



**REGULAR BOARD MEETING  
AGENDA PACKET**

**OCTOBER 20, 2020**

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**Regular Board Meeting – October 20, 2020, 6:00 p.m. via Teleconference**

**Join from computer, tablet or smartphone.** Click on this URL to join:  
<https://us02web.zoom.us/j/82056366157?pwd=cm41SEhjWmIYWnJabjFYeWptc3ZWdz09>.

**Join by phone.** Dial US [+1 669 900 6833](tel:+16699006833). Meeting ID: 820 5636 6157. Password: 171231.

**Participant ID.** Use your assigned Participant ID when you dial in so that it consolidates your profiles.  
Click on this URL to learn more: <https://carmichaelwd.org/about-us/agendas-minutes/>.

**AGENDA**

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020 that allows attendance by members of the Carmichael Water District (District) Board of Directors (Board), District staff, and the public to participate and conduct the meeting by teleconference, videoconference, or both.

The Board will discuss all items on its agenda, and may take action on any of those items, including information items and continued items. The Board may also discuss other items that do not appear on its agenda, but will not act on those items unless action is urgent, and a resolution is passed by a two-thirds vote declaring the need for action arose after posting of the agenda. Agenda packets can be found at our website at [carmichaelwd.org](http://carmichaelwd.org).

*The Board of Directors welcomes and encourages participation in meetings. Public testimony may be given on any agenda item as it is called and limited to three minutes per speaker. Matters not on the posted agenda may be addressed under Public Comment. Please follow Public Comment Guidelines found at the District's website at [carmichaelwd.org/public-comment-guidelines/](http://carmichaelwd.org/public-comment-guidelines/).*

In compliance with the Americans with Disabilities Act, if you have a disability and need a disability-related modification or accommodation to participate in this meeting, please contact the General Manager at 483-2452. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

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**CALL TO ORDER AND STATEMENT REGARDING PUBLIC PARTICIPATION: President Selsky**

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**PRESENTATIONS:**

1. **Berry Quality of Life Youth Leadership Scholarship Presentation**
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**PUBLIC COMMENT:**

2. **Public Comment**  
Any member of the public may address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board.
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**ANNOUNCE CLOSED SESSION AND ADJOURN OPEN SESSION TO CLOSED SESSION**

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**CLOSED SESSION:**

3. **CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS (Government Code section 54956.9): Property Lease Agreement**
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**ADJOURN CLOSED SESSION AND OPEN REGULAR SESSION**

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**REPORT OUT OF CLOSED SESSION**

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**CONSENT CALENDAR:**

Consent Calendar items are expected to be routine and non-controversial, to be acted on by the Board in one motion. Should any Board member, staff member, or interested person request discussion on an item, the Board will consider the item separate from the Consent Calendar.

4. **Minutes for the Special Board Meeting – October 15, 2020**
5. **Minutes for the Regular Board Meeting – September 22, 2020**
6. **Paid Expenditures Report – September 2020**
7. **Investment Transaction Report – September 2020**
8. **Cash Flow Projection – September 2020**
9. **Budget Summary – September 2020**
10. **FY 2020-2021 Reserve Requirements – September 2020**
11. **La Vista Project Funds – September 2020**
12. **Legal Services Agreement (LSA) with Gavrilov & Brooks**

Staff recommends that the Board of Directors approves the Legal Services Agreement (LSA) with Gavrilov & Brooks and authorizes the General Manager to execute the contract.

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**ACTION CALENDAR:**

13. **Resolution 10202020-1 A Resolution Amending the District's Policy Manual**

Staff recommends that the Board of Directors approves Resolution 10202020-1 A Resolution Amending the District's Policy Manual.

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**STAFF REPORTS:**

14. **General Manager's Written Report**
15. **District Activity Report**
16. **Director's Expense Reimbursement Summary for September**

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**GENERAL CORRESPONDENCE/INFORMATION:**

17. **News Articles**
18. **Director's Written and/or Oral Reports**

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**CALENDARS AND COMMITTEES:**

19. **Meetings Calendars:**
  - a. **2020 Board Meeting Calendar**
  - b. **Meeting/Conference Calendar – November**
  - c. **Meeting/Conference Calendar – December**

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**The next meeting of the Board of Directors will be a Regular Board Meeting held on:  
Tuesday, November 17, 2020 at 6:00 p.m.**



Special Board Meeting – October 15, 2020

Carmichael Water District Board Room  
7837 Fair Oaks Boulevard  
Carmichael, CA 95608

## MINUTES

The Board of Directors of the Carmichael Water District met in Special Session this 15th day of October at 9:00 a.m. at the District Office located at 7837 Fair Oaks Boulevard, Carmichael.

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### ATTENDANCE:

**Directors:** Paul Selsky, Mark Emmerson, Jeff Nelson, Roy Leidy, Ron Greenwood  
**Staff:** Cathy Lee  
**Guest:** Edward Brooks and Gregory O'Dea with Gavrilov and Brooks  
**Public:** No members of the public

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**CALL TO ORDER:** President Selsky called the meeting to order at 9:05 a.m.

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**ANNOUNCED CLOSED SESSION AND ADJOURN OPEN SESSION TO CLOSED SESSION AT 9:05 A.M.**

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### CLOSED SESSION:

1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** (Government Code sections 54954.5(c) and 54956.9(a))  
Consideration of initiation of litigation involving three cases.
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**ADJOURN CLOSED SESSION TO OPEN SESSION AT 10:53 A.M.**

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### REPORT OUT OF CLOSED SESSION:

The Board conferenced with legal counsel and provided directions to the general manager.

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**ADJOURNMENT:** The special meeting was adjourned at: 10:54 a.m.

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The next meeting of the Board of Directors will be a Regular Board Meeting held on:  
Tuesday, October 20, 2020 at 6:00 p.m.

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Paul Selsky, President

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Cathy Lee, Secretary

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Regular Board Meeting – September 22, 2020 via Teleconference

MINUTES

The Board of Directors of the Carmichael Water District met in Regular Session this 22nd day of September at 6:00 p.m. via teleconference.

ATTENDANCE:

**Directors:** Paul Selsky, Mark Emmerson, Jeff Nelson, Ron Greenwood  
**Staff:** Cathy Lee, Chris Nelson, Shelby Golden  
**Guest:** Mark Hildebrand with Hildebrand Consulting  
 Bob Reed with The Reed Group  
**Public:** Eight (8) members of the public

**CALL TO ORDER:** President Selsky called the meeting to order at 6:07 p.m.

PUBLIC COMMENT:

1. Public Comment

No public comment.

ACTION ITEM #10 MOVED FORWARD:

10. Draft 2020 Business Plan and Water Rate Study

Staff recommends that the Board of Directors approve a 5-year schedule of annual rate adjustments based on Option 2, at 9.5% adjustment per year, and water shortage surcharges as recommended in the Draft Study, to include in the Prop 218 Notification.

M/S Nelson / Emmerson to approve and authorize staff recommendation.

Discussed with Board

David Hanscom commented

Jeff Nelson	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Mark Emmerson	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Paul Selsky	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Ron Greenwood	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Roy Leidy	Aye	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>	Abstain	<input type="checkbox"/>
<b>Board Totals:</b>	<b>Ayes:</b>	<b>4</b>	<b>Nays:</b>	<b>0</b>	<b>Absent:</b>	<b>1</b>	<b>Abstain:</b>	<b>0</b>
<b>Passed Unanimously:</b>		<input checked="" type="checkbox"/>						
<b>Motion Carried:</b>		<input type="checkbox"/>						
<b>Motion Not Carried:</b>		<input type="checkbox"/>						

ACTION ITEM #11 MOVED FORWARD:

11. Prop 218 Notification

Staff recommends that the Board of Directors approves the Prop 218 Notification with the approved 5-year schedule of annual rate adjustments and water shortage surcharges.

M/S Selsky / Emmerson to approve and authorize staff recommendation.

Discussed with Board

Jeff Nelson	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Mark Emmerson	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Paul Selsky	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Ron Greenwood	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Roy Leidy	Aye	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>	Abstain	<input type="checkbox"/>
<b>Board Totals:</b>	<b>Ayes:</b>	<b>4</b>	<b>Nays:</b>	<b>0</b>	<b>Absent:</b>	<b>1</b>	<b>Abstain:</b>	<b>0</b>
<b>Passed Unanimously:</b>		<input checked="" type="checkbox"/>						
<b>Motion Carried:</b>		<input type="checkbox"/>						
<b>Motion Not Carried:</b>		<input type="checkbox"/>						

**CONSENT CALENDAR:**

2. **Minutes for the Special Board Meeting – September 11, 2020**
3. **Minutes for the Regular Board Meeting – August 17, 2020**
4. **Paid Expenditures Report – August 2020**
5. **Investment Transaction Report – August 2020**
6. **Cash Flow Projection – August 2020**
7. **FY 2019-2020 Reserve Requirements – August 2020**
8. **La Vista Project Funds – August 2020**
9. **Bajamont Water Treatment Plant Switchgear Project Technical Support Professional Services Agreement, A T.E.E.M. Electrical Engineering, Inc.**

Staff recommends that the Board of Directors approves the Professional Services Agreement with A T.E.E.M. Electrical Engineering, Inc. for Technical Memoranda and Preliminary Design engineering services for the replacement of the BWTP switchgear and authorizes the General Manager to execute the contract for a not-to-exceed amount of \$49,070.

M/S Nelson / Selsky to approve and authorize the Consent Calendar Items 2-9.

