent with the mission of their agency and that protects the health and safety of the public and conserves natural and cultural resources. The bill would require the state to encourage the types of access that promote, and are consistent with, specified conservation goals. The bill would require the Natural Resources Agency to prepare and submit a report to the Legislature with information related to the implementation of these provisions on or before January 1, 2024.

**Position**

**AB 252 (Bonta, Mia D) Floating home marinas: rent caps.**

**Last Amend:** 8/16/2022

**Status:** 8/30/2022-Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/30/2022-A. ENROLLMENT

**Summary:** The Floating Home Residency Law prescribes various terms and conditions on tenancies in floating home marinas, as defined. Current law defines "floating home marina" for these purposes as an area where 5 or more floating home berths are rented, or held out for rent, to accommodate floating homes, but does not include, among other things, a marina where 10% or fewer of the berths are leased or held out to lease to floating homes. This bill would revise the definition of "floating home marina" by deleting the provision that excludes a marina where 10% or fewer of the berths are leased or held out to lease to floating homes.

**Position**

**AB 522 (Fong R) Forestry: Forest Fire Prevention Exemption.**

**Last Amend:** 1/12/2022

**Status:** 8/29/2022-Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 8/29/2022-A. ENROLLED

**Summary:** The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to the Department of

Forestry and Fire Protection. The act authorizes the State Board of Forestry and Fire Protection to exempt from some or all of those provisions of the act a person engaging in specified forest management activities, as prescribed, including the harvesting of trees for the purpose of reducing the rate of fire spread, duration and intensity, fuel ignitability, or ignition of tree crowns, as provided, known as the Forest Fire Prevention Exemption. The act provides that the Forest Fire Prevention Exemption is operative for a period of 5 years after the effective date of emergency regulations adopted by the board to implement the exemption and is inoperative after that 5-year period. Existing regulations implementing that exemption specify that it becomes inoperative 5 years after February 19, 2019. This bill would make the operation of the Forest Fire Prevention Exemption inoperative on January 1, 2026.

**Position**

**AB 1164 (Flora R) Dams and reservoirs: exclusions: publicly owned or operated regulating basins.**

**Last Amend:** 5/23/2022

**Status:** 8/31/2022-Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 76. Noes 1.).

**Location:** 8/31/2022-A. ENROLLMENT

**Summary:** Current law excludes certain obstructions from being considered a dam, including a barrier that is not across a stream channel, watercourse, or natural drainage area and that has the principal purpose of impounding water for agricultural use. This bill would additionally exclude from being considered a dam a regulating basin, as defined, owned or operated by a public entity that is not across a stream channel, watercourse, or natural drainage if certain criteria are met, including, among other criteria, that the owner or operator of the regulating basin, before the construction of the regulating basin, submit to the department an inundation map, stamped by a licensed civil engineer, identifying the flow and depth of water from the regulating basin in the event of a failure of a barrier constructed to form the regulating basin, and that the owner or operator, immediately upon the identification of a failure or the risk of failure of a barrier or works critical to the safe operation of the regulating basin, notify the county sheriff and local emergency managers of all properties likely to be impacted by a failure. The bill would define "natural drainage" for purposes of these provisions.

**Position**

**AB 1195 (Garcia, Cristina D) Limited Eligibility and Appointment Program: lists.**

**Last Amend:** 8/17/2022

**Status:** 8/31/2022-From committee: That the Senate amendments be concurred in. (Ayes 7. Noes 0.) (August 31). Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/31/2022-A. ENROLLMENT

**Summary:** Current law creates the Limited Examination and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Current law requires the Department of Human Resources, when an appointing power seeks to fill a vacant position by using an employment list, to provide the appointing power with a certified list of the names and addresses of all eligible candidates, as specified. Current law requires the department to provide a single certified list of eligible candidates if more than one employment list or LEAP referral list exists, and the department is required to combine the names and addresses of all eligible candidates. This bill, as an alternative to receiving a combined list of eligible candidates, would require the department, upon request of an appointing power, to provide a list of eligibles that includes only the names and addresses of candidates, if any, on a LEAP referral list and the names

and addresses of candidates, if any, on any applicable reemployment or State Restriction of Appointment list. The bill would authorize the appointing power to notify individuals listed of the opportunity to apply for a vacant position, to screen applications for candidates' eligibility, and to hire from among those eligible applicants whose names appear on the list. The bill would authorize the board to adopt or amend regulations, if necessary, to ensure these procedures are implemented in a manner consistent with merit principles and the California Constitution.

**Position**

**AB 1384 (Gabriel D) Resiliency Through Adaptation, Economic Vitality, and Equity Act of 2022.**

**Last Amend:** 8/26/2021

**Status:** 8/30/2022-Enrolled and presented to the Governor at 4 p.m.

**Location:** 8/30/2022-A. ENROLLED

**Summary:** Current law requires the Natural Resources Agency to release a draft of the state's climate adaptation strategy, known as the Safeguarding California Plan, by January 1, 2017, and every 3 years thereafter, to update the plan by July 1, 2017, and every 3 years thereafter, and to coordinate with other state agencies to identify vulnerabilities to climate change by sectors and priority actions needed to reduce the risks in those sectors. Current law requires, to address the vulnerabilities identified in the plan, state agencies to maximize specified objectives. This bill would instead require the agency to release the draft plan by January 1, 2024, and every 3 years thereafter, and to update the plan by July 1, 2024, and every 3 years thereafter. The bill would require the agency to also coordinate with the Office of Planning and Research and identify, among other things, vulnerabilities to climate change for vulnerable communities, an operational definition of "climate resilience" for each sector and for vulnerable communities, special protections of vulnerable communities and industries that are disproportionately impacted by climate change, opportunities to improve policy and budget coordination across jurisdictions, and timetables and specific metrics to measure and evaluate the state's progress in implementing the plan.

**Position**

**AB 1642 (Salas D) California Environmental Quality Act: water system well and domestic well projects: exemption.**

**Last Amend:** 6/30/2022

**Status:** 9/6/2022-Enrolled and presented to the Governor at 4 p.m.

**Location:** 9/6/2022-A. ENROLLED

**Summary:** Current law requires the State Water Resources Control Board to develop a drinking water needs assessment to inform the board's annual fund expenditure plan. This bill would, until January 1, 2028, exempt from CEQA a well project, as defined, that meets specified conditions, including that the domestic well or the water system to which the well is connected has been designated by the state board as high risk or medium risk in the state board's drinking water needs assessment. The bill would require a lead agency, before determining that a well project is exempt from CEQA pursuant to these provisions, to contact the state board to determine whether claiming the exemption will affect the ability of the well project to receive federal financial assistance or federally capitalized financial assistance. The bill would require a lead agency that determines that a well project is exempt from CEQA pursuant to these provisions to file a notice of exemption with the Office of Planning and Research and the county clerk, as provided.

**Position**

**AB 1717 (Aquiar-Curry D) Public works: definition.**

**Last Amend:** 8/24/2022

**Status:** 8/30/2022-Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/30/2022-A. ENROLLMENT

**Summary:** Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Current law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified. Current law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill would, commencing January 1, 2024, expand the definition of "public works" to include fuel reduction work done under contract and paid for in whole or in part out of public funds performed as part of a fire mitigation project, as specified. The bill would limit those provisions to work that falls within an apprenticeship program in the building and construction trades for which an apprenticeship program has been approved and to contracts in excess of \$100,000. The bill would delay the application of those provisions until January 1, 2025, for nonprofits.

**Position**

**AB 1751 (Daly D) Workers' compensation: COVID-19: critical workers.**

**Last Amend:** 8/25/2022

**Status:** 8/30/2022-In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/30/2022-A. ENROLLMENT

**Summary:** Current law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee, as defined, for injuries sustained in the course of employment. Current law defines "injury" for an employee to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, until January 1, 2023. Current law creates a disputable presumption, as specified, that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. Current law requires an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits or, for police officers, firefighters, and other specified employees, a leave of absence. Current law also make a claim relating to a COVID-19 illness presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days. Current law, until January 1, 2023, allows for a presumption of injury for all employees whose fellow employees at their place of employment experience specified levels of positive testing, and whose employer has 5 or more employees. This bill would extend the above-described provisions relating to COVID-19 until January 1, 2024. The bill would also expand the above-described provisions applicable to firefighters and police officers to include active firefighting members of a fire department at the State Department of State Hospitals, the State Department of Developmental Services, the Military Department, and the Department of Veterans Affairs and to officers of a state hospital under the jurisdiction of the State Department of State Hospitals and the State Department of Developmental Services.

**Position**

**AB 1817 (Ting D) Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl substances (PFAS).**

**Last Amend:** 8/24/2022

**Status:** 8/30/2022-Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/30/2022-A. ENROLLMENT

**Summary:** Would prohibit, beginning January 1, 2025, any person from manufacturing, distributing, selling, or offering for sale in the state any new, not previously owned, textile articles that contain regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS, except as specified, and requires a manufacturer to use the least toxic alternative when removing regulated PFAS in textile articles to comply with these provisions. The bill would require a manufacturer of a textile article to provide persons that offer the product for sale or distribution in the state with a certificate of compliance stating that the textile article is in compliance with these provisions and does not contain any regulated PFAS.

**Position**

**AB 1845 (Calderon D) Metropolitan Water District of Southern California: alternative project delivery methods.**

**Last Amend:** 8/15/2022

**Status:** 8/31/2022-Enrolled and presented to the Governor at 4 p.m.

**Location:** 8/24/2022-A. ENROLLMENT

**Summary:** Would authorize the Metropolitan Water District of Southern California to use the design-build procurement process for certain regional recycled water projects or other water infrastructure projects. The bill would define "design-build" to mean a project delivery process in which both the design and construction of a project are procured from a single entity. The bill would require the district to use a specified design-build procedure to assign contracts for the design and construction of a project, as defined.

**Position**

**AB 1857 (Garcia, Cristina D) Solid waste.**

**Last Amend:** 8/23/2022

**Status:** 8/30/2022-In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/30/2022-A. ENROLLMENT

**Summary:** The California Integrated Waste Management Act of 1989 requires a city, county, or city and county, or regional agency formed under the act, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The act requires those jurisdictions to divert 50% of the solid waste subject to the element, except as specified, through source reduction, recycling, and composting activities. The act allows the 50% diversion requirement to include not more than 10% through transformation, as defined, if specified conditions are met. This bill would repeal the provision authorizing the inclusion of not more than 10% of the diversion through transformation. Because the bill would require local agencies to revise the source reduction and recycling elements of their integrated waste management plans, this bill would impose a state-mandated local program.

**Position**

**AB 1879 (Mathis R) California regional water quality control boards: unfounded or frivolous complaints.**

**Last Amend:** 6/30/2022

**Status:** 8/31/2022-Enrolled and presented to the Governor at 4 p.m.

**Location:** 8/24/2022-A. ENROLLMENT

**Summary:** The State Water Resources Control Board and the California regional water quality control boards implement the Federal Water Pollution Control Act and

the Porter-Cologne Water Quality Control Act by prescribing waste discharge requirements for discharges to the waters of the state, as specified. Current law authorizes the state board and the regional boards to hold hearings necessary for carrying out their duties, as specified. This bill would authorize a regional board to develop a plan or policy to address unfounded or frivolous complaints.

**Position**

**AB 1906 (Stone D) Voluntary stream restoration: property owner liability: indemnification: claims.**

**Last Amend:** 6/14/2022

**Status:** 8/31/2022-Enrolled and presented to the Governor at 4 p.m.

**Location:** 8/24/2022-A. ENROLLMENT

**Summary:** Current law requires a qualifying state agency, as defined, that funds a project to restore fish and wildlife habitats to indemnify and hold harmless a real property owner who voluntarily allows their real property to be used for the project from civil liability for property damage or personal injury resulting from the project if the project qualifies for a specified exemption and meets specified requirements. Current law authorizes a qualifying state agency to indemnify and hold harmless a real property owner who voluntarily allows their real property to be used for that project from civil liability for property damage or personal injury resulting from the project in the case the project does not meet the specified exemption. Current law requires the costs of any civil liability incurred by a qualifying state agency to be promptly paid from the General Fund, and requires those costs to be submitted as a claim by the real property owner to the Department of General Services pursuant to specified provisions. Existing law requires costs incurred by a qualifying state agency in investigating and defending against a claim by a real property owner to be paid from the General Fund. This bill would require costs incurred by a qualifying state agency in settling, in addition to investigating and defending against, a claim by a real property owner to be paid from the General Fund.

**Position**

**AB 2081 (Garcia, Eduardo D) Municipal water districts: water service: Indian lands.**

**Last Amend:** 5/12/2022

**Status:** 8/31/2022-Enrolled and presented to the Governor at 4 p.m.

**Location:** 8/24/2022-A. ENROLLMENT

**Summary:** Current law permits a municipal water districts to acquire, control, distribute, store, spread, sink, treat, purify, recycle, recapture, and salvage any water for the beneficial use of the district, its inhabitants, or the owners of rights to water in the district. Current law, upon the request of certain Indian tribes and the satisfaction of certain conditions, requires a district to provide service of water at substantially the same terms applicable to the customers of the district to the Indian tribe's lands that are not within a district, as prescribed. Current law also authorizes a district, until January 1, 2023, under specified circumstances, to apply to the applicable local agency formation commission to provide this service of water to Indian lands, as defined, that are not within the district and requires the local agency formation commission to approve such an application. This bill, among other things, would extend the above provisions regarding the application to the applicable local agency formation commission to January 1, 2027.

**Position**

**AB 2106 (Rivas, Robert D) Water quality: permits.**

**Last Amend:** 8/24/2022

**Status:** 8/30/2022-Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/30/2022-A. ENROLLMENT

**Summary:** Would require, on or before December 31, 2025, the State Water Resources Control Board to update its stormwater data collection systems and software through specified actions.

**Position**

**AB 2108 (Rivas, Robert D) Water policy: environmental justice: disadvantaged and tribal communities.**

**Last Amend:** 8/25/2022

**Status:** 8/30/2022-In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/30/2022-A. ENROLLMENT

**Summary:** Current law requires the State Water Resources Control Board to formulate and adopt state policy for water quality control. Current law requires the regional boards to prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge, except discharges into a community sewer system, with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed. Current law also authorizes the state board or a regional board to waive these requirements as to a specific discharge or type of discharge if the state board or a regional board determines, after any necessary state board or regional board meeting, that the waiver is consistent with any applicable state or regional water quality control plan and is in the public interest. This bill would, among other things, specify that the state board and each regional board need to begin outreach to identify issues of environmental justice as early as possible in planning, policy, and permitting processes. The bill would require the state board and each regional board to engage in equitable, culturally relevant community outreach to promote meaningful civic engagement from potentially impacted communities of proposed discharges of waste that may have disproportionate impacts on water quality in disadvantaged communities or tribal communities and ensure that outreach and engagement shall continue throughout the waste discharge planning, policy, and permitting processes. The bill would require the state board and each regional board, contingent upon an appropriation, to hire environmental justice and tribal community coordinator positions for specified purposes.

**Position**

**AB 2449 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.**

**Last Amend:** 8/8/2022

**Status:** 9/6/2022-Enrolled and presented to the Governor at 4 p.m.

**Location:** 9/6/2022-A. ENROLLED

**Summary:** Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction.

### **Position**

#### **AB 2503 (Garcia, Cristina D) Landlords and tenants: California Law Revision**

**Commission:** study.

**Last Amend:** 8/1/2022

**Status:** 9/6/2022-Enrolled and presented to the Governor at 4 p.m.

**Location:** 9/6/2022-A. ENROLLED

**Summary:** Would require the California Law Revision Commission to, on or before December 31, 2024, deliver to the Legislature a study regarding, among other things, the establishment of consistent terminology across the California codes to describe the parties to an agreement, lease, or other contract for the rental of residential real property, including in mobilehome parks, that meets certain criteria, specifically, among other things, that the study addresses whether the continued use of the terms "landlord" and "tenant," including related terms including "cotenant" and "subtenant," is useful and appropriate in code provisions that involve the rental of residential real property.

### **Position**

#### **AB 2647 (Levine D) Local government: open meetings.**

**Last Amend:** 8/4/2022

**Status:** 8/29/2022-Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 8/29/2022-A. ENROLLED

**Summary:** Current law, the California Public Records Act, requires state agencies and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. Current law, the Ralph M. Brown Act, requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. This bill would instead require a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.

### **Position**

#### **AB 2673 (Irwin D) Hospice agency licensure: moratorium on new licenses.**

**Last Amend:** 8/22/2022

**Status:** 8/31/2022-Read third time. Passed. Ordered to the Assembly. (Ayes 40. Noes 0.). In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/31/2022-A. ENROLLMENT

**Summary:** The California Hospice Licensure Act of 1990 (act) requires a person, political subdivision of the state, or other governmental agency to obtain a license from the State Department of Public Health to provide hospice services to an individual who is experiencing the last phase of life due to a terminal disease, as defined, and their family, except as provided. This bill would generally replace the term "hospice" with the term "hospice agency." The bill would provide that hospice agency licenses are not transferable. The bill would specify that only the person or entity initially issued the license may use the license for 5 years. The bill would prohibit the department from approving a change of ownership of a licensed hospice

agency for 5 years from the date of initial licensure. The bill would authorize the department to make an exception to the 5-year prohibition under extenuating circumstances, as prescribed.

**Position**

**AB 2805 (Bauer-Kahan D) Department of Fish and Wildlife: advance mitigation and regional conservation investment strategies.**

**Last Amend:** 6/29/2022

**Status:** 8/29/2022-Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 8/29/2022-A. ENROLLED

**Summary:** Existing law authorizes the Department of Fish and Wildlife, or any other public agency, to propose a regional conservation investment strategy, to be developed in consultation with applicable local agencies that have land use authority, for the purpose of informing science-based nonbinding and voluntary conservation actions and habitat enhancement actions that would advance the conservation of focal species and provide voluntary nonbinding guidance for various activities. This bill would additionally authorize a federally recognized tribe to propose a regional conservation investment strategy, as provided. The bill would eliminate a restriction on the department that authorizes the department to approve a regional conservation investment strategy only if one or more state agencies request approval through a letter sent to the Director of Fish and Wildlife and a requirement that a regional conservation investment strategy include an explanation of the extent that the strategy is consistent with any previously approved or amended strategy. This bill contains other related provisions and other existing laws.

**Position**

**AB 2877 (Garcia, Eduardo D) Safe and Affordable Drinking Water Fund: tribes.**

**Last Amend:** 8/25/2022

**Status:** 8/31/2022-Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/31/2022-A. ENROLLMENT

**Summary:** Current law continuously appropriates to the State Water Resources Control Board moneys deposited in the Safe and Affordable Drinking Water Fund for the development, implementation, and sustainability of long-term drinking water solutions, among other things. Current law requires the state board to expend moneys in the fund for grants, loans, contracts, or services to assist eligible recipients. Current law includes within the list of "eligible recipients," public agencies, nonprofit organizations, public utilities, mutual water companies, federally recognized California Native American tribes, specified nonfederally recognized Native American tribes, administrators, groundwater sustainability agencies, community water systems, and technical assistance providers. This bill would specify that any waiver of tribal sovereignty that is required by the state board for a tribe that is an eligible recipient to access funding from the fund shall be narrowly drafted to serve both the individual needs of the tribe and make the funding agreement enforceable. The bill would require the state board to include its designated tribal liaison, as defined, in all discussions with eligible recipients, except as specified. The bill would require the state board to consider the extent that funds for safe drinking water projects from the programs administered by the state board are distributed to eligible recipients to provide assistance to federally recognized California Native American tribes or specified nonfederally recognized Native American tribes and make diligent efforts to ensure the distribution of funds to those tribes.

**Position**

**AB 2895 (Arambula D) Water: permits and licenses: temporary changes: water or water rights transfers.**

**Last Amend:** 8/22/2022

**Status:** 8/30/2022-In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To Engrossing and Enrolling.

**Location:** 8/30/2022-A. ENROLLMENT

**Summary:** Under current law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Current law authorizes a permittee or licensee to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer would only involve the amount of water that would have been consumptively used or stored by the permittee or licensee in the absence of the proposed temporary change, would not injure any legal user of the water, and would not unreasonably affect fish, wildlife, or other instream beneficial uses. This bill would revise and recast the provisions regulating temporary changes due to a transfer or exchange of water rights, including, among other revisions, specifying that those provisions apply to a person who proposes a temporary change for purposes of preserving or enhancing wetlands habitat, fish and wildlife resources, or recreation. The bill would eliminate the requirement that a petitioner publish notice of a petition in a newspaper.

**Position**

**SB 45 (Portantino D) Short-lived climate pollutants: organic waste reduction goals: local jurisdiction assistance.**

**Last Amend:** 8/15/2022

**Status:** 9/6/2022-Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 9/6/2022-S. ENROLLED

**Summary:** Current law requires that the methane emissions reduction goals include a 50% reduction in the level of statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction in the level of statewide disposal of organic waste from the 2014 level by 2025. Current law requires the Department of Resources Recycling and Recovery, in consultation with the State Air Resources Board, to adopt regulations to achieve the organic waste reduction goals established by the state board for 2020 and 2025, as provided. Current law requires the department, no later than July 1, 2020, and in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving these organic waste reduction goals. Current law authorizes the department, if it determines that significant progress has not been made toward achieving the organic waste reduction goals established by the state board, to include incentives or additional requirements in its regulations to facilitate progress towards achieving the goals. This bill would require the department, in consultation with the state board, to assist local jurisdictions in complying with these provisions, including any regulations adopted by the department.

**Position**

**SB 230 (Portantino D) State Water Resources Control Board: Constituents of Emerging Concern in Drinking Water Program.**

**Last Amend:** 8/23/2022

**Status:** 9/6/2022-Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 9/6/2022-S. ENROLLED

**Summary:** Current law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. The state board's duties include, but are not limited to, conducting research, studies, and demonstration programs relating to the

provision of a dependable and safe supply of drinking water, enforcing the federal Safe Drinking Water Act, and adopting and enforcing regulations. This bill would require the state board to build upon its existing work dealing with, and work to improve its knowledge of, constituents of emerging concern (CEC) in waters of the state and drinking water.