Discussed with Board

Jeff Nelson	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Mark Emmerson	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Paul Selsky	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Ron Greenwood	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Roy Leidy	Aye	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>	Abstain	<input type="checkbox"/>
<b>Board Totals:</b>	<b>Ayes:</b>	<b>4</b>	<b>Nays:</b>	<b>0</b>	<b>Absent:</b>	<b>1</b>	<b>Abstain:</b>	<b>0</b>
<b>Passed Unanimously:</b>	<input checked="" type="checkbox"/>							
<b>Motion Carried:</b>	<input type="checkbox"/>							
<b>Motion Not Carried:</b>	<input type="checkbox"/>							

**STAFF REPORTS/INFORMATION:**

12. **General Manager's Written Report**  
Discussed with Board
13. **District Activity Written Report**  
Presented by Cathy Lee  
Discussed with Board
14. **Director's Expense Reimbursement Summary for August**  
Discussed with Board

**GENERAL CORRESPONDENCE/INFORMATION:**

15. **News Articles**  
Discussed with Board
16. **Director's Written and/or Oral Reports**
  - Director Emmerson:**
    - a. Regional Water Authority
  - Director Nelson:**
    - a. Georgetown Divide Public Utility District
  - Director Greenwood:**
    - a. Regional Water Authority
  - Director Selsky:**
    - a. Regional Fires
  - Director Leidy:** Absent



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**CALENDARS AND COMMITTEES:**

**17. Meetings Calendars:**

- a. **2020 Board Meeting Calendar**
- b. **Meeting/Conference Calendar – October**
- c. **Meeting/Conference Calendar – November**

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**ADJOURNMENT:** The regular meeting was adjourned at: **8:27 p.m.**

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**The next meeting of the Board of Directors will be a Regular Board Meeting held on:  
Tuesday, October 20, 2020 at 6:00 p.m.**

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**Paul Selsky, President**

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**Cathy Lee, Secretary**

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CARMICHAEL WATER DISTRICT

PAID EXPENDITURES REPORT

September-20

Payee	Description	Payments
ACI Payments, Inc.	Billing & Postage Expense	34.70
ACWA/JPIA	Worker's Comp	11,247.94
Bartkiewicz, Kronick, & Shanahan	Board Legal Services	6,665.00
BSK Associates	Water Quality	355.00
Buckmaster Office Solutions	Equipment Repairs	272.29
Calpers	457 Deferred Comp Plan	18,942.67
Calpers	Pension	29,476.58
Calpers	GASB 68 Reports & Schedules	700.00
Carmichael Tire & Auto Repair	Repairs and Maintenance- Vehicles	796.77
Cintas Corporation	Safety Supplies	34.63
City of Sacramento	American River Spill Engineering Services	3,909.50
Clark Pest Control	Pest Control	238.00
Comcast	Telecommunications	670.91
DSL Creative	Website Maintenance	57.80
Ferguson Enterprises Inc 1423	Inventory - Meter body only	217,892.05
Filmtec Corp.	Membranes	146,640.00
Grainger	CMF Tertiary, Supplies	842.71
Guardian	Benefits - Long Term Disability	601.15
Haase Landscapes, Inc	Landscape	1,321.00
Hach Company	Lab Chem & Supplies	111.03
Harrington Industrial Plastics	CMF Filtrate	1,576.15
Hildebrand Consulting	Water Rates Study	25,500.00
Home Depot	Supplies	401.84
Hydrotex	La Vista reservoir oil	138.54
Iconix	Materials Inventory	1,165.86
Invoice Cloud	Payment Processing Fees	4,924.55
Liebert Cassidy Whitmore	Board Legal Services	6,800.20
Network Design Associates, Inc	Network Monitoring & Risk Assessment	300.00
Patron Trucking, Inc.	Road Materials	2,664.67
PG&E	Utilities	8.66
Pitney Bowes	Equipment rental and supplies	87.00
Rawles Engineering	Concrete	8,501.00
Robert Crichton	Training & Certification	60.00
Sacramento County Recorder	Lien Redemption Fees	60.00
Sacramento County Utilities	Utilities	84.23
Sierra Office Supplies	Supplies	477.35
SMUD	Power	118,051.19
Specialty Answering Service	Telecommunications	199.00
Sprint	Telecommunications	14.99
Staples	Office Supplies	61.79
Total Compensation System	GASB 68 Disclosure report	1,000.00
Univar Solutions	Caustic Soda & Sodium Hydroxide	4,936.10
WorkSmart Automation Inc.	Software Licensing	387.50
<b>Check Register Total</b>		<b>618,210.35</b>
Payroll	Employee Wages, Director Pay, Payroll Taxes	162,422.91
<b>Total Paid Expenditures</b>		<b>780,633.26</b>

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**CARMICHAEL WATER DISTRICT**

**Investment Transaction Report  
For the period September 1 to September 30, 2020**

<u>Investment Description</u>	<u>Beginning Balance</u> 9/1/2020	<u>Income/ FV Adjustment</u>	<u>Deposits/ Transfers In</u>	<u>Withdrawals/ Transfers Out</u>	<u>Fair value (FV)/ Ending Balance</u> 9/30/2020	<u>Investment Type</u>	<u>Issuer</u>	<u>Maturity Dates</u>	<u>Interest Rate/Yield</u>
<b>DESIGNATED FUNDS</b>									
Membrane Replacement Fund	689,704.38	-	-	-	689,704.38	Cash	West America Bank	N/A	0.35%
Local Agency Investment Fund (LAIF)	1,934,800.98		-	-	1,934,800.98	Investment Pool	LAIF	N/A	0.68%
2019 COP Project Fund ***	15,422,976.97	1,959.46		(213,302.95)	15,211,633.48	Money Market	Union Bank	N/A	0.10%
<b>RESTRICTED FUNDS</b>									
2019 COP Installment Payment Fund, Sub A	1,820.72	0.23		-	1,820.95	Money Market	Union Bank	N/A	0.15%
2019 COP Installment Payment Fund, Sub B	2.18				2.18	Money Market	Union Bank	N/A	0.15%
2010 COP Installment Payment Fund	4,950.93	-	-	-	4,950.93	Money Market	Union Bank	N/A	0.10%
2010 COP Reserve Fund- Cash	1.69		-		1.69	Money Market	Union Bank	N/A	0.10%
Facility Fees	504,159.01	29.41							
CERBT: OPEB trust fund**	2,013,417.63	108,200.17	200,000.00	-	2,321,617.80	Cash	West America Bank	N/A	0.07%
<b>TOTAL</b>	<b>20,571,834.49</b>	<b>110,189.27</b>	<b>200,000.00</b>	<b>(213,302.95)</b>	<b>20,668,720.81</b>	Investment Pool	CalPERS	Various	Various

\*Upon maturity of each Certificate of Deposit, the District receives the full principal amount back regardless of the investment's fair value as of the maturity date. As a result, the FV Adjustment column is used for tracking purposes and only applies if the District decides to sell a CD prior to maturity. The District currently holds Certificates of Deposits to maturity in order to ensure the full realization of both principal and interest.

\*\*Quarterly valuation

\*\*\*Funds designated for the La Vista, Fair Oaks Blvd., Robertson projects

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**Footnote:** The District will carry over the Grant Mainline and the Office Remodel projects into FY 2020 - 2021

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**CARMICHAEL WATER DISTRICT**  
**BUDGET SUMMARY FY2020 - 2021 (Preliminary)**  
**September 30, 2020**

	<b>Sep-20</b>	<b>YTD</b>	<b>Fiscal Yr</b>	<b>\$</b>	<b>%</b>
	<b>Actual</b>	<b>Actual</b>	<b>Budget</b>	<b>Difference</b>	<b>Budget</b>
<b>Water Sales</b>					
Water Sales	(\$635,871)	\$1,984,306	\$12,723,622	\$10,739,316	15.60%
Water Service Fees	3,299	9,604	63,600	53,996	15.10%
Total Water Sales	(632,572)	1,993,910	12,787,222	10,793,311	15.59%
<b>Miscellaneous Revenue</b>					
Miscellaneous Revenue	2,945	6,027	7,100	1,073	84.88%
Aerojet Testing Reimbursement	-	825	2,500	1,675	33.00%
Interest Income	59	4,283	75,200	70,917	5.70%
COTP Revenue	-	-	15,840	15,840	0.00%
Facility Fees	24,237	24,237	75,000	50,763	32.32%
Backflow Testing Program Fees	2,542	10,924	38,148	27,224	28.64%
Total Miscellaneous Revenue	29,783	46,296	213,788	167,493	21.65%
<b>Aerojet/GSWC Revenue/Outside Boundary</b>					
Treatment and Delivery Charges	74,967	224,900	1,173,086	948,186	19.17%
Outside Boundary Sale	-	-	170,450	170,450	0.00%
Firm Capacity Right Installment Income	1,400,000	1,400,000	1,400,000	-	100.00%
Total Aerojet/GSWC Revenue/Outside Boundary	1,474,967	1,624,900	2,743,536	1,118,636	59.23%
<b>TOTAL REVENUE</b>	<b>872,178</b>	<b>3,665,106</b>	<b>15,744,546</b>	<b>12,079,440</b>	<b>23.28%</b>
<b>Administrative Services Expenses</b>					
Personnel	79,051	244,930	1,234,309	989,379	19.84%
Payroll taxes	6,273	19,642	100,502	80,860	19.54%
Benefits	139,487	243,578	904,557	660,979	26.93%
Board	8,793	22,616	151,459	128,843	14.93%
Accounting	9,975	49,138	57,290	8,152	85.77%
Billing	7,307	17,602	116,152	98,550	15.15%
Dues and Memberships	63,867	63,867	105,886	42,019	60.32%
Facility Maintenance	4,180	11,656	110,270	98,614	10.57%
Fees/Permits/Services	-	85,724	368,033	282,309	23.29%
General	2,230	3,915	45,844	41,929	8.54%
GIS/ Engineering	500	1,100	67,188	66,088	1.64%
Human Resources	35,645	44,319	39,371	(4,947)	112.57%
Information Technology	5,071	13,556	149,100	135,544	9.09%
Insurance	3,607	26,103	188,519	162,416	13.85%
Outreach	96	3,716	78,631	74,915	4.73%
Training/Education/Conferences	200	260	8,245	7,985	3.15%
Travels/Meetings	-	-	14,016	14,016	0.00%
Water Rights/Mgt Services/Legal	2,207	12,010	480,000	467,990	2.50%
Total Administrative Services Expenses	368,489	863,732	4,219,372	3,355,642	20.47%
<b>Distribution Expenses</b>					
Personnel	45,426	136,375	460,530	324,155	29.61%
Payroll Taxes	3,745	10,964	36,191	25,227	30.29%
Benefits	81,359	128,959	298,706	169,747	43.17%
Fees/Permits/Services	6,739	10,923	24,200	13,277	45.14%
General	10,007	15,102	67,200	52,098	22.47%
Infrastructure Repairs	24,157	76,620	493,500	416,880	15.53%
Road Restoration	3,246	79,964	447,000	367,036	17.89%
Vehicle Maintenance	1,903	8,418	87,300	78,882	9.64%
Training/Education/Conferences	120	120	18,000	17,880	0.67%
Total Distribution Expenses	176,702	467,445	1,932,627	1,465,181	24.19%
<b>Production Expenses</b>					
Personnel	38,901	124,519	557,152	432,633	22.35%
Payroll Taxes	3,126	9,877	45,632	35,755	21.64%
Benefits	57,714	96,937	309,942	213,005	31.28%
Facilities Maintenance	1,516	8,106	33,100	24,994	24.49%
Fees/Permits/Services	3,650	4,348	103,100	98,753	4.22%
General	5,777	9,571	36,250	26,679	26.40%
Chemicals	8,797	21,323	101,000	79,677	21.11%
Power	104,051	334,720	1,275,350	940,630	26.25%
Water Quality	1,080	10,559	22,000	11,442	47.99%
Well & Reservoir Maintenance	17,692	20,083	224,250	204,167	8.96%
WTP Maintenance	7,755	18,686	60,000	41,314	31.14%
Training/Education/Conferences	1,290	1,290	6,500	5,210	19.85%
Total Production Expenses	251,349	660,019	2,774,276	2,114,257	23.79%
<b>TOTAL DISTRICT O&amp;M EXPENSES</b>	<b>796,540</b>	<b>1,991,196</b>	<b>8,926,275</b>	<b>6,935,080</b>	<b>22.31%</b>