**Position**

**SB 284 (Stern D) Workers' compensation: firefighters and peace officers: post-traumatic stress.**

**Last Amend:** 8/18/2022

**Status:** 9/6/2022-Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 9/6/2022-S. ENROLLED

**Summary:** Current law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Current law provides, only until January 1, 2025, that, for certain state and local firefighting personnel and peace officers, the term "injury" includes post-traumatic stress that develops or manifests during a period in which the injured person is in the service of the department or unit, but applies only to injuries occurring on or after January 1, 2020. Current law requires the compensation awarded pursuant to this provision to include full hospital, surgical, medical treatment, disability indemnity, and death benefits. This bill would make that provision applicable to active firefighting members of the State Department of State Hospitals, the State Department of Developmental Services, the Military Department, and the Department of Veterans Affairs, and to additional peace officers, including security officers of the Department of Justice when performing assigned duties as security officers and the officers of a state hospital under the jurisdiction of the State Department of State Hospitals or the State Department of Developmental Services, among other officers.

**Position**

**SB 559 (Hurtado D) Tribal gaming: compact ratification.**

**Last Amend:** 8/23/2022

**Status:** 8/31/2022-Read third time. Urgency clause adopted. Passed. Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending. Urgency clause adopted. Assembly amendments concurred in. (Ayes 40. Noes 0.) Ordered to engrossing and enrolling.

**Location:** 8/31/2022-S. ENROLLMENT

**Summary:** Would ratify the tribal-state gaming compact entered into between the State of California and the Santa Rosa Indian Community of the Santa Rosa Rancheria, executed on August 18, 2022. The bill would provide that, in deference to tribal sovereignty, certain actions related to this compact are not projects for purposes of CEQA. The bill would repeal an obsolete provision related to the ratification of a prior compact between the State of California and the Santa Rosa Indian Community of the Santa Rosa Rancheria and make other conforming changes.

**Position**

**SB 844 (Min D) California Cybersecurity Integration Center: cybersecurity improvement: reports.**

**Last Amend:** 3/16/2022

**Status:** 8/31/2022-Read third time. Passed. Ordered to the Senate. In Senate. Ordered to engrossing and enrolling.

**Location:** 8/31/2022-S. ENROLLMENT

**Summary:** Existing law establishes the California Cybersecurity Integration Center within the Office of Emergency Services, the primary mission of which is to reduce the likelihood and severity of cyber incidents that could damage California's economy, its critical infrastructure, or computer networks in the state. Current law requires the center to serve as the central organizing hub of state government's cybersecurity activities and to coordinate information sharing with local, state, and federal agencies, tribal governments, utilities and other service providers, academic institutions, and nongovernmental organizations. This bill would require the center to create four reports, to be delivered to the Legislature, as specified, for the 2021–22, 2022–23, 2023–24, and 2024–25 fiscal years that describe all expenditures made by the state within a single fiscal year pursuant to the federal State and Local Cybersecurity Improvement Act.

**Position**

**SB 892 (Hurtado D) Cybersecurity preparedness: food and agriculture sector and water and wastewater systems sector.**

**Last Amend:** 8/15/2022

**Status:** 9/6/2022-Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 9/6/2022-S. ENROLLED

**Summary:** Current law requires Cal-CSIC to provide warnings of cyberattacks to government agencies and nongovernmental partners, coordinate information sharing among these entities, assess risks to critical infrastructure information networks, enable cross-sector coordination and sharing of best practices and security measures, and support certain cybersecurity assessments, audits, and accountability programs. Current law also requires Cal-CSIC to develop a statewide cybersecurity strategy to improve how cyber threats are identified, understood, and shared in order to reduce threats to California government, businesses, and consumers, and to strengthen cyber emergency preparedness and response and expand cybersecurity awareness and public education. This bill would require Cal OES to direct Cal-CSIC to prepare, and Cal OES to submit to the Legislature on or before January 1, 2024, a strategic, multiyear outreach plan to assist the food and agriculture sector and the water and wastewater sector in their efforts to improve cybersecurity and an evaluation of options for providing grants or alternative forms of funding to, and potential voluntary actions that do not require funding and that assist, those sectors in their efforts to improve cybersecurity preparedness.

**Position**

**SB 901 (Pan D) Flood protection: City of West Sacramento flood risk reduction project.**

**Last Amend:** 8/15/2022

**Status:** 9/6/2022-Enrolled and presented to the Governor at 3:30 p.m.

**Location:** 9/6/2022-S. ENROLLED

**Summary:** Unless a city or county within the Sacramento-San Joaquin Valley makes certain findings after the effective date of specified amendments to its general plan, the Planning and Zoning Law prohibits a city or county from entering into a development agreement for property located in a flood hazard zone; approving a discretionary permit, ministerial permit, or other discretionary entitlement for a project that is located within a flood hazard zone, as specified; or approving a tentative map, or a parcel map for which a tentative map was not required, for a subdivision that is located within a flood hazard zone. Those findings include, among others, that the local flood management agency has made adequate progress on the construction of a flood protection system that will result in flood protection equal to or greater than the urban level of flood protection in urban or urbanizing areas. Current law further requires urban and urbanizing areas protected by any levee that is part of the facilities of the State Plan of Flood Control to achieve the urban level of flood

protection by 2025. This bill would instead require the City of West Sacramento, as defined, to achieve the urban level of flood protection by 2030.

**Position**

**SB 936 (Glazer D) California Conservation Corps: forestry training center: formerly incarcerated individuals: reporting.**

**Last Amend:** 8/15/2022

**Status:** 8/30/2022-Enrolled and presented to the Governor at 3 p.m.

**Location:** 8/30/2022-S. ENROLLED

**Summary:** Would require the Director of the California Conservation Corps, upon appropriation by the Legislature in the annual Budget Act or another statute, in partnership with the Department of Forestry and Fire Protection and the Department of Corrections and Rehabilitation, to establish a forestry training center in northern California to provide enhanced training, education, work experience, and job readiness for entry-level forestry and vegetation management jobs. The bill would require the training center to include counseling, mentorship, supportive housing, health care, and educational services and authorize the training center to provide training modules on specified activities. The bill would require the director to enroll at the training center formerly incarcerated individuals and to prioritize enrollment for those formerly incarcerated individuals who have either successfully served on a California Conservation Camp program crew and were recommended by the Director of Forestry and Fire Protection and the Secretary of the Department of Corrections and Rehabilitation, as provided, or successfully served on a hand crew at the county level and were recommended for participation by the county probation and county fire departments. The bill would provide that successful completion of a training program at the training center constitutes qualifying experience for an entry-level forestry or vegetation management position at a state agency.

**Position**

**SB 945 (Laird D) Falconry: American peregrine falcons.**

**Last Amend:** 8/15/2022

**Status:** 8/26/2022-Enrolled and presented to the Governor at 2 p.m.

**Location:** 8/26/2022-S. ENROLLED

**Summary:** Current law authorizes the Fish and Game Commission to adopt regulations for the possession or training, and the capture, importation, exportation, or intrastate transfer, of birds in the orders Falconiformes and Strigiformes (birds-of-prey) used in the practice of falconry. Current law authorizes the commission to authorize the issuance and provide for the revocation of licenses and permits to persons for the practice of falconry. Current law also prohibits the taking or possession at any time of fully protected birds, as specified. Current law designates the American peregrine falcon as a fully protected bird. This bill would exempt the capture, possession, or training of an American peregrine falcon in the practice of falconry from the prohibitions in the fully protected bird statute. The bill would prohibit regulations from being adopted for the possession, training, capture, importation, exportation, or intrastate transfer of American peregrine falcons used in the practice of falconry unless the Legislature provides an appropriation in the annual Budget Act or another statute for that purpose. The bill would require the department, contingent upon appropriation of funds in the annual Budget Act or another statute, to submit 2 reports to certain committees of the Legislature, on or before specified dates, regarding the use of American peregrine falcons and other raptors in falconry, as specified.

**Position**

**SB 1188 (Laird D) Safe Drinking Water State Revolving Fund: financial assistance.**

**Last Amend:** 3/15/2022

**Status:** 8/26/2022-Enrolled and presented to the Governor at 2 p.m.

**Location:** 8/26/2022-S. ENROLLED

**Summary:** Current law authorizes the State Water Resources Control Board, to the extent permitted by federal law, to provide up to 100% grant funding, and principal forgiveness and 0% financing on loans, from the fund to a project for a water system that serves a severely disadvantaged community. Current law requires the interest rate for repayable financing provided from the fund to be 0% if the financing is for a public water system that serves a disadvantaged community with a financial hardship or if the financing is for a public water system that provides matching funds. This bill would delete those provisions relating to 0% financing and interest and would instead generally authorize the board, to the extent authorized by federal law, to provide reduced or 0% financing to further the purposes of the Safe Drinking Water State Revolving Fund Law of 1997. The bill would delete the requirement that a water system serve a severely disadvantaged community in order to be provided with up to 100% grant funding or principal forgiveness and instead authorize providing that grant funding or principal forgiveness to certain other water systems. By making moneys in the Safe Drinking Water State Revolving Fund, a continuously appropriated fund, available for new purposes, the bill would make an appropriation.

**Position**

**SB 1205 (Allen D) Water rights: appropriation.**

**Last Amend:** 8/24/2022

**Status:** 8/31/2022-Read third time. Passed. Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending. Assembly amendments concurred in. (Ayes 32. Noes 0.) Ordered to engrossing and enrolling.

**Location:** 8/31/2022-S. ENROLLMENT

**Summary:** Would require the State Water Resources Control Board to develop and adopt regulations to govern consideration of climate change effects in water availability analyses used in the board's review of applications for water rights permits, including consideration of the effects of climate change, as specified, upon watershed hydrology, as specified. The bill would require the board to consult with the Department of Water Resources, the Department of Fish and Wildlife, and qualified hydrologists and climate change scientists, among others, in preparing the regulations. The bill would prohibit the board from refusing to accept or delay processing or approval of an application on the grounds that the regulations have not yet been adopted.

**Position**

**SB 1254 (Hertzberg D) Drinking water: administrator: managerial and other services.**

**Last Amend:** 6/15/2022

**Status:** 8/30/2022-Enrolled and presented to the Governor at 3 p.m.

**Location:** 8/30/2022-S. ENROLLED

**Summary:** Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties. The act authorizes the state board to contract with, or provide a grant to, an administrator to provide administrative, technical, operational, legal, or managerial services, or any combination of those services, to a designated water system to assist with the provision of an adequate supply of affordable, safe drinking water. Existing law prescribes the processes and procedures pursuant to which the state board may identify a designated water system in need of services, order a designated water system to accept services from an

administrator, and work with the administrator of a designated water system to develop adequate technical, managerial, and financial capacity to deliver an adequate supply of affordable, safe drinking water so that administrator services are no longer necessary. This bill would, among other things, revise the definition of “designated water system” and limit the liability of an administrator when the state board appoints an administrator to a designated water system, as prescribed.

**Position**

# Memo

G, H

To: Olivenhain Municipal Water District Board of Directors

Subject: INFORMATIONAL REPORTS

TWELVE MONTH CALENDAR / OTHER MEETINGS /

REPORTS / BOARD COMMENTS

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Any report will be oral at the time of the Board meeting. Please refer to the TWELVE MONTH Calendar (attached) for meetings attended.

**TWELVE MONTH CALENDAR OF EVENTS (AS OF 9/7/22)**

Date(s)	Event	Time	Location	Attending Board Member(s)	Additional Information (Speakers' Topic, Cohosts, etc.)
<b><u>AUGUST 2022</u></b>					
18-Aug	Board Meeting Debrief			Watt	
18-Aug	CSDA Quarterly Dinner		94th Aero Squadron	Watt	
19-Aug	Carlsbad State of the City	11:00 AM - 2:00 PM	Westin Carlsbad	Watt	
Aug 23-24	CSDA Annual Conference		Palm Springs, CA	Meyers	
30-Aug	AWWA Women in Water Event	11:00 AM - 1:00 PM	OMWD Boardroom	Bruce-Lane	
30-Aug	Conservation Committee Meeting	3:00 PM	OMWD Boardroom/Zoom	Guerin, Meyers	
31-Aug	Safety Committee Meeting	2:30 PM	OMWD Boardroom/Zoom	Meyers	
<b><u>SEPTEMBER 2022</u></b>					
1-Sep	EFRR Executive Committee Meeting	1:30 PM	OMWD Boardroom	Bruce-Lane, Watt	
1-Sep	Encinitas State of the City	5:30 - 8:00 PM	Alila Marea Beach Resort	Bruce-Lane, Meyers, Watt	
10-Sep	San Diego Botanic Garden - Garden Party	4:00 PM - 8:00 PM	San Diego Botanic Garden's Dickenson	Meyers	
12-Sep	Conference Call with the GM RE: Board Meeting			Director Meyers	

# Memo

To: Olivenhain Municipal Water District Board of Directors

Subject: INFORMATIONAL REPORTS

CORRESPONDENCE

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Any correspondence is attached.



August 24, 2022

The Honorable Gavin Newsom  
Governor, State of California  
1021 O Street, Suite 9000  
Sacramento, CA 95814

**RE: AB 2142 (Gabriel) – Request for Signature**

Dear Governor Newsom:

The undersigned organizations respectfully request your signature on AB 2142. This bill will reinstate an important exemption for turf replacement rebates from gross income in California, aligning it with certain other permanently exempt water efficiency rebates.

California is in its second drought within a decade, and it is critical for the state to continue to invest in both immediate conservation and ongoing water efficiency as we adapt to climate change. Water efficiency incentive programs are an effective tool in this effort. For example, since 1990, The Metropolitan Water District of Southern California (MET) has invested more than \$840 million in rebates and other conservation incentives,

resulting in an estimated water savings of nearly 3.5 million acre feet, which is enough to provide water for more than 10 million households.

Further, even when the state is not facing drought conditions, California has made a commitment to “Conservation as a California Way of Life” through the enactment of SB 606 (Hertzberg, 2018) and AB 1668 (Friedman, 2018). As part of that commitment, the Administration is in the process of establishing a water use objective for urban water agencies that will create numeric goals that each agency must meet, and incentive programs will be key to its success.

The Franchise Tax Board has projected minimal General Fund revenue impacts with losses in 2022-23 being \$150,000 and \$100,000 in future years. The significant financial and environmental benefits of these turf replacement programs far outweighs the minimal fiscal impact. Further, low to middle-income households benefit most from these programs. In a 2019 study utilizing census tract data, MET found that 68 percent of their turf replacement rebates went to low and medium-income households; San Diego County Water Authority did a similar study, and found that 55 percent went to low and medium-income families.

The State has permanently exempted other water efficiency rebates, recognizing their effectiveness in advancing efficiency objectives. Rebates for water efficient toilets and clothes washers, certain plumbing for recycled water, and energy conservation are all permanently exempt from both personal and corporate taxes in California. (Cal. Rev. & Tax Code §§ 17138, 17138.1, 24308.1.) Turf replacement programs, like these other rebates, play an important role in continued water efficiency and conservation efforts.

Taxing water efficiency rebates is a disincentive for households to participate in these critical programs. Even with incentives, most households will need to invest a significant amount of their own income to replace lawns with drought-tolerant landscaping. And taxing these rebates is an especially significant barrier for low-income households who participate in these programs.

California Law previously exempted turf rebates from taxable income, but those provisions were allowed to sunset in December 2019. Part of the rationale at that time was that California was not in a drought, but the environment is changing rapidly due to the impacts of climate change, and it is important that the State’s public policy reflects this changing reality.

For these reasons, the undersigned organizations respectfully request your signature on AB 2142.

Sincerely,

Jennifer M. Capitolo  
Executive Director  
California Water Association

Derek Dolfie  
Legislative Affairs, Lobbyist  
League of California Cities

Danielle Blacet  
Deputy Executive Director  
California Municipal Utilities Association

Jessica Gauger  
Director of Legislative Advocacy & Public Affairs  
California Association of Sanitation Agencies

Justin Skarb  
Director of Community Affairs & Government Relations  
California Water Service

Rosario Cortes Kapeller  
Senior Legislative Representative  
California Special Districts Association

Sue Mosberg  
Executive Director  
American Water Works Association, California-  
Nevada Section

Gary Link  
Legislative Affairs Director  
Northern California Water Association

Sean Bothwell  
Executive Director  
California Coastkeeper Alliance

Garry Brown  
Founding Director  
Orange County Coastkeeper  
Inland Empire Waterkeeper  
Coachella Valley Waterkeeper

Ben Pitterle  
Science and Policy Director  
Santa Barbara Channelkeeper

Charles Wilson  
Executive Director  
Southern California Water Coalition

Nicole Sasaki  
Staff Attorney  
San Francisco Baykeeper

James Peifer  
Executive Director  
Regional Water Authority

Deanna Jackson  
Executive Director  
Tri-County Water Authority

Mary Ann Dickinson  
CEO  
Dickinson Associates

Adel Hagekhalil  
General Manager  
The Metropolitan Water District of Southern  
California

Gary Arant  
General Manager  
Valley Center Municipal Water District

Donald M. Zdeba  
General Manager  
Indian Wells Valley Water District

Paul Helliker  
General Manager  
San Juan Water District

Greg Thomas  
General Manager  
Elsinore Valley Municipal Water District

John Bosler  
General Manager/CEO  
Cucamonga Valley Water District

John Mura  
General Manager/CEO  
East Valley Water District

Peter Sanchez  
General Manager-Secretary  
Fresno Metropolitan Flood Control District

Jessaca Lugo  
City Manager  
City of Shasta Lake

Chris Rogers  
Mayor  
City of Santa Rosa

Krista Bernasconi  
Mayor  
City of Roseville

Joshua Haggmark  
Water Resources Manager  
City of Santa Barbara

William Busath  
Director  
City of Sacramento, Department of Utilities

Robert Grantham  
General Manager  
Rancho California Water District

Paul A. Cook, P.E.  
General Manager  
Irvine Ranch Water District

Steven J. Elie  
Board President  
Inland Empire Utilities Agency

Anthony Goff  
General Manager  
Calleguas Municipal Water District

Dan Muelrath  
General Manager  
Diablo Water District

Matthew Litchfield  
General Manager  
Three Valleys Municipal Water District

Thomas A. Love  
General Manager  
Upper San Gabriel Valley Municipal Water District

Paul E. Shoenberger, P.E.  
General Manager  
Mesa Water District

Grant Davis  
General Manager  
Sonoma County Water Agency

Erik Hitchman  
General Manager  
Walnut Valley Water District

Ed Stevenson  
General Manager  
Alameda County Water District

Nina Jazmadarian  
General Manager  
Foothill Municipal Water District

Stephen L. Cole  
Assistant General Manager  
Santa Clarita Valley Water Agency

Jim Barrett  
General Manager  
Coachella Valley Water District

Lisa M. Borba  
President  
Contra Costa Water District

Mark S. Krause  
General Manager  
Desert Water Agency

David Pedersen  
General Manager  
Las Virgenes Municipal Water District

Ben Horenstein  
General Manger  
Marin Municipal Water District

Robert J. Hunter  
General Manager  
Municipal Water District of Orange County

Allen Carlisle  
General Manager/CEO  
Padre Dam Municipal Water District

Brett Hodgkiss  
General Manager  
Vista Irrigation District

Gregory R. Reed  
General Manager  
West Basin Municipal Water District

J. Wayne Miller  
President  
Yorba Linda Water District

Angela Ramirez Holmes  
President of the Board of Directors  
Zone 7 Water Agency

Joe Mouawad, P.E.  
General Manager  
Eastern Municipal Water District

Mike Alvarado  
General Manager  
La Cumbre Water Company

Michael R. Markus, P.E., D.WRE.  
General Manager  
Orange County Water District

Robert McDonald, P.E., MPA  
General Manager  
Carpinteria Valley Water District

Antonio Alfaro  
Government Relations Manager  
Santa Clara Valley Water District

Carlos Lugo  
General Manager  
Helix Water District

Jeffrey Kightlinger  
Interim General Manager  
Pasadena Water and Power

Ron Duncan  
General Manager  
Soquel Creek Water District

Kimberly Thorner  
General Manager  
Olivenhain Municipal Water District

Matt Young  
Manager  
Santa Barbara County Water Agency

Daniel R. Ferons  
General Manager  
Santa Margarita Water District

Craig Miller  
General Manager  
Western Municipal Water District

Marlaine Dumaine  
Manager of Legislative Affairs  
East Bay Municipal Utility District

CC: The Honorable Jesse Gabriel  
Angela Pontes, Deputy Legislative Secretary, Office of Governor Gavin Newsom



September 2, 2022

The Honorable Gavin Newsom  
Governor, State of California  
1021 O Street, Suite 9000  
Sacramento, CA 95814

**RE: SB 1157 (Hertzberg) – Request for Veto**

Dear Governor Newsom:

The undersigned coalition is writing to respectfully request that you veto SB 1157 (Hertzberg), which would lower the indoor water use efficiency standards. The Association of California Water Agencies (ACWA) and this coalition are comprised of the public agencies that this policy change would affect. ACWA is supportive of water use efficiency, but believes that investments in climate adaptation must be cost-effective. Based on available information, the indoor residential water use standards that SB 1157 would set in statute do not sufficiently balance water supply benefits with affordability ramifications. This bill would:

- Increase statewide resilience in water supplies of approximately one half of one percent at an estimated cost between \$2.8 to \$4.6 billion. The benefit at this cost does not account for unintended negative impacts to recycled water and wastewater systems. We urge consideration of what a similar expenditure could create in other areas of water resilience, such as those identified in the Water Supply Strategy.
- Base the requirements in SB 1157 on inadequate studies. Since the 2030 standard delineated in SB 1157 would not take effect for over seven years there is time to complete comprehensive studies that will provide significantly better information about the costs and consequences of compliance. Before establishing a new standard, we urge completion of those studies and a better understanding of potential consequences.

#### Cost for Benefit

The impacts to affordability as a result of this bill are likely to be serious and detrimental. A 2021 California Water Efficiency Partnership study estimated that the “the total anticipated cost range for

reasonably complying with a 2030 standard in which all providers achieve a residential indoor per capita volume of 42 GPCD by 2030 is likely between \$2.8 and \$4.6 billion.” While the indoor residential water use standard is only one component of the overall water use objective, given the separately enforceable component of water loss, it is anticipated that public water agencies will need to make significant additional investments to reduce indoor residential use to meet the overall objective. Ultimately, this substantial financial investment will only save approximately 354,000 acre feet of water per year over the current 2030 standard – approximately one half of one percent of annual statewide water use.