	Sep-20 Actual	YTD Actual	Fiscal Yr Budget	\$ Difference	% Budget
<b>Fixed Assets and Capital Improvement Projects (CIP)</b>					
<b>Administrative Services</b>					
CIP - Information Technology	-	-	34,500	34,500	0.00%
CIP - Front Lobby Customer Shield	9,574	9,574	12,000	2,426	79.78%
Total Administrative Services Fixed Assets and CIP	9,574	9,574	46,500	36,926	20.59%
<b>Distribution</b>					
Service Line Replacements	17,712	44,029	388,807	344,778	11.32%
Main Line Valve Replacements	-	-	134,455	134,455	0.00%
Fire Hydrant Replacements	5,242	15,278	82,244	66,966	18.58%
CIP - Grant/Sue Pam/ Whitney ML Project	2,308	675,235	600,000	(75,235)	112.54%
CIP - Overlay Project	-	-	125,000	125,000	0.00%
CIP - Miscellaneous County Projects	-	-	150,000	150,000	0.00%
CIP - Fair Oaks Beautification Project	-	-	125,000	125,000	0.00%
Transportation Equipment	176,346	176,346	165,000	(11,346)	106.88%
Power Operated Equipment	-	-	-	-	-
Main Lines	-	-	-	-	-
Total Distribution Fixed Assets and CIP	201,608	910,888	1,770,506	859,617	51.45%
<b>Production</b>					
CIP - Switchgear Replacement Project	-	3,360	1,000,000	996,640	0.34%
Total Production CIP	-	3,360	1,000,000	996,640	0.34%
<b>TOTAL FIXED ASSETS AND CIP</b>	<b>211,182</b>	<b>923,822</b>	<b>2,817,006</b>	<b>1,893,183</b>	<b>32.79%</b>
<b>Debt Service</b>					
COP	-	-	2,539,828	2,539,828	0.00%
Membrane replacement	-	-	250,000	250,000	0.00%
OPEB Funding	-	200,000	200,000	-	100.00%
Calpers UAL Paydown	-	-	400,000	400,000	0.00%
Total Debt Service	-	200,000	3,389,828	3,189,828	5.90%
<b>TOTAL FIXED ASSETS, CIP, DEBT SERVICE</b>	<b>211,182</b>	<b>1,123,822</b>	<b>6,206,834</b>	<b>5,083,011</b>	<b>18.11%</b>
<b>Budget Summary</b>					
Total District Revenue	872,178	3,665,106	15,744,546	12,079,440	23.28%
Total District Expenses	1,007,722	3,115,018	15,133,109	12,018,091	20.58%
<b>Net Operating Gain (Loss)</b>	<b>(135,544)</b>	<b>550,088</b>	<b>611,437</b>	<b>61,349</b>	<b>89.97%</b>

**CARMICHAEL WATER DISTRICT**  
**FY 2020-2021 RESERVE REQUIREMENTS**  
**September 30, 2020**

Per District Policy #9610 - Reserve Policy, a portion of the District's cash should be held in reserve for specified purposes. The analysis below of the District's cash balances helps determine compliance with the policy and can be utilized as a factor in determining the long-term financial stability of the District.

Bank Account	Reserve	Bank Balances	Reserves		
			Unrestricted	Board Designated	Legally Restricted
WAB General Fund		12,949,127	-	-	-
LAF		1,934,801	-	-	-
Facilities Fees		504,188	-	-	-
	Operating Reserve Target	-	3,783,814	-	-
	WTP Replacement	-	-	1,000,000	-
	Capital Replacement	-	-	2,017,006	-
	County Impact Projects	-	-	400,000	-
	CalPERS Unfunded Actuarial Liability (UAL) Paydown	-	-	400,000	-
	Rate Stabilization	-	-	536,347	-
Membrane Fund	Membrane Replacement	689,704	-	939,704	-
Debt Reserve Fund	Debt Service Requirement	2	-	-	2
OPEB Trust Fund	Post Employee Benefits	2,321,618	-	-	2,321,618
<b>Totals</b>		<b>18,399,440</b>	<b>3,783,814</b>	<b>5,293,058</b>	<b>2,321,619</b>
<b>Total Net Cash Available (Total Bank Balances - Funded Reserves)</b>			<b>\$ 7,000,949</b>		

**Footnote:** Debt Service Requirement account will be kept open through November 2020, per Union Bank instructions.

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LA VISTA PROJECT FUND  
END OF MONTH: SEPTEMBER 30, 2020

Project Name	2019 Funding Budget	2020 Project Estimate	KJ Design Cost	Other Design (AES, Alex P, Legal, Bender)	Construction	CM	Contract Changes (Change Orders)	Total Project Cost	Paid-To- Date	(Over)/Under Budget
LV Tank - Design/ 10-011106-01	4,051,600	1,003,279	889,931	95,348			155,751	1,141,030	(1,178,485)	(37,455)
Contingency		93,400						-		
LV Tank - Construction 10-011106-02	11,514,000	9,183,000					-	9,183,000	(5,000)	9,178,000
LV Tank - CM 10-011106-03	-	918,300					-	918,300	-	918,300
FOB Pipeline- Design 10-011106-04	-	268,608	260,400	8,208			-	268,608	(226,211)	42,397
FOB Pipeline- Construction 10-011106-05	1,711,100	1,823,391			1,823,391		124,192	1,947,583	(2,004,681)	(57,098)
FOB Pipeline- CM 10-011106-06	-	177,720				177,720	-	177,720	(169,000)	8,720
Robertson - Design 10-011106-07	-	45,700	45,700				16,920	62,620	(62,464)	156
Robertson - Construction 10-011106-08	-	1,473,738			1,473,738			1,473,738	(1,349,150)	124,588
Robertson - CM 10-011106-09	-	43,623				43,623	-	43,623	(21,299)	22,324
Easement/Prop. Acquisition 10-011106-10	-	161,114		161,114				161,114	(22,794)	138,320
Stanley - Design 10-011106-11	-	120,746		99,331			-	99,331	-	99,331
Stanley - Construction	1,617,809	1,881,771					-	1,881,771	-	1,881,771
Stanley - CM	-	60,373					-	60,373	-	60,373
Angelina - Design	-	168,096					-	168,096	-	168,096
Angelina - Construction	1,999,281	1,983,535					-	1,983,535	-	1,983,535
Angelina - CM	-	84,048					-	84,048	-	84,048
<b>Total</b>	<b>20,893,790</b>	<b>19,490,442</b>	<b>1,196,031</b>	<b>268,653</b>	<b>3,297,129</b>	<b>221,343</b>	<b>296,863</b>	<b>19,654,490</b>	<b>(5,039,083)</b>	<b>14,615,407</b>
<b>Project Total Estimate</b>									<b>19,654,490</b>	
<b>Funding</b>									<b>20,000,000</b>	
<b>(Over)/Under Budget</b>									<b>345,510</b>	

Notes:

Highlighted items are estimates only and are subject to change.  
The items that are not highlighted have agreements in place.  
Easement/Property Acquisition: Alex P, Carmichael Presbyterian Church, Sac County  
KJ Change Orders for Board Approval 7/20/20

1,368,702 Total KJ Design incl. CO

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# MEMO

**TO:** Board of Directors

**FROM:** Cathy Lee, General Manager

**DATE:** October 16, 2020

**RE:** Legal Services Agreement (LSA) with Gavrilov & Brooks

**Background:**

The District faces several legal issues and potential litigation. Gavrilov & Brooks is a litigation law firm with attorneys specialized in litigation and public agencies.

**Recommendation:**

Staff recommends that the Board of Directors approves the Legal Services Agreement (LSA) with Gavrilov & Brooks and authorizes the General Manager to execute the contract.

**Attachment:**

Attachment A – Legal Services Agreement, Gavrilov & Brooks

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Via Electronic Mail to [cathy@carmichaelwd.org](mailto:cathy@carmichaelwd.org)

October 16, 2020

Cathy Lee, General Manager  
Carmichael Water District  
7837 Fair Oaks Boulevard  
Carmichael, CA 95608

Dear Cathy:

Thank you for choosing Gavrilov & Brooks to represent the Carmichael Water District (hereafter, you or “the District”). This letter will confirm the terms of engagement. Our representation will not commence until you have executed this letter agreement and returned it to us.

It is important to note that nothing in this agreement obligates you to use or continue to use our services. We do not try to lock clients into using our services. The agreement simply sets forth our respective obligations if you choose to use our services on any given project or matter. By confirming our respective obligations at the outset of the relationship, we can provide you with immediate service when you need it without the delay.

### **Scope of Initial Services**

Our initial services will involve legal advice and representation with respect to potential litigation as may be approved by the Board. If you have a need outside of this scope, please let me know.

### **Future Services**

You may request other services in the future. Unless otherwise agreed in writing, the terms of engagement confirmed in this letter will apply to all matters we handle for you.

### **Our Duties**

We will provide services to the best of our ability and as necessary to represent the District’s interests. We will endeavor to represent you as efficiently as possible. We will ensure that you are provided with relevant information and will promptly respond to any request for information.

### **Your Duties**

You will promptly provide us with information and documents requested in relation to the representation. To the best of your ability, you will keep us informed of any developments that may impact the representation. You will pay for the services rendered when due and not permit any past due balances.

## **Legal Fees and Rates**

We will not require an initial retainer, however, depending upon the scope of work, we reserve the right to request a retainer in the future. Any future retainer will be billed against our legal services offered at an hourly rate. This is not meant to be an estimate of the total cost of our representation. Our fees are computed on the basis of a reasonable charge for services rendered. The primary computation in determining a reasonable charge is made by multiplying the amount of time spent on your matter by our standard hourly rate. In some cases we may modify a previously created document. In such cases, a reasonable amount of time may be billed for the document preparation that exceeds the actual time spent modifying the document. The amount of time billed represents a reasonable fee for the modification and a portion of the time, difficulty and expertise involved in creating the original document.

Our hourly rate for attorney work is \$500 for Ognian Gavrilov, \$450 for J. Edward Brooks, Gregory O'Dea and other senior attorneys, \$350 for junior associates, and \$160 for paralegals. We do charge for time spent traveling to meetings, court appearances, etc. We bill in increments of 1/10 of an hour. We will provide you with at least 30 days' notice of rate changes.

## **Payment by Third Party**

You acknowledge that fees, costs, and expenses may be paid to Gavrilov & Brooks by a third party. You understand that pursuant to Rule 1.8.6 of the California Rules of Professional Conduct, your written consent is required in order for a third party to pay your fees, costs, and expenses.

You expressly acknowledge that there will be no interference with the representation by the third party, nor any disclosure of confidential information to the third party without your express consent. You further acknowledge that you are responsible for fees, costs and expenses in the event that the third party refuses to pay or ceases to pay fees, costs and/or expenses.

BY INITIALING BELOW, YOU ACKNOWLEDGE THAT YOU HAVE BEEN INFORMED BY GAVRILOV & BROOKS OF THE REQUIREMENT FOR INFORMED, WRITTEN CONSENT IN ORDER FOR A THIRD PARTY TO PAY FEES, COSTS, AND EXPENSES ASSOCIATED WITH THE REPRESENTATION IN THIS MATTER. BY INITIALING BELOW, YOU FURTHER CONSENT THAT A THIRD PARTY MAY PAY ALL FEES, COSTS, AND EXPENSES ASSOCIATED WITH THE ABOVE-REFERENCED MATTER TO GAVRILOV & BROOKS.

CLIENT: \_\_\_\_\_

## **Billing Statements**

We will send you periodic statements for fees and costs incurred. Each statement will be payable within 15 days of its mailing date. You may request a statement at intervals of no less than 30 days. If you so request, we will provide one within 10 days. The statements shall include the amount, rate, basis of calculation, or other method of determination of the fees and costs, costs which will be clearly identified by item and amount.

## **Expenses and Costs**

Unlike most firms, we do not charge for expenses such as telephone charges, in-house photocopying, faxes, overnight mail delivery, parking, electronic research service charges or postage. You will not see them on the billing statement either individually or as a standard percentage add-on.

We do charge for larger or unique client-related expenses such as filing fees, out of town travel (airline, hotel, mileage, etc.), court reporter fees, process server and courier fees, subpoena service fees, arbitrators and mediators, private investigators and expert witnesses. We also charge for the copying (electronic or paper) of your entire client file. The client-related expenses that are charged will be billed at the actual cost incurred without any mark-up. We charge up front for these costs. We will send you a copy of the actual bill we receive from vendors for these costs. You should be aware that in some situations the copy of these bills may take several months or more depending upon when we receive invoices from the vendors. Should the actual costs be less than the amount paid upfront by you, you will be refunded the excess amount paid.

In certain circumstances, a court might order payment of costs or attorney fees by one party to the other. Unless we have a specific written agreement to the contrary, any such fees or costs paid to us will be credited to you. If a court awards fees or costs against you, you will be responsible for payment of that amount separately from, and in addition to, any amounts due to us.

### **Insurance Coverage**

The California Business and Professions Code requires us to inform you as to whether or not we maintain errors and omissions insurance coverage. As any professional law firm should, we do carry errors and omissions insurance coverage.

### **Guarantees and Estimates**

We will strive to provide you with accurate estimates and predictions. We understand that they are an important part of why you hire us. We cannot, however, guarantee any estimate or outcome. Our estimates and predictions are expressions of opinion only.

### **Conflicts of Interest**

We will not, without appropriate consents, represent any party if there is a conflict of interest with any of our clients or our ethical obligations. In order to avoid conflicts of interest, we search our records to determine whether we represent any opposing parties. Please inform us at once of any additional persons or entities who may be involved in any matter we are handling and any facts relating to a possible conflict so that we can avoid any situations that would impede our full and undivided representation of the District.

### **Discharge and Withdrawal**

You may discharge Gavrillov & Brooks at any time. We may withdraw from representation of a pending legal matter with your consent or for good cause. Good cause includes failure to pay for services rendered when due, any other breach of this agreement, conflicts of interest or any circumstance that would place us in an unethical or unlawful position.

### **Dispute Resolution**

We appreciate the opportunity to serve you and look forward to a harmonious relationship. If you become dissatisfied for any reason with the fees charged or the services performed, please let us know immediately. We will do the same if we perceive a problem with the representation. We believe most problems can be resolved by good faith discussion.

In the unlikely event that we actually have a dispute and it cannot be resolved informally, the District may request fee arbitration with the State Bar Association pursuant to California Business and Professions Code sections 6200 through 6206 (legal matters) or take any other legal action it deems appropriate.

### **Entire Agreement**

This letter contains the entire agreement of the parties with respect to Gavrilov & Brooks's representation of the District. No prior agreement, statement or promise shall be binding. The terms of representation can only be modified by a written agreement signed by the parties.

### **Severability**

If any provision of this agreement is held in whole or part to be unenforceable for any reason, the remainder of that provision and the entire agreement will be severable and remain in effect.

### **Confirmation of Agreement**

If you retain Gavrilov & Brooks, we will seek to provide the highest quality service; likewise, we expect the highest degree of cooperation and assistance from you. We encourage you to contact us with any questions you may have about our services, the representation or this agreement.

If you do not have any questions, please confirm your agreement to the terms of the relationship by signing the agreement, retaining the original in your file and returning a copy to us.

We will make every effort to ensure that the value of our representation is unsurpassed. We hope for a long and mutually satisfactory relationship.

Regards,



Sheila W. Pendergast

I understand and agree to the terms outlined in this letter.

\_\_\_\_\_  
Cathy Lee, General Manager of the Carmichael Water District

\_\_\_\_\_  
Date



# MEMO

**TO:** Board of Directors

**FROM:** Cathy Lee, General Manager  
Chris Nelson, Public Information Officer

**DATE:** October 14, 2020

**RE:** Resolution 10202020-1 A Resolution Amending the District's Policy Manual

Resolution 10202020-1 A Resolution Amending the District's Policy Manual is included on this agenda for approval consideration.

**Background:**

In a review of District Policies, staff identified the need to update Policy 6030 – Drug Free Workplace and Policy 6050 – Violence in the Workplace to clearly define the District's resolve in providing a drug and violent free workplace and clarify the policies to support employee compliance and participation in the policies.

**Summary:**

Policy 6030 – Drug Free Workplace: Modifications incorporate provisions for general compliance with Americans with Disabilities Act (ADA), clarification of illegal substances and drugs, and implementation of applicable employee classifications.

Policy 6050 – Violence in the Workplace: Revisions to this policy are intended to clarify responsibilities, include the District's intent to protect the public, and to update District policy regarding restraining orders. The proposed amendments serve to encourage employees to notify the District of any real or perceived threats, while clearly establishing that the District will not tolerate violence of any form in the workplace.

**Recommendation:**

Staff recommends that the Board of Directors approves Resolution 10202020-1 A Resolution Amending the District's Policy Manual.

**Attachment:**

Attachment A – Policy 6030 - Drug Free Workplace (clean and redline)  
Attachment B – Policy 6050 - Violence in the Workplace (clean and redline)

**CARMICHAEL WATER DISTRICT**  
**RESOLUTION 10202020-1**  
**A RESOLUTION AMENDING**  
**THE DISTRICT'S POLICY MANUAL**

**BE IT RESOLVED** by the Board of Directors of the Carmichael Water District (District) as follows:

Policies as attached hereto are hereby amended and added to the District's Policy Manual effective October 20, 2020.

- Policy 6030: Drug Free Workplace
- Policy 6050: Violence in the Workplace

Existing resolutions in conflict with this resolution are hereby repealed.

**PASSED AND ADOPTED** by the Board of Directors by the following vote:

Mark Emmerson	Aye	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Paul Selsky	Aye	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Ron Greenwood	Aye	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Roy Leidy	Aye	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>
Jeff Nelson	Aye	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>	Abstain	<input type="checkbox"/>

**Board Totals:**      **Ayes:** ☐    **Nays:** ☐    **Absent:** ☐    **Abstain:** ☐

<b>Passed Unanimously:</b>	<input type="checkbox"/>
<b>Motion Carried:</b>	<input type="checkbox"/>
<b>Motion Not Carried:</b>	<input type="checkbox"/>

Signed after its passage this 20<sup>th</sup> day of October 2020:

\_\_\_\_\_  
Paul Selsky, President  
Board of Directors

**ATTEST:** \_\_\_\_\_  
Cathy Lee, Secretary

## **CARMICHAEL WATER DISTRICT POLICY MANUAL**

### **POLICY 6030: Drug Free Workplace**

**6030.10** The District is concerned about the use of alcohol, illegal drugs, or controlled substances as it affects the workplace. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to the District. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the District to the risks of property loss or damage, or injury to other persons. Furthermore, the use of prescription drugs and/or over-the-counter drugs also may affect an employee's job performance and may seriously impair the employee's value to the District.

**6030.20** The presence of any detectable amount of any illegal drug, illegal controlled substance or alcohol in an employee's body system, while performing District business or while in a District facility or vehicle, is prohibited. Subject to the requirements of the federal Americans with Disabilities Act (ADA), the District will be firm in identifying and disciplining those employees who are impaired by use of alcohol, marijuana or any legal or illegal substance in violation of the following provisions, up to and including termination of employment.

**6030.20.1** Illegal drugs and controlled substances listed under California's Uniform Control Substance Act (CSA) and United State Control Substance Act, including marijuana.

**6030.30** The following rules and standards of conduct apply to all employees either on District property, or on the job (which includes: during the workday [including meals and rest periods], or when an employee is on-call). Behavior that violates District policy includes:

**6030.30.1** Possession or use of an illegal or controlled substance or alcohol, or being under the influence of an illegal or controlled substance or alcohol while on the job;

**6030.30.2** Driving a District vehicle while under the influence of illegal or controlled substance or alcohol;

**6030.30.3** Distribution, sale, or purchase of an illegal or controlled substance or alcohol while on the job or on District property.

**6030.40** An employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of others, must notify their supervisor of such use immediately before starting or resuming work. Violation of these rules and standards of conduct will not be tolerated.

**6030.50** Employees will be subject to drug and alcohol testing when there is reasonable suspicion that an employee has violated the rules provided in Sections 6030.30 and 6030.40 above. Additionally, employees in a Safety Sensitive position are subject to pre-employment, reasonable suspicion, random, post-accident, return-to-duty and follow-up controlled substance and/or

## **CARMICHAEL WATER DISTRICT POLICY MANUAL**

alcohol testing. A Safety Sensitive position is defined as any position requiring the use of a Class A commercial driver's license.