In addition to these direct costs, there will be substantial secondary costs. The Final Report indicates that the adverse impacts to wastewater and recycled water providers could be significant. A few examples of potential impacts include increased sewer gas production, accelerated rate of corrosion of pipes and manholes, increased occurrences of sewer blockages and overflows, degradation of wastewater influent quality, and reductions in recycled water quantity. Mitigating these impacts will require considerable investment and the use of potable or raw water. The impacts of these significant costs must be accounted for.

#### Inadequate Information for the Standards

While these standards were recommended by your Administration’s Department of Water Resources (DWR) and State Water Resources Control Board (State Water Board), ACWA and its public water and wastewater members identified concerning inadequacies in DWR’s draft report released in May 2021. In response to this draft report, ACWA and others raised these issues in a succinct letter requesting additional studies be completed to ensure that the indoor residential water use standard would be evidence-based and consider the impacts of a changed standard on wastewater and wastewater management. ACWA and our members requested DWR withdraw the joint recommendation and work collaboratively with water and wastewater agencies over a six-month period to quantify the impacts of a changed standard. No additional studies were conducted, and six months after the draft report was released, the Final Report and recommendations were released.

As a result, the standards SB 1157 would codify do not account for the adverse impacts and significant costs of dramatically reducing the indoor residential water use standard. The Final Report itself acknowledges some of these shortcomings, stating that a quantitative analysis was beyond the scope of the study, detailed saturation and end-use studies could better inform how much active and passive conservation is available, and that the standards will have an unknown effect on affordability and the human right to water. Unfortunately, for this reason, we have maintained an oppose unless amended position on SB 1157 (Hertzberg) throughout the legislative process.

The version of this bill that has reached your desk is an improvement over the introduced version as it now requires DWR to complete some additional studies and report that information back to the Legislature for their consideration. However, several significant amendments that this coalition requested were not included in the final version of this bill. It is critical that the 2030 standard be based upon the additional studies and findings related to the potential impacts of a reduced standard, rather than the incomplete Final Report released in November 2021. Additionally, as the impacts of this standard are likely to be significant, it is critical that additional variance categories for the indoor standard include affordability, telework, and evaporative coolers needed to address extreme heat challenges.

AB 1668 (Friedman) and SB 606 (Hertzberg) were a package of bills signed in 2018 that called for the creation of new urban water use efficiency standards for indoor residential use, outdoor use, water loss, and variances for unique conditions. Many members of this coalition worked intently on this issue with all the interested parties, including legislators, staff, and other stakeholders, during the long negotiations on these bills in 2017-18. A critical component in the outcome of these negotiations was that DWR would

conduct studies and investigations to identify a standard for indoor residential water use that appropriately reflects best practices for indoor water use with broad input from all stakeholders. As noted above, although this report was completed, it lacked critical data, including an analysis of adverse impacts and a quantitative analysis of the impacts related to affordability and changing populations and patterns. These impacts also did not inform the final recommendations.

For these reasons, the undersigned coalition would respectfully request that you veto SB 1157 (Hertzberg). If you have any questions about our position, please contact Julia Hall at the Association of California Water Agencies at [JuliaH@acwa.com](mailto:JuliaH@acwa.com).

Sincerely,

Julia Hall  
Senior Legislative Advocate  
Association of California Water Agencies

Rosario Cortes Kapeller  
Senior Legislative Representative  
California Special Districts Association

Gary Link  
Legislative Affairs Director  
Northern California Water Association

James Peifer  
Executive Director  
Regional Water Authority

Donald M. Zdeba  
General Manager  
Indian Wells Valley Water District

Paul Helliker  
General Manager  
San Juan Water District

Peter Sanchez  
General Manager-Secretary  
Fresno Metropolitan Flood Control District

Sean Barclay  
General Manager  
Tahoe City Public Utility District

Robert Grantham  
General Manager  
Rancho California Water District

Krista Bernasconi  
Mayor  
City of Roseville

Chris Rogers  
Mayor  
City of Santa Rosa

Jim Barrett  
General Manager  
Coachella Valley Water District

Larry B. McKenney  
General Manager  
Amador Water Agency

Marice H. DePasquale  
President, Board of Directors  
Mesa Water District

J. Wayne Miller  
President  
Yorba Linda Water District

Robert J. Hunter  
General Manager  
Municipal Water District of Orange County

Angela Ramirez Holmes  
President of the Board of Directors  
Zone 7 Water Agency

Jim Herberg  
General Manager  
Orange County Sanitation District

Cathy Lee  
General Manager  
Carmichael Water District

David Youngblood, P.E.  
General Manager  
East Orange County Water District

Brett Hodgkiss  
General Manager  
Vista Irrigation District

John Mura  
General Manager/CEO  
East Valley Water District

Greg Thomas  
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Kimberly A. Thorner, Esq.  
General Manager  
Olivenhain Municipal Water District

Allen Carlisle  
General Manager/CEO  
Padre Dam Municipal Water District

Craig Miller, P.E.  
General Manager  
Western Municipal Water District

Ernesto A. Avila, P.E.  
President  
Contra Costa Water District

Alyssa Silhi  
Legislative Representative  
City of Foster City

Matt Stone  
General Manager  
Santa Clarita Valley Water Agency

Kenneth V. Payne  
General Manager  
El Dorado Water Agency

Michael Saunders  
Director, President  
Georgetown Divide Public Utility District

Matt Hall  
Mayor  
City of Carlsbad

Jeff Sims  
General Manager  
Rubidoux Community Services District

Chris Berch  
General Manager  
Jurupa Community Services District

**Board of Directors**

Lawrence A. Watt, President  
Kristie Bruce-Lane, Vice President  
Christy Guerin, Treasurer  
Robert F. Topolovac, Secretary  
Neal Meyers, Director



**General Manager**  
Kimberly A. Thorner, Esq.  
**General Counsel**  
Alfred Smith, Esq.

August 29, 2022

Mr. Tony Brasil  
Mobile Source Control Division  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Mr. Craig Duehring  
Mobile Source Control Division  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Mr. Paul Arneja  
Mobile Source Control Division  
California Air Resources Board  
1001 I Street Sacramento, CA 95814

**Re: Comments on Draft Advanced Clean Fleets Regulation – Public Fleet Requirements**

Dear Mr. Brasil, Mr. Duehring, and Mr. Arneja:

On behalf of Olivenhain Municipal Water District, thank you for the opportunity to provide comments on the May 4, 2022 draft of the proposed regulations language of the Advanced Clean Fleets Regulations, specifically, the Public Fleet Requirements. OMWD provides 87,000 customers in northern San Diego County with water, wastewater, recycled water, hydroelectric, and recreational services.

OMWD conducts operations through a fleet of over 64 vehicles that is managed to ensure that we are able to respond to emergencies and natural disasters 24 hours a day, 365 days a year. A reliable fleet is critical to OMWD's ability to meet our mission of providing reliable and safe water supply in a cost-effective and sustainable manner. OMWD appreciates California Air Resources Board's work to incorporate stakeholder input into this revised draft rule. Our key concerns continue to be infrastructure requirements, Zero-Emission Vehicle availability, ability to maintain a safe and healthy water supply, especially during emergency responses, grid reliability, and public safety power shutoff events and costs. As CARB considers regulations to address advanced clean fleets, we urge that the rule does not create unintended negative consequences for water and wastewater utilities that will endanger public health and safety, especially during emergencies.



We ask that the following comments be given strong consideration to prioritize resilient essential public service operations.

### **Infrastructure**

OMWD appreciates the inclusion of Section 2013.1 (b) Infrastructure Construction Delay Extension. Upon review of this section and discussion with our energy provider, which estimates its permitting process to take 18 to 24 months. Once power is on-site at the parcel and the meter set, OMWD will need to plan, design, and construct the charging infrastructure, which may take an additional period of time. Lead times for critical components such as switchgear and charging head units are already at a 10 to 18-month lead time, resulting in further construction delays.

OMWD recommends that the one-year limitation be removed as long as “any” rather than “all” of the following requirements are met.

### ***ZEV Availability***

A substantial portion of OMWD fleet will be affected by this regulation as we do not have separate vehicles just for employee transport. Our vehicles must be able to tow; have 4-wheel drive; have power take-off features to power auxiliary items such as cranes, dump beds, and lift gates; not exceed highway weight restrictions with batteries and auxiliary tools; have the ability to idle for an extended period of time; have a substantial range on one charge; and have the ability to remote-off-road charge where there is no access to the electric grid. These vehicles include dump trucks, welding trucks, valve trucks, utility trucks, and water trucks. At the May 2022 Advanced Clean Transportation Expo in Long Beach, several of our partner agencies discussed vocational fleet availability with numerous manufacturer representatives. The manufacturers are currently not focusing on vocational vehicles and estimate that they will not have offerings in this category for at least five years.

Because the market is not ready for vocational zero-emission vehicles, it is imperative that the exemption for ZEV availability be very robust. OMWD supports recommendations by the Association of California Water Agencies and the California Municipal Utilities Association for exemptions that will allow for the purchase of internal combustion engine vehicles when ZEVs are not commercially available. We request that if a vehicle is necessary for water or wastewater system operations, and, is available as an internal combustion engine vehicle that can be delivered to the agency in an expeditious time frame, the exemption allows for the purchase of an internal combustion engine vehicle instead of just postponing the ZEV delivery. Not having a critical vehicle in our fleet will impact our ability to maintain water supply and to respond to emergencies. In addition, we request that credits are given for vehicles purchased in lower classes (i.e., below the 8,500 pound threshold for this regulation) to meet implementation requirements.



## ***Emergency Response***

We support the recommendations made by ACWA and CMUA with respect to mutual aid and emergency response. All water and sewer utilities are tasked with maintaining a safe and reliable water supply and infrastructure that is critical to public health and safety. Water or sewer system emergencies cannot wait for state declarations of emergencies and often are localized where the county or state will not be involved in emergency declarations. These emergencies are declared at the local level by means of our emergency operations plan. A water utility's ability to respond and provide water during emergencies is critical in protecting life and property. It is typical that emergency events are coupled with public safety power shutoff events, thus affecting the ability to provide water in an emergency with a ZEV fleet.

## ***Grid Reliability and Public Safety Power Shutoff Events***

Extreme temperatures, natural disasters, increased electricity demand, and potential reductions in hydropower generation due to drought can result in interruptions in electric service. Also, due to the increasing threat from wildfires, public safety power shutoff events have increased in frequency and duration in high fire risk areas. OMWD service territory includes several high fire risk areas that have experienced public safety power shutoff events for days at a time. These interruptions in electricity would hinder public agencies with electrified fleets from being able to provide essential services including providing the water needed to combat wildfires. The rule should consider that there will inevitably be interruptions in electric service and should be written in a way that considers the implications of interruptions in electricity for up to one week.