**6030.60** The General Manager and Human Resources will be responsible for administering this policy including maintaining a Drug and Alcohol Program Manual that is available to be reviewed by all current and new employees. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug programs in the transportation industry for District safety-sensitive and Department of Transportation (DOT) positions.

Resolution 10202020-1, October 20, 2020



## CARMICHAEL WATER DISTRICT POLICY MANUAL

### POLICY 6030: Drug Free Workplace

**6030.10** ~~It is Carmichael Water District's (District) intent to provide all employees with an environment that is safe and drug free as defined in this policy. The District is concerned about the use of alcohol, illegal drugs, or controlled substances as it affects the workplace. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to the District. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the District to the risks of property loss or damage, or injury to other persons. Furthermore, the use of prescription drugs and/or over-the-counter drugs also may affect an employee's job performance and may seriously impair the employee's value to the District.~~

**6030.20** ~~The presence of any detectable amount of any illegal drug, illegal controlled substance or alcohol in an employee's body system, while performing District business or while in a District facility or vehicle, is prohibited. The District is concerned about the use of alcohol, illegal drugs, or controlled substances as it affects the workplace. Use of these substances, whether on or off the job can detract from an employee's work performance, efficiency, safety, and health, and therefore seriously impair the employee's value to the District. In addition, the use or possession of these substances on the job constitutes a potential danger to the welfare and safety of other employees and exposes the District to the risks of property loss or damage, or injury to other persons. Furthermore, the use of prescription drugs and/or over the counter drugs also may affect an employee's job performance and may seriously impair the employee's value to the District. Subject to the requirements of the federal Americans with Disabilities Act (ADA), the District will be firm in identifying and disciplining those employees who are impaired by use of alcohol, marijuana or any legal or illegal substance in violation of the following provisions, up to and including termination of employment.~~

**6030.20.1** ~~Illegal drugs and controlled substances listed under California's Uniform Control Substance Act (CSA) and United State Control Substance Act, including marijuana.~~

**6030.30** The following rules and standards of conduct apply to all employees either on District property, or on the job (which includes: during the workday [including meals and rest periods], or when an employee is on-call). Behavior that violates District policy includes:

**6030.30.1** Possession or use of an illegal or controlled substance or alcohol, or being under the influence of an illegal or controlled substance or alcohol while on the job;

**6030.30.2** Driving a District vehicle while under the influence of illegal or controlled substance or alcohol;

## CARMICHAEL WATER DISTRICT POLICY MANUAL

**6030.30.3** Distribution, sale, or purchase of an illegal or controlled substance or alcohol while on the job or on District property.

**6030.40** An employee who is using prescription or over-the-counter drugs that may impair the employee's ability to safely perform the job, or affect the safety or well-being of others, must notify their supervisor of such use immediately before starting or resuming work. Violation of these rules and standards of conduct will not be tolerated.

**6030.50** Employees will be subject to drug and alcohol testing when there is reasonable suspicion that an employee has violated the rules provided in Sections 6030.30 and 6030.40 above. Additionally, employees in a Safety Sensitive position are subject to pre-employment, reasonable suspicion, random, post-accident, return-to-duty and follow-up controlled substance and/or alcohol testing. A Safety Sensitive position is defined as any position requiring the use of a Class A commercial driver's license. The District will encourage and reasonably accommodate employees with alcohol or drug dependencies to seek treatment and/or rehabilitation. Employees desiring such assistance should request a treatment or rehabilitation leave. The District is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of drug or alcohol use, nor is the District obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of dependency.

**6030.60** The General Manager and Human Resources will be responsible for administering this policy including maintaining a Drug and Alcohol Program Manual that is available to be reviewed by all current and new employees. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug programs in the transportation industry for District safety-sensitive and Department of Transportation (DOT) positions.

~~Resolution 08202018-1, August 20, 2018~~Resolution 10202020-1, October 20, 2020

## **CARMICHAEL WATER DISTRICT POLICY MANUAL**

### **POLICY 6050: Violence in the Workplace**

**6050.10** It is Carmichael Water District's (District) intent to provide all employees and the public with an environment that is safe and violence free as defined in this policy. Threats, threatening behavior, acts of violence, or any related conduct that interferes with a director's, employee's, or contractor's work performance or security, a customer's or visitor's safety, or the District's operations, will not be tolerated. To further ensure the District maintains a workplace that is safe and free of violence, the District prohibits the possession or use of dangerous weapons on District property and "work sites".

**6050.20** An evacuation process shall be implemented at the District office, the warehouse, the treatment plant, well sites, and "work sites". This process shall ensure orderly evacuation if violence is anticipated. Workers who are confronted with a violent situation while on the job while at the "work site" should immediately vacate the location. All workers must immediately inform the appropriate authorities when faced with any threat of violence. Under no circumstances should an employee seek to apprehend or mollify an individual who is perceived to be violent or threatening violent behavior.

**6050.30** Employees are responsible for immediately notifying a supervisor or Human Resources of any threats or violent behavior they have witnessed, received, or have been told that another person witnessed or received; or whenever they witness any display, use, or threat to use any dangerous weapon on District property or "work site". The employee must not attempt to analyze the likelihood of violence. If there is any potential for violent conduct on the part of another employee or third party, a supervisor must immediately be notified so that proper action might be taken.

**6050.40** An employee shall also notify a supervisor or Human Resources if a restraining order is in effect either protecting or restraining the employee, or if an employee is in any way involved in or connected to a violent or potentially violent non-work-related situation that could result in workplace violence. Any employee that receives a protective or restraining order that lists District premises as a protected area is also required to provide a copy of the order to the General Manager.

**6050.50** All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly by the General Manager or designee. If a problem regarding violence is perceived, exists and/or persists, which in the opinion of the District requires court action, the District shall immediately seek a temporary restraining order against the perceived violent and/or threatening individual.

**6050.60** The issue of violence and/or threatening conduct in the workplace shall be a matter for discussion at the weekly "tailgate safety meetings" of the field personnel and shall be the subject of regular staff meetings for administrative personnel.

**6050.70** The safety of the District's employees is of paramount concern to the District, the Board of Directors and the management. Employees must cooperate and assist in assuring that the workplace remains safe and violence-free. Employees must communicate with their supervisors any

## **CARMICHAEL WATER DISTRICT POLICY MANUAL**

perceived problems, despite the fact that said communication might prove uncomfortable and/or embarrassing. Violation of this policy will provide appropriate grounds for disciplinary action.

Resolution 10202020-1, October 20, 2020

## CARMICHAEL WATER DISTRICT POLICY MANUAL

### POLICY 6050: Violence in the Workplace

**6050.10** It is Carmichael Water District's (District) intent to provide all employees and the public with an environment that is safe and violence free as defined in this policy. Threats, threatening behavior, acts of violence, or any related conduct that interferes with a director's, employee's, or contractor's work performance or security, a customer's or visitor's safety, or the District's operations, will not be tolerated. To further ensure the District maintains a workplace that is safe and free of violence, the District prohibits the possession or use of dangerous weapons on District property and "work sites".

**6050.20** An evacuation process shall be implemented at the District office, the warehouse, the treatment plant, ~~or~~ well sites, and ~~the~~ "work sites". This process shall ensure ~~the~~ orderly evacuation ~~of the District premises~~ if violence is anticipated. Workers who are confronted with a violent situation while on the job while at the "work site" should immediately vacate the location. All workers must immediately inform the appropriate authorities when faced with any threat of violence. Under no circumstances should an employee seek to apprehend or mollify an individual who is perceived to be violent or threatening violent behavior.

**6050.30** Employees are responsible for immediately notifying a supervisor or Human Resources of any threats or violent behavior they have witnessed, received, or have been told that another person witnessed or received; or whenever they witness any display, use, or threat to use any dangerous weapon on District property or "work site". If an employee is aware of a potential for violence (i.e., spousal/familial problems, former employee threats, threats by members of the public) said employee is under an absolute obligation to immediately inform a supervisor or Human Resources of the perceived problem. The employee must not attempt to analyze the likelihood of violence. If there is any potential for violent conduct on the part of a another employee or third party, a supervisor must immediately be notified so that proper action might be taken.

**6050.40** An employee shall also notify a supervisor or Human Resources if a restraining order is in effect either protecting or restraining the employee, or if an employee is in any way involved in or connected to a violent or potentially violent non-work-related situation that could result in workplace violence. Any employee that receives a protective or restraining order that lists District premises as a protected area is also required to provide a copy of the order to the General Manager. There should be no workplace visits by friends, family members, or other acquaintances without prior approval from an employee's supervisor.

**6050.50** All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly by the General Manager or designee. If a problem regarding violence is perceived, exists and/or persists, which in the opinion of the District requires court action, the District shall immediately seek a temporary restraining order against the perceived violent and/or threatening individual. If this problem arises out of a personal relationship between an employee and another, and it is determined that the employee has not taken proper precautions to protect the District in this instance, then the cost of said temporary restraining order and/or any other court action required may be assessed at the District's discretion to the employee.

## CARMICHAEL WATER DISTRICT POLICY MANUAL

**6050.60** The issue of violence and/or threatening conduct in the workplace shall be a matter for discussion at the weekly “tailgate safety meetings” of the field personnel and shall be the subject of regular staff meetings ~~of~~for administrative personnel.

**6050.70** The safety of the District’s employees is of paramount concern to the District, the Board of Directors and the management. Employees must cooperate and assist in assuring that the workplace remains safe and violence-free. Employees must ~~openly~~ communicate with their supervisors any perceived problems, despite the fact that said communication might prove uncomfortable and/or embarrassing. ~~Failure to comply with these requirements~~Violation of this policy will provide appropriate grounds for disciplinary action. ~~against the non-complying employee.~~

Resolution ~~08202018-1, August 20, 2018~~10202020-1, October 20, 2020

## General Manager's Report October 2020

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### **ACTION ITEMS UPDATE**

1. Sacramento Suburban Water District (SSWD) Joint Groundwater Well Project  
SSWD will install 3 wells in the next 2 - 3 years for a total of \$4.6 million dollars as part of its capital improvement program. The District has previously expressed interest in funding one well as a joint venture to broaden the District's water supply reliability. The District would pay for half of the total cost of the new well (design and construction) and half of the major operation and maintenance (O&M) cost. The new well would also be included for future groundwater substitution transfer.
  
2. La Vista Tank Project  
Staff issued a Request for Proposal (RFP) for Construction Management services and a copy of the RFP is also posted on the District's webpage. Staff is working on the bid documents to ensure the contract is compliant with the Public Contract Code while providing necessary protection to the District.
  
3. 2020 Groundwater Substitution Transfer  
As of September 2020, the summer groundwater substitution transfer concluded and the District is participating in the fall water transfer. The summer groundwater substitution transfer is in partnership with Fair Oaks Water District (FOWD), as previously reported to the Board. The total amount water provided for transfer from the District is 1,177.2 acre-feet (ac-ft) including 672.9 ac-ft from FOWD's well. There is a 13% water loss based on stream flow and the billable amount for transfer is 1,024.2 ac-ft.
  
4. Business Plan Update and Water Rate Study  
The draft 2020 Business Plan, Water Rate, and Capital facilities Fee Study Report is on the District's webpage for review and staff sent the Prop 218 compliant water rate adjustment notice for printing. The notice will be distributed via U.S. mail to customers and property owners by October 30, 2020. The public hearing for the water rates adjustment is scheduled for the December 2020 Regular Board Meeting.
  
5. Annual Finance Audit  
The District's auditor, Leaf & Cole, completed the annual audit and staff is reviewing the draft report and findings. A formal presentation and the findings from the audit will be present to the Board at the November Board meeting.

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## District Activity Report September 2020

### District Overview:

IT deployed 11 new cell phone to distribution and production staff and upgraded the District's cell phone plans with a monthly additional cost for \$100. This change eliminated the need for iPads for the Distribution system and all staff will have email access and better communications. IT is also working on developing an intranet where announcements, information, and District-wide documents will be available for all staff. Continue ongoing system improvements; troubleshooting issues; normal IT duties as scheduled or as needed.

Payroll functions have migrated from HR to Accounting and staff is evaluating efficacies within each department.

### Engineering Activity

#### Current Pipeline Projects:

Grant Avenue Main Line Project: The project has been awarded to Rawles Engineering. The Contract and Notice to Proceed was issued on August 7, 2020. Construction activities began on August 17, 2020. The project is currently 30% complete. Staff is currently reviewing RFIs, submittals, performing on-site construction inspection, and coordinating with Sacramento County Construction Management and Inspection (CMID). Night work to perform work on Fair Oaks Blvd.

#### La Vista Pipeline Segments:

- Fair Oaks Boulevard (FOB) Main line Project: Flowline Contractors have finished installation of the pipelines for both projects. Staff issued the final Notice of Completion on September 14, 2020.
- Robertson Avenue Main Line Project: Flowline Contractors has finished installing the pipeline on Robertson Avenue. Staff is currently finalizing documents in order to issue Notice of Completion.

#### New Construction Projects Activities:

Activity	Month	YTD
Fire Flow Analysis	2	9
*Plan Check & Review	-	-
New	-	2
Ongoing	3	-
*Construction Phase	-	-
New	-	2
Ongoing	5	-

\*Note: New activities counts toward YTD. Ongoing counts are for tracking purposes only.

#### Construction Phase Activities:

The District is experiencing increased construction activities with twice amount of requests for fire flow analyses and new services requests. As a result, there is a shortage with fire hydrant meter rentals and the neighboring districts observing similar trend. The District purchased one additional hydrant meter to accommodate the rental requests and will be assessing the rental value of the meters.

5057 Cottage Way: This project involves construction of new church facilities. Contractor will install a new fire service line, fire hydrants, and domestic and irrigation services to service the new buildings. Staff will perform the on-site construction inspection, testing, and coordination of tie-ins. Construction began April 16, 2020, and the first phase of the project is complete. Staff is working to coordinate scheduling and construction activities for the second phase. The project may be completed in summer 2021.

5124 North Avenue: This project involves construction of a new 4-lot residential subdivision. Contractor will install a new water main to service the four new homes and one fire hydrant. Staff will perform the on-site construction inspection, testing, and coordination of tie-ins. Construction began May 4, 2020, and the pipeline has been installed, tested, and tied-in as of May 14, 2020. Staff is currently working with the Contractor and Developer to finalize project, expected to be completed by the end of the year.

**4925 Dewey Drive:** This project involves construction of new school facilities and remodel of current school facilities. Contractor will install a new fire service line, fire hydrants, and fire department connections to service the new and remodeled buildings. Staff will perform the on-site construction inspection, testing, and coordination of tie-ins. Construction began May 11, 2020. The first phase of the project has been constructed, tested, and tied-in. Staff are currently working with Contractors for on-site construction activities for the second phase of the project. This project may be completed in December 2021.

**8015 Fair Oaks Boulevard:** This project involves construction of a new 21-lot residential development. Contractor will install new 8" water main to service these homes and one fire hydrant. Staff will perform the on-site construction inspection, testing, and coordination of tie-ins. Construction is expected to begin Winter 2020. Staff is currently working with the Contractor and Developer to schedule pre-construction meetings and materials review.

**5724 North Avenue:** This project involves construction of a new 4-lot residential subdivision. Contractor will install new 8" and 6" water main and new fire hydrant to service the homes. Staff will perform the on-site construction inspection, testing, and coordination of tie-ins. Construction is expected to begin Winter 2020. Staff is currently working with the Contractor and Developer to schedule pre-construction meetings and materials review.

**GIS/GPS Update:** Staff is capturing newly installed assets (GPS appurtenances) and changes to the District's GIS system and working closely with West Yost Associates to incorporate these updates into the District's GIS system and hydraulic model. Staff finalized the first quarterly update and is compiling asset data for the next quarterly update.

### **Public Information Activity**

#### **Public Outreach:**

##### **Upcoming Events:**

- *2021 Water Efficiency Calendar Contest* – Preparations are currently under way for the 2021 Water Efficiency Calendar Contest.

##### **Website Updates:**

- Board Documents, Projects, Announcements
- The District's website was accessed by 2,726 users

##### **Social Media:**

- The District's YouTube video content received 651 views in September. The District's Nextdoor posts received 708 views.

**State Water Resources Control Board (SWRCB) Water Use Reduction Monthly Reporting:** On April 21, 2020, the SWRCB adopted a resolution permanently requiring monthly water conservation reports for urban retail water suppliers. The regulation will be effective beginning October 1, 2020.

Utilizing the SWRCB existing formula, staff calculated the following data for August 2015 to September 2020:

R-GPCD	Monthly Reduction	Cumulative Reduction
263	4%	22%

**2020 Urban Water management Plan (UWMP):** Urban water suppliers that provide water for municipal purposes to more than 3,000 customers or serving more than 3,000 acre-feet annually, are required to prepare and submit an UWMP every five years. The 2020 UWMPs are due to the Department of Water Resources (DWR) by July 1, 2021.

On September 2, 2020, DWR released the Draft 2020 UWMP Guidebook. The guidebook is intended to provide urban water suppliers with technical assistance for preparing their 2020 UWMP and provides details on the following new statutory requirements:

- 5 – Year Drought Risk Assessment
- Updated Water Shortage Contingency Plan with prescriptive elements
- Layperson description of water supply reliability

- Seismic Risk Assessment
- Energy Analysis
- Long-term water supply forecasting including climate change

In September and October, staff attended the following workshops in preparation for the 2020 UWMP:

- DWR UWMP Draft Guidebook Workshop – September 16<sup>th</sup>
- Regional Water Authority (RWA) UWMP 5 Year Drought Planning Workshop – October 9<sup>th</sup>

Additional meeting and workshops will be scheduled as the planning process progresses. Staff is currently drafting a Request for Proposal for the District's 2020 UWMP update.

Outreach And Water Efficiency Activities	Month	FYTD
Presentations	0	0
Public Outreach Events	0	0
Water Waste	17	41
Water Waste Fines	0	0
Customer Assistance	21	57
Water Efficiency Surveys	8	15

### **Billing Department August Activity**

**Billing:** Currently tracking at approximately 7.17% up from the same Billing Month last year.

Billing Month	Billing Period	Usage By Unit *	Flat Rate **	Service Charge	Usage	FY 19-20 Totals	FY 20-21 Totals
Previous FY		3,417,848				\$11,554,209	
Aug-2020	June-July	456,336	\$ 37,868	\$ 556,272	\$ 702,757	\$ 637,818	\$ 659,079
Sep-2020	July-Aug	462,181	\$ 18,597	\$ 587,833	\$ 711,759		1,318,189
Oct-2020	Aug-Sept	466,650	\$ 39,337	\$ 556,360	\$ 718,641		1,314,338
Nov-2020	Sept-Oct	0					-
Dec-2020	Oct-Nov	0					-
Jan-2021	Nov-Dec	0					-
Feb-2021	Dec-Jan	0					-
Mar-2021	Jan-Feb	0					-
Apr-2021	Feb-Mar	0					-
May-2021	Mar-Apr	0					-
Jun-2021	Apr-May	0					-
Jul-2021	May-June	0					-
Totals		1,385,167	\$ 95,803	\$1,700,465	\$2,133,157	\$12,192,028	\$3,291,606

\* 1 Unit = 100 CCF (Centum Cubic Feet) = 748 Gallons

\*\* Ancil Hoffman-Flat Rate, Condominium's-Uniform Rate, Fire-Dedicated Service Lines

**Note:** Billing chart represents **cycle billings only** and does not include collection or adjustment activities. Regular billings for July and August are split between two fiscal years reporting water sales for the period of June and July.

### **Collections: Processed & Outstanding Activity**

Date	Final Notices	Shut Offs	A/R \$	Liens \$	Liens #
Previous FY Avg.	482	16	\$115,802	\$ 4,969	13
Jul-2020	X	X	\$289,758	\$ 4,067	11
Aug-2020	X	X	\$197,627	\$22,273	49
Sep-2020	X	X	\$181,214	\$41,212	80
Oct-2020					
Nov-2020					
Dec-2020					
Jan-2021					
Feb-2021					
Mar-2021					
Apr-2021					
May-2021					
Jun-2021					

X = COVID-19 Executive order shutoff moratorium.