## ***Cost***

As a water provider, OMWD is very cognizant of Assembly Bill 685 which codifies the human right to water in California. Water Code Section 106.3 statutorily recognizes that “every human being has the right to safe, clean, affordable, and accessible water...” As non-profit entities, water agencies are required to pass the costs to all consumers, including disadvantaged individuals and groups. All of us need to do all we can to keep that water affordable as the statutes direct us. Currently, the cost for vocational ZEVs is exponentially higher than comparable internal combustion engine vehicles translating into sustained and ongoing rate increases. This additional cost burden will directly translate into increased water rates. In order to transition to the purchase of a ZEV fleet, the charging infrastructure needs to be in place. The upfront capital investments to construct the infrastructure needed to charge a large ZEV fleet will be significant—into the millions of dollars for just a single agency—and rates will be impacted immediately. We support California Municipal Utilities Association edits to Section 2013 (c) (6) that internal combustion engine vehicles should be allowed when near-zero-emission vehicles or ZEV costs exceed 133% of the purchase price. This will allow utilities to budget and know that until the technology is prevalent enough to be price competitive and affordable, water rates will not be impacted by requirements for higher-cost, unproven vehicles. In order to maintain our ability to operate and respond to emergencies, we will be required to charge a zero-emission vehicle during peak power demand periods and will incur heavy peak pricing and demand



charges from the power utility, again translating into increased operational costs and less affordable water for our customers contradicting Assembly Bill 685.

We appreciate the opportunity to comment on this very important rulemaking. We support the points raised and recommendations made by the Association of California Water Agencies and the California Municipal Utilities Association in their comment letters. We hope to continue our dialog with the California Air Resources Board staff to create a rule that is achievable, fair, and supports our mission of providing a reliable and safe water supply in an affordable and sustainable manner.

If you or your staff should need any additional details pertaining to this assessment, please do not hesitate to contact me at 760-753-6466 or [kthorner@olivenhain.com](mailto:kthorner@olivenhain.com).

Regards,



Kimberly A. Thorner  
General Manager

CC: Liane M. Randolph, Chair, California Air Resource Board  
Sandra Berg, Vice Chair, California Air Resources Board  
Members, California Air Resources Board  
Ashley Walker, Nossaman, LLP ([awalker@nossaman.com](mailto:awalker@nossaman.com))



# Memo

To: Olivenhain Municipal Water District Board of Directors

Subject: AUTHORIZATION TO ATTEND UPCOMING MEETINGS /  
CONFERENCES / SEMINARS

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The Board may desire to attend a meeting that requires Board approval.

# Memo

To: Olivenhain Municipal Water District Board of Directors

Subject: FUTURE AGENDA ITEMS

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The Board may have items to be considered at a Future Board meeting.

# Memo

To: Olivenhain Municipal Water District Board of Directors

Subject: CONSIDER PUBLIC COMMENTS

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There may be public comments before the Board meeting is adjourned.

# Memo

To: Olivenhain Municipal Water District Board of Directors

Subject: CLOSED SESSION

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It may be necessary to go into Closed Session.

# Memo

To: Olivenhain Municipal Water District Board of Directors

Subject: ADJOURNMENT

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We are adjourned.

# 12 of the best hikes in San Diego County

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 [sandiegouniontribune.com/guides/list/best-hikes-in-san-diego-county-list-map](https://www.sandiegouniontribune.com/guides/list/best-hikes-in-san-diego-county-list-map)

Aug. 11, 2022 2:18 PM PT

With year-round sunshine and a variety of terrains, San Diego has an abundance of hiking spots. From the coast to the mountains, San Diego County's 4,300 square miles are filled with more than 1,500 native plant species and more than 500 bird species for hikers to explore, not to mention some of the best views in the region.

We spoke to hiking experts, amateurs and longtime lovers of San Diego's regional trails about their favorite hikes. Here are 12 of the best hiking areas and trails in San Diego to explore, according to their recommendations, plus a few favorite spots from our staff.

## Way Up trail at the Elfin Forest Recreational Reserve

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Forest Trail

2.82-mile out-and-back

Moderate

By Lauren J. Mapp

"One of the worst parts about hiking in Southern California is being out in the hot sun for hours, which is why I love hiking Elfin Forest Recreational Reserve. Most of the trail is shaded by tall, dense bushes and tree coverage, a beautiful brook runs near the trailhead and there is often a cool breeze flowing through the air when hiking there in the spring and autumn. Although the hike is consistently an uphill climb, it is not overly strenuous, and there are plenty of places to stand to the side to catch your breath as needed. There are about 11 miles of trails in the reserve, but I usually stick to the 1.41-mile Way Up trail, which ends with a beautiful view of the Olivenhain Reservoir and plenty of picnic tables to rest at before descending back to the parking lot."



# San Diego Chapter News

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California Special Districts Association

Summer 2022

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Welcome to CSDA San Diego's newly formatted, email-friendly quarterly newsletter. With this new format and by eliminating attachments, we hope to produce newsletters that reduce the risk of cybersecurity issues and to modernize the newsletter for current technology. We are working to make the newsletter mobile friendly, but there may be limited functionality and flexibility. The newsletter is viewed best if you are using the native smartphone email app. Moving forward, we will continue to explore features that can be enhanced. Please provide feedback to [totoero@otaywater.gov](mailto:totoero@otaywater.gov). Thanks and enjoy!

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## In this Issue



Congratulations to the 2022 San Diego Chapter Special Districts Make the Difference High School Student Video Contest winners! [read more](#)

[>>](#)



President's Message



Bob Topolovac Retires



Treasurer's

Report

[read more >>](#)

[read more >>](#)

[read more >>](#)

[Topolovac](#)

***Bob Topolovac To Retire After 23 Years of  
Dedicated Public Service***

Director Bob Topolovac, currently the longest tenured Olivenhain Municipal Water District board member, will retire this year, attending his final board meeting on Nov. 16. Topolovac has exhibited an unrelenting dedication to balancing OMWD's fiscal realities with the need to represent all ratepayers fairly and responsibly.



Currently serving as OMWD's Board Secretary, Topolovac is also a past president and past vice president of the board. He currently serves on OMWD's Safety, Ad Hoc Facilities, Ad Hoc Cybersecurity, and Ad Hoc Public Policy committees. He has also served on OMWD's Personnel and Ad Hoc Conservation committees and has extensive knowledge in insurance, safety, and personnel issues.



In addition, Topolovac served for more than two years as OMWD's representative to the San Diego County Water Authority board.

Topolovac is a proponent of local government's need to protect the environment while tenaciously pursuing alternative, local water supplies.

"I am honored to have served for the past 23 years as a member of

OMWD's board. During my tenure, we have demonstrated our commitment to improving local water supplies by building a 34 million gallons per day membrane water treatment plant and procuring and extensively expanding our recycled water supplies, including bringing a 2 MGD recycled water facility online in the 4S Ranch area of San Diego," said Topolovac. "We partnered with U.S. Bureau of Land Management and San Diego County Water Authority on the regional Emergency Storage Project, which included SDCWA's completion of the Olivenhain Dam and Reservoir that can hold 24,000 acre-feet of water. We also operate Elfin Forest Recreational Reserve, which surrounds the reservoir and was enjoyed by 127,489 visitors in 2021."

Topolovac has been a resident of northern San Diego County since 1965 and currently lives in Rancho Santa Fe with his wife. He holds a master's degree in human relations and school administration from Ohio University. Topolovac retired from a 35-year career in higher and secondary education. Committed to safety, he continues to serve and protect our community as a volunteer sheriff at the San Diego County Sheriff's Department Encinitas station.



Since his tenure began on August 19, 1999, Topolovac has demonstrated dedication and loyalty that have contributed greatly to the welfare of the residents and ratepayers of OMWD, as well as its employees. OMWD thanks Topolovac for his years of service and wishes him well in his second retirement.

Congratulations!

## President Biden's Bipartisan Infrastructure Law to Help Communities Reduce Vulnerability to Drought

: 8/18/2022



Over \$310 million investment will support 25 projects bringing water to more than 850,000 per year

8/18/2022

Last edited 8/18/2022

Date: Thursday, August 18, 2022

Contact: [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)

**IRVINE, CA** — Following a tour of the Syphon Reservoir Improvement Project at the Irvine Ranch Water District today, Secretary of the Interior Deb Haaland and Bureau of Reclamation Commissioner Camille Calimlim Touton announced the allocation of \$309.8 million in funding from President Biden's Bipartisan Infrastructure Law and \$1 million in appropriated funding for the planning, design and construction of water reuse projects across the country. The selected projects will advance drought resilience and are expected to increase annual capacity by about 213,000 acre-feet of water, enough water to support more than 850,000 people a year.

The announcement caps a two-day swing through central and southern California to highlight how investments from the Bipartisan Infrastructure Law will help address the worsening drought crisis and expand access to clean drinking water for families, farmers and wildlife. On Wednesday, Secretary Haaland, Commissioner Touton, and federal, state and local leaders visited with farmers and water users in Fresno to discuss water solutions for farmers and highlight investments from the Bipartisan Infrastructure Law.

"Water is essential to everything we do and it will take all of us, working together, to address the significant drought impacts we are seeing across the West. As the climate crisis drives severe drought conditions and historically low water allocations, President Biden's Bipartisan Infrastructure Law is making historic investments to address water and drought challenges and invest in our nation's western water and power infrastructure," said **Secretary Haaland**.

"Water reuse helps communities diversify their water supply as they are facing an unprecedented drought and a changing climate," said **Commissioner Touton**. "This has tangible impacts and can help feed families, grow crops, sustain wildlife and the environment and help more families access safe, clean, reliable water. These projects will provide flexibility for communities and help them stretch their current drinking supplies as they will be treating wastewater that continues to be available."

Funding will support local water management agencies with stretching existing drinking water supplies and helping to ensure that growing water needs can be met through the advanced treatment of wastewater and naturally impaired surface and groundwater. Along with non-federal contributions, today's investment will support an overall \$1.2 billion in infrastructure projects.

The Bipartisan Infrastructure Law allocates \$8.3 billion for Bureau of Reclamation water infrastructure projects to repair aging water delivery systems, secure dams, complete rural water projects, and protect aquatic ecosystems. The funding announced today is part of the \$1 billion in WaterSMART Water Recycling and Reuse grants provided by the Law. The Department previously announced \$52.2 million this year in WaterSMART grants funded by the Bipartisan Infrastructure Law to support [water and energy efficiency projects](#) and [conserve watersheds and restore aquatic habitats](#).