# CARMICHAEL WATER DISTRICT

## PRODUCTION SUPERINTENDENT, MARK MCCLINTOCK

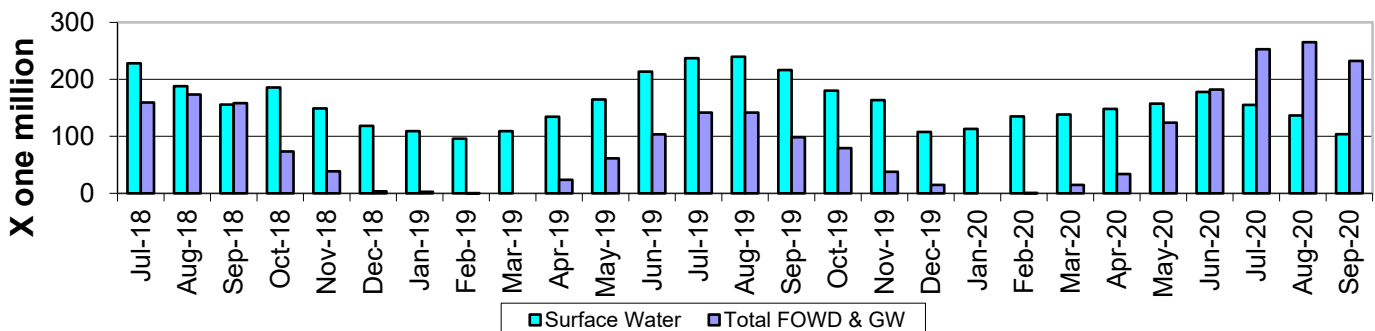
### September 2020 Water Production Board Report



**CWD Monthly Water Production 2014-2020**

FY	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	MGD Totals	Acre/Ft
2020-21	408.04	402.05	335.66										1146	3516
2019-20	378.84	381.60	314.85	259.58	201.55	122.39	113.09	135.71	153.23	181.81	281.40	360.18	2884	8851
2018-19	387.57	361.56	314.04	259.22	187.67	121.80	111.84	96.07	109.20	158.03	226.19	317.21	2650	8134
2017-18	399.61	383.76	323.74	270.59	140.87	129.07	113.92	117.16	115.88	148.80	258.57	335.23	2737	8400
2016-17	357.82	353.35	299.41	193.38	123.16	115.61	113.47	96.26	116.84	123.76	268.14	332.52	2494	7653
2015-16	287.66	283.68	259.99	213.09	128.89	107.92	100.49	97.72	107.12	148.87	219.44	308.84	2264	6947
2014-15	373.21	338.74	294.65	240.50	153.63	116.73	120.74	110.98	168.88	175.83	214.05	255.44	2563	7867
<b>Avg.</b>	<b>370.39</b>	<b>357.82</b>	<b>306.05</b>	<b>239.39</b>	<b>155.96</b>	<b>118.92</b>	<b>112.26</b>	<b>108.98</b>	<b>128.53</b>	<b>156.18</b>	<b>244.63</b>	<b>309.85</b>	<b>2599</b>	<b>7975</b>
<b>Daily</b>	<b>11.95</b>	<b>11.54</b>	<b>10.20</b>	<b>7.72</b>	<b>5.20</b>	<b>3.84</b>	<b>3.62</b>	<b>3.89</b>	<b>4.15</b>	<b>5.21</b>	<b>7.89</b>	<b>10.33</b>		

**CWD Combined Surface & Ground Water Usage**



CWD Total Production		MGD
Surface Water	31%	103.18
Groundwater (CWD & FOWD)	69%	232.48

Note: FOWD transfers will be included in the CWD Groundwater totals until September 30, 2020.

**GSWC Delivery:** CWD delivered 135.01 MG or 414 Acre/Ft to GSWC in September.

There were three (3) water quality complaints in the month of August for two (2) Taste & Odor and one (1) for color. The areas where the complaints occurred were investigated and thoroughly flushed.

**Water Quality Activity**

- ✓ Taste & Odor: 2
- ✓ Color: 1
- ✓ Turbidity/Air: 0
- ✓ Pressure (High/Low): 0

**Backflow Devices Tested**

- ✓ Tested: 59
- ✓ Failed Tests: 0

**Maintenance Activity**

- ✓ Membrane Replacements: 20
- ✓ Outfall Meter Repair: 1
- ✓ Chemical Feed Pump Repair: 1
- ✓ UPS Battery Replacement: 1
- ✓ Membrane Chemical Clean: 5 Units
- ✓ Valve Repair: 2
- ✓ Instrument Calibrations : 8
- ✓ Instrument Calibrations: 6

**Activity Highlights:**

- As reflected in the maintenance activity section, 20 membranes have been replaced this month. This is a multi-week project in which the Production Staff is scheduled to replace 180 total membranes by late October. Currently the membranes are performing for an average of 12 years.
- The Groundwater Substitution/Transfer is continuing. CWD continues to operate all groundwater wells at full capacity. The intertie between FOWD and CWD was closed on September 30, 2020 ending FOWD portion of the transfer.
- The SWRCB DDW biennial inspection occurred on September 23, 2020. This is a comprehensive on-site inspection for the BWTP, reservoirs, and groundwater wells. No discrepancies were found. The DDW Water Resource Control Engineer commented on the cleanliness of the BWTP.

# CARMICHAEL WATER DISTRICT

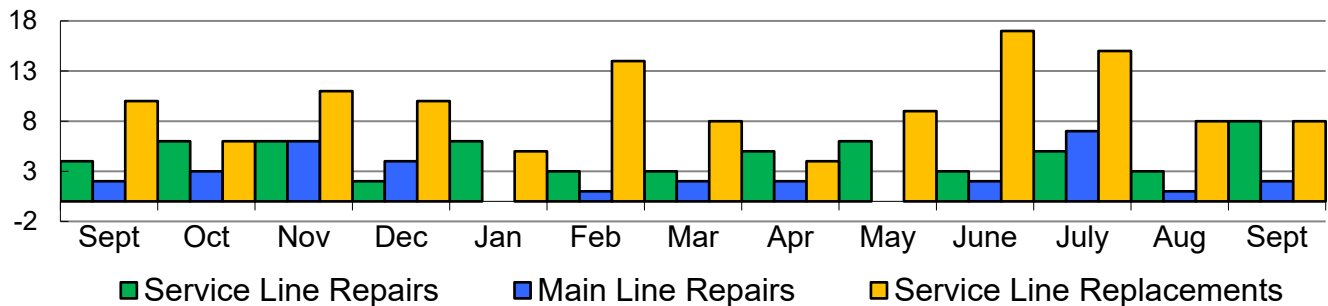
## FIELD SUPERINTENDENT, SCOTT BAIR

### September 2020 Water Distribution Board Report

#### Water Distribution Staff



#### Repairs and Replacements



#### **Capital Improvements/Replacements**

- ✓ Service Line: 8
- ✓ Fire Hydrant: 1
- ✓ Main Line Valve: 0
- ✓ New Construction Meters: 0

#### **O and M Repair Work**

- ✓ Service Line: 8
- ✓ Fire Hydrant: 0
- ✓ Main Line: 2
- ✓ Meter Boxes: 1
- ✓ Main Line Valve Boxes: 0
- ✓ Meter Change Out: 151
- ✓ Registers Change Out: 3

#### **Customer Assist**

- ✓ Call Outs: 53
- ✓ Private Repairs: 16
- ✓ Water Waste: 2
- ✓ Lock Off: 2
- ✓ Unlocks/Reinstate: 2
- ✓ High Pressure: 0
- ✓ Low Pressure: 0

- Sacramento County Asphalt Overlay Project will include portions of El Camino Ave – Garfield to Mission and Marconi Ave - Garfield to Mission. The District's paving contractor Planet Paving has lowered the mainline valve boxes as needed. The main line valve boxes within the project limits will be raised after finish paving has been completed.
- Arden – Arcade & Carmichael Sidewalk & Street Lights: The proposed project will install curb, gutter, sidewalk infill, ADA curb ramps, and street lighting with construction of this project is in the "B" planning stage and tentatively scheduled for spring 2022. District staff will need to relocate some of the facilities within the project limits.

**BOARD OF DIRECTORS  
EXPENSE REIMBURSEMENT SUMMARY  
SEPTEMBER 2020**

**DIRECTORS**

DATE	DESCRIPTION	LEIDY	EMMERSON	NELSON	GREENWOOD	SELSKY
	ACWA FALL CONFERENCE					
	ACWA SPRING CONFERENCE					
	ACWA/JPIA					
	AWWA CA/NV FALL CONFERENCE					
	AWWA CA/NV SPRING CONFERENCE					
	CALIFORNIA-OREGON TRANSMISSION PROJECT					
	2x2 CWD/FOWD COMMITTEE					
	CWD - COMPENSATION COMMITTEE					
	CWD - FINANCE COMMITTEE					
	CWD - REGULAR BOARD MEETING/PUBLIC HEARING					
7/20, 8/17, 9/22	CWD - REGULAR BOARD MEETING	2	1	3	2	3 <sup>3,4,4</sup>
7/14, 9/11	CWD - SPECIAL BOARD MEETING	1	3	1	3	3,4
	CWD - WATER SALES COMMITTEE					
	GROUNDWATER RESOURCES ASSOCIATION					
9/10	REGIONAL WATER AUTHORITY BOARD MEETING				1	
	REGIONAL WATER AUTHORITY STRATEGIC PLANNING					
8/26	REGIONAL WATER AUTHORITY EXECUTIVE COMMITTEE				1	
	SACRAMENTO GROUNDWATER AUTHORITY					
	WATER EDUCATION FOUNDATION					
	TOTAL MEETINGS ATTENDED	1	2	2	5	5
	TOTAL COMPENSATION	\$0.00	\$0.00	\$0.00	\$608.00	\$456.00
	TOTAL EXPENSES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

<sup>1</sup> DECLINED PAYMENT FOR ONE (1) MEETING.

<sup>2</sup> ABSENT FOR ONE (1) MEETING. ATTENDANCE NOT RECORDED.

<sup>3</sup> CLAIM FORM NOT TURNED IN FOR ONE (1) MEETING.

<sup>4</sup> DIRECTOR'S VERIFIED CLAIM FOR COMPENSATION FORM MUST BE RECEIVED WITHIN 60 DAYS OF MEETING DATE.

<sup>4</sup> CLAIM FORM TURNED IN FOR ONE (1) PREVIOUS ATTENDANCE. REFERENCE "3" REMOVED FROM YTD.

**BOARD OF DIRECTORS  
EXPENSE REIMBURSEMENT SUMMARY  
FY 2020/2021  
YEAR TO DATE**

DESCRIPTION	DIRECTORS					GREENWOOD	SELSKY
	LEIDY	EMMERSON	NELSON				
ACWA FALL CONFERENCE							
ACWA SPRING CONFERENCE							
ACWA/JPIA							
AWWA CA/NV FALL CONFERENCE							
AWWA CA/NV SPRING CONFERENCE							
CALIFORNIA-OREGON TRANSMISSION PROJECT							
2x2 CWD/FOWD COMMITTEE							
CWD - COMPENSATION COMMITTEE							
CWD - FINANCE COMMITTEE							
CWD - PUBLIC HEARING/REGULAR BOARD MEETING							
CWD - REGULAR BOARD MEETING	1	3	3	3,3,3	3	3	3
CWD - SPECIAL BOARD MEETING	2	2	2	3,3	2	3,3	2
CWD - WATER SALES COMMITTEE							
GROUNDWATER RESOURCES ASSOCIATION							
RWA BOARD MEETING					4		
RWA EXECUTIVE COMMITTEE					3		
RWA STRATEGIC PLANNING					1	5	
SAC METRO CAP TO CAP							
SGA BOARD MEETING							
WATER EDUCATION FOUNDATION							
TOTAL MEETINGS ATTENDED	3	5	5		13	5	
TOTAL COMPENSATION	\$152.00	\$0.00	\$0.00		\$1,672.00	\$456.00	
TOTAL EXPENSES	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	

<sup>1</sup> DECLINED PAYMENT FOR ONE (1) MEETING.

<sup>2</sup> ABSENT FOR ONE (1) MEETING. ATTENDANCE NOT RECORDED.

<sup>3</sup> CLAIM FORM NOT TURNED IN FOR ONE (1) MEETING.

<sup>5</sup> DIRECTOR'S VERIFIED CLAIM FOR COMPENSATION FORM MUST BE RECEIVED WITHIN 60 DAYS OF MEETING DATE.

<sup>5</sup> APPROVED THROUGH BOARD AT REGULAR BOARD MEETING ON MARCH 16, 2020.



# Legislative Session Brings New State Laws on Water and Climate Change for 2021

Published: October 08, 2020



Migratory birds congregate over a field in the Sacramento-San Joaquin Delta. DWR/2019

California's 2020 legislative session came to an end Sept. 30 with several new bills signed into law that will impact water operations and the Department of Water Resources (DWR).

This year, while the Legislature responded to the impacts of the COVID-19 pandemic, passing legislation focused on statewide health, economic, and employment impacts, lawmakers also passed several water and climate change-related bills that will take effect in 2021.

They include:

**Assembly Bill 2800** makes the Climate-Safe Infrastructure Working Group permanent. The group, which was set to expire in January 2021, is made up of scientists, engineers, and architects, and is tasked with examining how to best integrate climate science into state infrastructure design, planning, and implementation.

**Assembly Bill 838** provides the Mossdale Tract, located in San Joaquin County, a three-year extension to achieve appropriate flood protection for an urban area. Moving the deadline from 2025 to 2028, allows local agencies to continue issuing property development permits, the revenue from which will provide local funding needed to achieve the required flood protection level. The legislation allows DWR to require the San Joaquin Area Flood Control Agency to contribute its fair and reasonable share of any property damage caused by a flood under certain conditions during the extension period.

**Senate Bill 974** establishes an exemption from some state environmental review requirements for projects that would improve drinking water quality and water supply reliability within disadvantaged communities. The exemption will last until 2028 and specifically apply to projects that consist solely of the installation, repair, or reconstruction of water infrastructure.

**Senate Bill 1320** directs the State Office of Planning and Research to prepare a California-specific climate change assessment on the impacts and risks of climate change and identify potential solutions to inform legislative policy. The legislation will also require an update on the assessment every five years. Climate change continues to have a significant impact on our natural resources including our water supply. Having the most up to date science and data will assist in planning efforts at the state, regional, and local level.

The California State Legislature has adjourned for the year and will return for a new session in January 2021.

# House Democrats Ask CDC to Halt Water Shutoffs during the Pandemic

October 6, 2020/in Water News, WEF /by Brett Walton

CDC already moved to suspend evictions. Could water service be the next target for a national moratorium?



The Centers for Disease Control and Prevention moved on September 4 to restrict most residential evictions. Some House Democrats would like to see the agency take similar action prohibiting water shutoffs. Photo courtesy of Flickr/Creative Commons user Dejan Krsmanovic

Two Democrats on the House Committee on Oversight and Reform asked the federal government's top public health agency to suspend water service disconnections nationwide as a means of slowing the spread of Covid-19.

To protect public health, Reps. Harley Rouda of California and Rashida Tlaib of Michigan want the Centers for Disease Control and Prevention to use its authority under the Public Health Service Act to prohibit water utilities from shutting off service to customers who are behind on their bills.

In their letter to Robert Redfield, the CDC director, the two representatives cite the CDC's September 4 order that halted most residential evictions through the end of the year. In that decision, which is being

challenged in federal court, the CDC determined that keeping people sheltered, even if they are behind on rent, is a tactic for fighting the coronavirus.

“Just as CDC acted to ensure that Americans are protected from evictions, access to water in each person’s home is also essential to preventing the spread of the coronavirus and allow people infected with the virus to isolate without the need to come in contact with other persons in order to bathe or drink water,” Rouda and Tlaib wrote in their October 5 letter.

Because soap and water break apart the new coronavirus, frequent handwashing is one of the CDC’s top recommendations for protection against Covid-19. In interviews, Redfield has reiterated the importance of handwashing.

Recognizing the importance of water access at home, many governors and state regulators imposed bans on water shutoffs in the first months of the pandemic. Most utilities followed suit, suspending late fees and not cutting off service. States like Michigan ordered water service restored to homes that had been disconnected. But now, in the seventh month of the pandemic, many of those protections have expired and customer debt to utilities has soared, putting more people at risk of having their water shut off.

Passed by Congress in 1944, the Public Health Service Act gives the Department of Health and Human Services — the parent organization to the CDC — broad authority to prevent the spread of infectious disease. The act authorizes the CDC to issue regulations to achieve that goal. The CDC overhauled its regulations during the Obama administration, and they went into effect in January 2017.

“Covid has been the first real test of utilizing those powers,” James Hodge, a law professor at Arizona State University and director of the Center for Public Health Law and Policy, told Circle of Blue. “We’re seeing some rather broad extensions of what CDC feels is within its capacity.”

The eviction ban, which applies to people earning less than \$99,000 annually, is the prime example. Lance Gable, an associate law professor at Wayne State University Law School, said that he is not aware of similar CDC orders to guard public health. “This is a fairly novel use of federal provision,” Gable told Circle of Blue.

Traditionally, the CDC wielded its power under the Public Health Service Act by imposing quarantines and screening people at border crossings. The agency ordered health screenings in January for air passengers arriving in the U.S. from Wuhan, where the virus originated.

What measures the CDC can take under the Public Health Service Act to prevent the spread of disease is a matter of degrees. The eviction order was a step beyond the typical responses. A water shutoff moratorium, if the CDC were to issue such a decree, would be consistent with the agency’s decision to suspend evictions, Hodge said.

Water industry groups point to several reasons that a national moratorium would be problematic.

Tracy Mehan, executive director of government affairs for the American Water Works Association, said that national emergencies, such as the pandemic, can sometimes extend for years. “So that presents a challenge as to defining the boundaries of any moratorium,” Mehan wrote to Circle of Blue in an email.

Utilities also need revenue to operate, and Congress has not offered any direct financial aid to the water sector in its coronavirus relief packages. Mike Keegan of the National Rural Water Association told Circle of Blue in an email that a shutoff moratorium without financial support for utility operations is an incomplete fix.

The CDC press office did not respond to questions before deadline about whether the agency has considered a water shutoff moratorium.

Would a ban on water shutoffs based on the Public Health Services Act be legal? “That’s the real question here,” Hodge said. “Does CDC’s broader powers to control communicable diseases extend to these types of interventions?”

The CDC eviction order was almost immediately challenged. Days after it was issued, individual landlords and the National Apartment Association filed a lawsuit on September 8 in the U.S. District Court for the Northern District of Georgia. The lawsuit argues that the eviction order oversteps the CDC’s authority.

Hodge said that the eviction lawsuit should be watched closely. The ruling could determine how far the CDC’s authority extends in matters of public health and whether a water shutoff moratorium would have legal grounding.

“Is this actually what CDC can use its public health powers to limit?” Hodge said. “It’s already at stake in the existing litigation. Depending on the outcomes of the case, it may greatly dictate what would be possible here.”

# GOVERNOR SIGNS ACWA-SUPPORTED BILLS

BY ACWA STAFF OCT 1, 2020 WATER NEWS

Gov. Gavin Newsom has signed two bills related to water quality that ACWA advocated in support of during the legislative session.

AB 2560 (Quirk) mandates a public comment period for any new or amended Response Level or Notification Level proposed by the State Water Resources Control Board. It was co-sponsored by the California Municipal Utilities Association and ACWA member agency Orange County Water District (OCWD).

“We’re committed to providing safe, reliable drinking water for the 2.5 million people in our service area and we applaud Assembly Member Quirk’s leadership on AB 2560,” OCWD President Vicente Sarmiento stated in a news release. “Reasonable notice and transparency would help inform interested stakeholders and allow water systems affected by NL or RL changes to take appropriate measures to plan and prepare for implementation of such changes.”

Another bill signed into law, SB 1044 (Allen) would essentially ban the manufacture or sale of firefighting foam that contains per and polyfluoroalkyl substances (PFAS) beginning in 2022. ACWA joined a number of environmental organizations in supporting SB 1044, including Clean Water Action and the Natural Resources Defense Council.



## 2020 Regular Board Meeting Schedule

January	27	
February	24	
March	16	
April	20	(Board Compensation Public Hearing)
May	18	(Budget/Rates Public Hearing)
June	15	
July	20	
August	17	
September	22*	
October	20*	
November	17*	
December	15*	

Meetings will be held at 6:00 p.m. at the District's meeting room located at:  
7837 Fair Oaks Boulevard, Carmichael.

\*Board meeting date updated to reflect approval of Resolution 08172020-1 which changed the regular meeting date from the third Monday of every month to the third Tuesday of every month.

# November 2020

November 2020							December 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7			1	2	3	4	5
8	9	10	11	12	13	14	6	7	8	9	10	11	12
15	16	17	18	19	20	21	13	14	15	16	17	18	19
22	23	24	25	26	27	28	20	21	22	23	24	25	26
29	30						27	28	29	30	31		

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Nov 1	2	3	4	5	6	7
8	9	10	11 Veterans Day (Holiday)	12 9:00am RWA-Board Mtg (@ RWA)	13	14
15	16	17 6:00pm Board Meeting (Board Room)	18	19	20	21
22	23	24	25 8:30am RWA-Exec Comm Mtg @ RWA	26	27 Thanksgiving Day (Holiday)	28
29	30					



# December 2020

December 2020							January 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
6	7	1	2	3	4	5	3	4	5	6	7	1	2
13	14	8	9	10	11	12	10	11	12	13	14	15	16
20	21	15	16	17	18	19	17	18	19	20	21	22	23
27	28	22	23	24	25	26	24	25	26	27	28	29	30
		29	30	31			31						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		Dec 1	2 ACWA FALL CONFERENCE	3	4	5
6	7	8	9	10 9:00am SGA Board Meeting (@ RWA/SGA office)	11	12
13	14	15 6:00pm Board Meeting (Board Room)	16	17	18	19
20	21	22	23 8:30am RWA-Exec Comm Mtg @ RWA	24 Christmas Day (Holiday)	25	26
27	28	29	30	31		

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