## Selected Projects

Recipient	State	Title	Reclamation Funding
Big Bear Area Regional Wastewater Agency	CA	Replenish Big Bear Project	\$8,267,112
Carpinteria Valley Water District	CA	Carpinteria Advanced Purification Project	\$9,659,990
Coachella Valley Water District	CA	Water Reclamation Plant 10 (WRP-10) Non-Potable Water System	\$12,276,517
Eastern Municipal Water District	CA	Purified Water Replenishment Project	\$10,000,000
Irvine Ranch Water District	CA	Syphon Reservoir Improvement Project	\$12,245,625
Jurupa Community Services	CA	Joint IEUA-JCSD Recycled Water Intertie Project	\$12,275,000

## District

Las-Virgenes-Triunfo Joint Powers Authority	CA	Pure Water Project Las Virgenes-Triunfo	\$10,199,637
Monterey One Water	CA	Expand Pure Water Monterey Groundwater Replenishment Project	\$10,316,822
City of Morro Bay	CA	Water Reclamation Facility Project	\$9,310,095
City of Oceanside	CA	Pure Water Oceanside Program	\$9,941,533
Olivenhain Municipal Water District	CA	North San Diego Water Reuse Coalition Regional Recycled Water Program: 2020 Project	\$17,826,952
Padre Dam Municipal Water District	CA	East County Advanced Water Purification Program Phase 2	\$28,300,000
City of Palo Alto	CA	City of Palo Alto Advanced Water Purification System	\$12,867,875
City of Pismo Beach	CA	Central Coast Blue	\$14,124,000
Sacramento Regional County Sanitation District	CA	Harvest Water Program	\$24,115,808
City of San Buenaventura	CA	Ventura Water Pure Program	\$14,026,650
Santa Margarita Water District	CA	San Juan Watershed Project	\$7,928,615
Sonoma County Water Agency	CA	North Bay Reuse Program: Phase 2 Program	\$6,934,655
Soquel Creek Water District	CA	Pure Water Soquel: Groundwater Replenishment and Seawater Intrusion Prevention Project	\$20,925,000
Water Replenishment District of Southern California	CA	Groundwater Reliability Improvement Program Recycled Water Project	\$15,478,307
County of Maui	HI	Lahaina Water Recycling Project #3: West Maui Recycled Water Expansion	\$1,080,244
City of Nampa	ID	City of Nampa Recycled Water Program	\$3,000,000
El Paso Water Utilities Public Service Board	TX	Advanced Water Purification Facility	\$20,000,000
Weber Basin Water Conservancy District	UT	Tertiary Treatment Facility in Central Weber	\$14,300,000
City of Cheney	WA	Cheney Purple Pipe Project	\$5,445,750

The Departments of the Interior and Agriculture co-lead the Drought Resilience Interagency Working Group and recently released their [Drought Resilience 2022 Year One Summary Report](#).

More information, including details about other current opportunities to apply for funding available under the Bipartisan Infrastructure Law, is available on [Reclamation's WaterSMART program webpage](#).

###

**Was this page helpful?**



## Unknown Title

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# Construction underway on Encinitas recycled-water pipeline



Encinitas City Hall. (NCC file photo)

### News Release

August 18, 2022

The Olivenhain Municipal Water District recently started construction on a new recycled-water pipeline in Encinitas along Manchester Avenue and South El Camino Real from Via Poco to Tennis Club Drive.

Once complete, customers connecting to the new pipeline will irrigate with recycled water, which will reduce demand for imported potable water by more than 10 million gallons every year.

Recycled water is a sustainable water source that reduces the region's dependence on imported water. OMWD is currently meeting approximately 14% of its total water demands using locally supplied recycled water for irrigation.

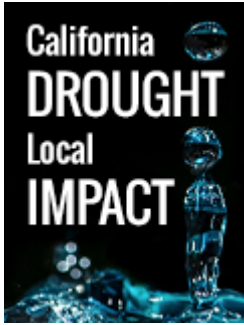


### Submitted content

“Recycled water is a critical tool in our effort to diversify our water supply and reduce the impacts of drought,” OMWD Board President Larry Watt explained. “By converting from potable

to recycled water for irrigation, this project has become yet another example of how we can significantly reduce our potable water consumption.”

The new pipeline is an element of the larger North San Diego County Regional Recycled Water Project — a collaborative effort among nine North County agencies that coordinate across jurisdictional boundaries. The water that OMWD will deliver through the new pipeline is produced at San Elijo Joint Powers Authority’s water reclamation facility in Cardiff.



OMWD has aggressively sought grant funding for this project to make it cost-effective for ratepayers. The efforts have been successful, with OMWD achieving \$1,350,000 from California’s Department of Water Resources for two separate segments of the pipeline, and approximately \$400,000 from the US Bureau of Reclamation’s Title XVI Water Reclamation and Reuse Program.

The project is expected to be completed in 2023 and progress updates can be found at [www.olivenhain.com/projects](http://www.olivenhain.com/projects) and by following OMWD on Facebook and Twitter.



**FOR IMMEDIATE RELEASE**

Thursday, August 25th, 2022

Contact: [Eric.Mee@mail.house.gov](mailto:Eric.Mee@mail.house.gov)

**Rep. Mike Levin Delivers More Than \$62 Million in New Federal Funds for Local Projects through Bipartisan Infrastructure Law**

**Oceanside, CA** – Today, U.S. Representative Mike Levin (D-CA) announced that local agencies in North County San Diego and South Orange County are receiving more than \$62 million in new federal funding for four local projects thanks to the Bipartisan Infrastructure Law he helped pass in 2021. The funding will facilitate the replacement of the 100-year-old San Luis Rey River Bridge and fund three other projects to address drought challenges and strengthen the region's water independence. Rep. Levin advocated for all four projects to receive funding from the infrastructure law and shared a [video](#) from the San Luis Rey River Bridge earlier this year where he highlighted how important it was for this project to receive funding from the law.

The San Diego Association of Governments will receive \$27.3 million to replace the 100-year-old San Luis Rey River Bridge; the City of Oceanside will receive \$9.94 million for the Pure Water Oceanside Program; the Olivenhain Municipal Water District will receive \$17.83 million for the North San Diego Water Reuse Coalition Regional Recycled Water Program; and the Santa Margarita Water District will receive \$7.93 million for the San Juan Watershed Project.

"I was proud to help pass the Bipartisan Infrastructure Law because I knew it would deliver desperately-needed investments in our local infrastructure priorities, and I am excited to see that coming to fruition," **said Rep. Levin**. "Federal funding for the San Luis Rey River Bridge replacement will support economic activity and improve experiences for both passengers and pedestrians in the surrounding community. Investments in local water projects are also critical as we face increasingly devastating drought that requires us to diversify our water supply and strengthen our local water independence. Taken together, these investments are going to significantly improve the quality of life for everyone in the region and I am proud to see this progress happening as a result of the Bipartisan Infrastructure Law."

"Replacing the aging San Luis Rey River Bridge is vital to improving safety, speed, and wait times up and down the LOSSAN corridor," **said SANDAG Chair and Encinitas Mayor Catherine**

**Blakespear.** “We are grateful to Congressman Levin for his continued leadership in securing this critical funding from the U.S. Department of Transportation to ensure the second busiest rail line in the nation is sustainable now and for generations to come.”

“Water is such a vital resource and this funding allows us to continue to develop projects that help improve our local supply,” **said Oceanside Mayor Sanchez.** “Congressman Mike Levin's invaluable advocacy for Pure Water Oceanside puts us one step closer to achieving the goal of greater water independence for our city, residents, and businesses. Thank you Congressman Levin!”

“California is not going to be able to navigate another historic drought if we don’t develop new water supplies,” **said Olivenhain Municipal Water District Board President Larry Watt.** “In fact, the number one priority in the California Water Supply Strategy document that Governor Newsom recently released is to create new water recycling projects. This financial support from the Bureau of Reclamation is instrumental for us to be able to develop these new supplies and achieve statewide goals.”

“We are so grateful to Congressman Levin for his assistance in securing these funds,” **said Santa Margarita Water District General Manager, Dan Ferons.** “These funds will go a long way toward reducing our dependence on imported potable water and moving us to long-term sustainability for our customers.”

**San Luis Rey River Bridge project:** The project replaces the 100-year-old San Luis Rey River Bridge with a double-track concrete bridge and eliminates a 0.6-mile single-track bottleneck in the City of Oceanside. Additional improvements will be made to an adjacent bike path, a pedestrian underpass, a Federal Railroad Administration (FRA) approved Quiet Zone at-grade crossing, and grading, drainage, and signals. These improvements will bring rail infrastructure used heavily by Amtrak, Metrolink commuter services, and BNSF freight trains into a state of good repair while reducing delays, increasing speeds, and shortening trip times. ([U.S. Department of Transportation](#))

**Pure Water Oceanside Program:** Pure Water Oceanside will purify recycled water to create a new, local source of high-quality drinking water that is clean, safe, drought-proof and environmentally sound. The program will produce enough water to provide more than 30% of the city's water supply. ([City of Oceanside](#))

**North San Diego Water Reuse Coalition Regional Recycled Water Program:** The Regional Recycled Water Project is a joint effort of the nine NSDWRC member agencies that seeks to maximize water reuse in the Project Area by creating a regional water reuse system. Water reuse includes recycled water for non-potable purposes, as well as advanced treated water for potable reuse. The project consists of development of regional recycled water infrastructure

that includes interagency connections to increase the capacity and connectivity of the recycled water storage and distribution systems of the Coalition. ([North San Diego Water Reuse Coalition](#))

**San Juan Watershed Project:** The San Juan Watershed Project is a multi-phase project that will enhance water reliability for our community by capturing local stormwater runoff as well as directing recycled water into temporary storage and using it to recharge our underground aquifer. When completed, the San Juan Watershed Project will be able to provide the community with about 5.6 billion gallons of additional local, reliable water. That's enough water for 50,000 families each year. ([Santa Margarita Water District](#))

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# Who's News: 9/2/22

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 [thecoastnews.com/whos-news-9-2-22/](https://thecoastnews.com/whos-news-9-2-22/)

staff

August 29, 2022

## OMWD HONORED

The Special District Leadership Foundation honored Olivenhain Municipal Water District in August at California Special Districts Association's annual conference in Palm Desert as a "District of Distinction—Platinum Level," its highest accreditation. This designation recognizes OMWD's commitment to sound fiscal management, ethical administration and transparency in all areas of its operations.

[Support The Coast News. Click here.](#)

## San Diego's imported water supply may not be as secure as hoped

9/1/2022



<https://youtu.be/Usv06ApMZSY>

San Diego water managers exude an understated confidence when they talk about the regional drought that is drying up California and the Colorado River Basin.

“Despite the fact that we’ve developed the supplies and have the water available, it’s never okay to waste and we’re always moving toward becoming more efficient with that water that we do have,” said Jeff Stephenson of the San Diego County Water Authority in a July interview with KPBS.

Earlier this year the SDCWA touted the fact they even if the current drought persisted, they would have a sustainable supply of water for years.

That message may be muted now because Gov. Gavin Newsom is stepping up calls for Californians to conserve water. Still, local officials are confident they are prepared for just this situation.

But the San Diego County Water Authority cannot plan for everything, and the punishing mega drought squeezing the Colorado River could yet influence how much water San Diego ends up drawing from an important source of drinking water.



When it comes to water infrastructure, San Diego water managers, have spent billions to accumulate their embarrassment of riches.

The region has a desalination plant that turns 50 million gallons of ocean water into tap water every day.

There's a new higher dam at the San Vicente reservoir near Lakeside that holds more water than it used to.

And the Olivenhain reservoir near Escondido is full, a rarity for a human-made lake in the west these days.



1 of 3

The Olivenhain Dam in Northern San Diego County's Elfin Forest Recreational Reserve is constructed of concrete that steps down more than 300 feet to a valley floor and holds back nearly 46-thousand cubic feet of water, Aug. 26, 2022.

Matthew Bowler



2 of 3

The Olivenhain Dam in Northern San Diego County's Elfin Forest Recreational Reserve is constructed of concrete that steps down more than 300 feet to a valley floor and holds back nearly 46-thousand cubic feet of water, Aug. 26, 2022.

Matthew Bowler



3 of 3

More than 300-feet of stepping concrete of the Olivenhain Dam meets the rocky valley wall holding back more than 46-thousand cubic feet of water in Northern San Diego County's Elfin Forest Recreational Reserve, Aug. 26, 2022.

Matthew Bowler

“The reservoir is a 24,000 acre foot reservoir that supplies water to our aqueduct,” said Nadir Baig, a dam operator at Olivenhain.

That’s a year’s supply of water for about 60,000 families. Olivenhain also generates electricity as water is transferred back and forth between it and Lake Hodges.

But the water stored there is a backup plan if the region’s imported supplies — about half of the water used in the region — gets cut off.

San Diego County water officials spent a lot of money securing expensive water transfer agreements with the Imperial Valley, meaning San Diego would be among the last users to face cuts if shortages force reductions.



The San Diego County Water Authority estimates there is a six month supply of water in local reservoirs.

“We are secure, but we still need to do our part,” said Kelly Rodgers, the director of the Colorado River Program at the water authority. “Because these hotter, dryer conditions are our foreseeable future.”

Thirty years of planning has allowed the region to cope, she said.

“It’s like your retirement,” she said. “When you’re younger, ‘You’re like, oh gosh, I may never need that.’ But when you’re retired, you’re like, ‘Wow, all the investments are paying off.’”

But San Diego is not immune from the water crisis bubbling through the Colorado River Basin.



**Courtesy of Brian Lorenz**

/

702 Helicopters

Islands revealed as the water level in Lake Mead retreats to record lows in this photo taken from a helicopter in early July 2022.

The Federal Bureau of Reclamation's top official said at a recent U.S. Senate Committee hearing that all of the west's watersheds are suffering.

"Hydrological variability," said Camille Calimlim Touton, the Bureau of Reclamation's commissioner. "Hotter temperatures leading to earlier snowmelt. Dry soils, all translating into earlier and low runoff. This is coupled, as the committee has mentioned, with the lowest reservoir levels on record."

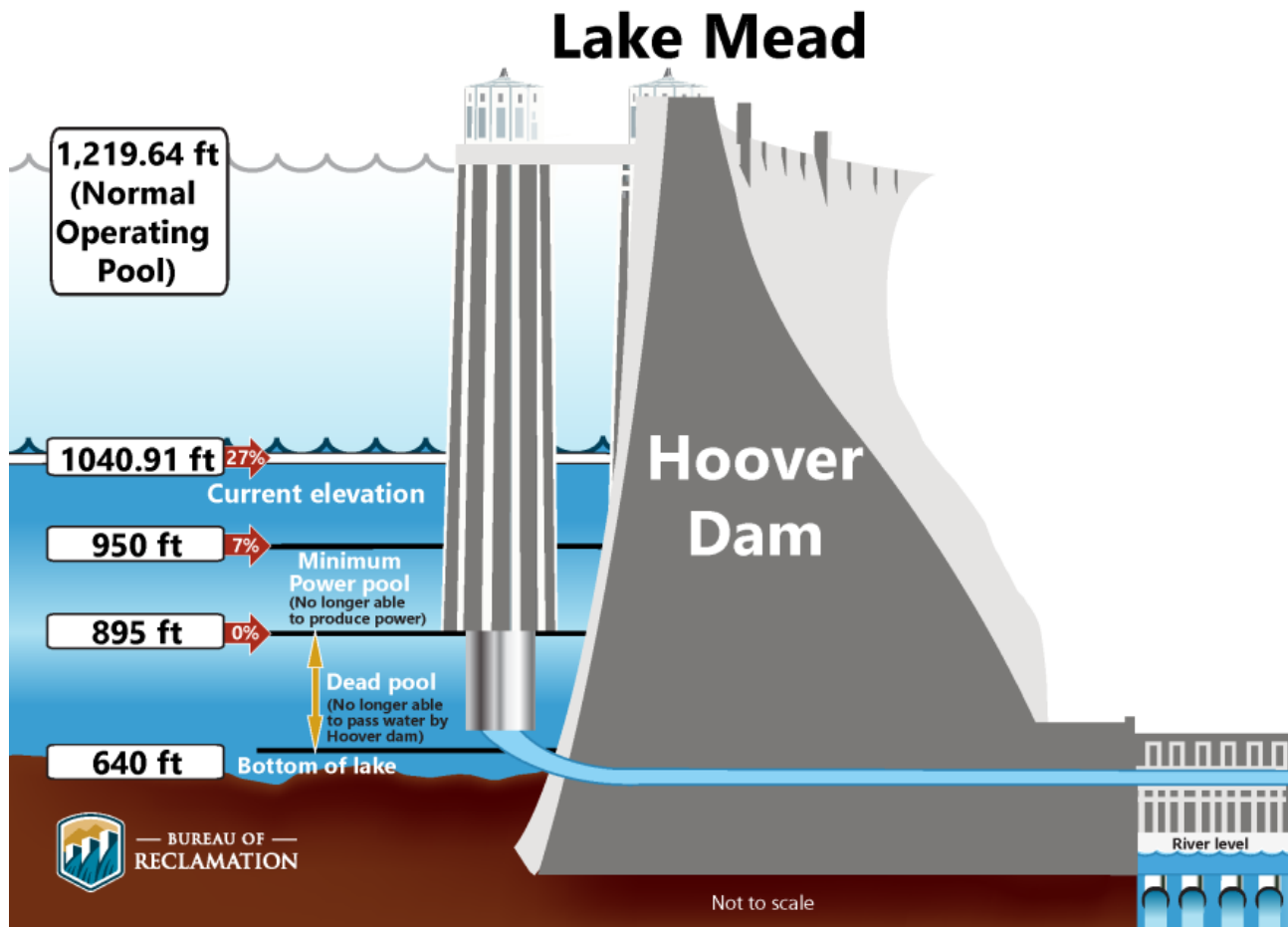
The bureau is charged with managing the Colorado River and the agency has twice called for river users to cut back the amount of water they take.

That is unprecedented, and Touton told lawmakers more drastic cuts are needed.

"Between two and four million acres feet of additional conservation is needed just to protect critical levels in 2023," she said.

The critical levels she talked about are water levels in Lake Powell and Lake Mead, the west's largest reservoirs which are fed by the Colorado River.

Water levels there are falling at alarming rates. In 23 years of drought since the year 2000, Lake Mead has lost 170 feet of elevation, said Michael Cohen, a senior researcher at the Pacific Institute, a water issues think tank.



## Federal Bureau of Reclamation

This undated graphic shows the Hoover Dam in Nevada.

“And the forecasts are projecting that Lake Mead could drop even another 50 feet in the next two years,” he said.

That could put the system dangerously close to a condition water managers call “dead pool.”

That happens when the lake’s level drops below the valves that allow water to pass by the Hoover and Glen Canyon dams. Lake Mead could be just 100 feet away from “dead pool” if current projections hold and more cutbacks do not have an impact.

San Diego stands to lose half of its drinking water if those reservoir water levels drop too low.

The expensive senior water rights, bought from the Imperial Irrigation District, would be worthless.

“There’s a chance that if the different Colorado River water users can’t come to an agreement that current rules will continue to apply, and that Lake Mead will continue to be drawn down,” Cohen said. “Creating the crisis that we’re really seeing right now because people see this coming.”



And while water managers may see the crisis coming, it is never easy negotiating scarcity.

“These are very complex discussions,” Rodgers said. “The solutions are complex. It’s going to take some time to come up with a proposal. There are a lot of water users affected.”

Federal officials want water users to make the decisions, but say they will step in if needed.

Meanwhile, California may actually draw more water than is allocated this year.

“And most of that overuse,” Cohen said. “Is actually not coming from the irrigation district, it’s coming from Metropolitan Water District. And that’s because California itself is in a massive drought.”

Metropolitan is the region’s largest water wholesaler, serving Los Angeles and many surrounding water districts.

The consequences of taking too much water now could be dire.

So far, California has avoided the first two rounds of cuts, but that likely will not be the case next year.

The unanswered question right now is whether San Diego will lose just a slice of its Colorado River water in coming years, or if the basin’s water use cannot be reined in and San Diego loses it all.

# Region 10 Program Provides Insight on Managing Today's Water Challenges, Update on Colorado River

By Region 10 Chair Charles Gibson

ACWA Region 10 hosted a program, "Conversations on Leading for a Resilient Water Future," featuring an update on the conditions and issues surrounding the Colorado River and an informative panel discussion with general managers sharing ways to meet current challenges in maintaining a reliable water supply.

The event, held Aug. 2 at Olivenhain Municipal Water District (OMWD), attracted 81 people and featured a networking lunch and the opportunity to tour the district's recently renovated and expanded headquarters.

After a welcome from OMWD Board President Larry Watt and ACWA President Pamela Tobin, ACWA Executive Director Dave Eggerton and ACWA Deputy Executive Director for Government Relations Cindy Tuck updated attendees on association priorities and critical advocacy issues.

Bill Hasencamp, Manager of Colorado River Resources for Metropolitan Water District of Southern California, provided an educational presentation on the state of the Colorado River. He explained why Lake Mead's storage level is dropping so rapidly, saying that beginning in the spring of 2020, the Colorado Basin faced the hottest, driest year on record. Other factors include increase in demand, and the federal government taking action to protect Glen Canyon Dam's water level for balanced water and energy supply. The lake has dropped 27 feet since January.

"We need to work together to save this great river," Hasencamp said.

Next was the panel of general managers, who discussed management challenges



The Region 10 program covered a wide range of issues affecting ACWA member agencies, from conditions on the Colorado River to challenges from COVID-19, workforce development and climate change. Olivenhain Municipal Water District hosted attendees at its newly renovated and expanded headquarters.

from COVID-19 constraints in meeting safely and workforce development to climate change. The panel was moderated by Kimberly Thorner, General Manager of Olivenhain Municipal Water District. Panelists included Fallbrook Public Utility District General Manager Jack Bebee, Santa Margarita Water District General Manager Dan Ferons, Otay Water District General Manager Jose Martinez and East Orange County Water District, General Manager David Youngblood.

The group discussed various ways COVID-19 constraints affect public engagement at board meetings, including increasing virtual meetings and staff use of telecommuting.

The panelists all agreed that changes to how the water industry recruits will be vital to solving workforce shortages. Martinez noted that reaching out to groups that have not traditionally participated in the water industry must be intentional and persistent. It was also noted that water agencies must be strategic in where and how they advertise for openings.

The panelists emphasized the need for collaboration between agencies to solve

regional issues. Ferons highlighted the Community Water Systems Alliance that includes both large districts and very small agencies. The alliance was created with the goal of answering the question, "How can we help each other out?" He cited several examples where larger agencies might share services through contracts with small agencies that otherwise could not afford to provide a service or realize savings through economies of scale.

ACWA Vice President Cathy Green provided closing remarks.

Thank you to our sponsors, Best Best & Krieger LLP, Mesa Water District, Municipal Water District of Orange County, Orange County Water District, Santa Fe Irrigation District, Olivenhain Municipal Water District, Santa Margarita Water District and Vista Irrigation District for supporting this event.

ACWA region events provide an excellent opportunity for members to connect and engage with their water colleagues from across the state. I encourage you to visit the Events page at [www.acwa.com](http://www.acwa.com) to learn about future events. ♦

Don't miss upcoming Region events – Region 8 on Sept. 19, Region 5 on Oct. 6-7, and Regions 6 & 7 on Oct. 13-14. For more information and to register, visit [www.acwa.com/events](http://www.acwa.com/events)