



**BOARD MEETING AGENDA**  
**Monday, April 9, 2018**  
**Regular Meeting - 7:00 P.M.**

**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Union Sanitary District**  
**Administration Building**  
**5072 Benson Road**  
**Union City, CA 94587**

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

1. Call to Order.

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2. Pledge of Allegiance.

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3. Roll Call.

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- Motion 4. Approve Minutes of the Special Meeting of March 19, 2018.

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- Motion 5. Approve Minutes of the Regular Meeting of March 26, 2018.

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6. Written Communications.

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7. Oral Communications.  
*The public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District office at least one working day prior to the meeting). This portion of the agenda is where a member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction that is not on the agenda. If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. Oral comments are limited to three minutes per individuals, with a maximum of 30 minutes per subject. Speaker's cards will be available in the Boardroom and are to be completed prior to discussion.*

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- Motion 8. Consider a Motion to Cancel the July 9, 2018, Board of Directors Meeting.

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- Direction 9. Review and Consider Emergency Fund Balance Options and Provide Direction *(to be reviewed by the Budget & Finance Committee)*.

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- Direction 10. Receive Centennial Open House Planning Update and Provide Direction.

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- Information 11. California Association of Sanitation Agencies (CASA) Winter 2018 Conference *(to be reviewed by the Legislative Committee)*.

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- Information 12. Certificates of Merit to Union Sanitary District's Class I Permitted Industries *(to be reviewed by the Legal/Community Affairs Committee)*.

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- Information 13. Earth Day 2018 *(to be reviewed by the Legal/Community Affairs Committee)*.

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- Information 14. Check Register.

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- Information 15. Committee Meeting Reports. *(No Board action is taken at Committee meetings):*
  - a. Legal/Community Affairs Committee – Thursday, April 5, 2018, at 1:30 p.m.

- Director Handley and Director Lathi
- b. Budget & Finance Committee – Friday, April 6, 2018, at 11:00 a.m.
  - Director Handley and Director Toy
- c. Legislative Committee – Friday, April 6, 2018, at 11:30 a.m.
  - Director Lathi and Director Toy
- d. Audit Committee – will not meet.
- e. Engineering and Information Technology Committee – will not meet.
- f. Personnel Committee – will not meet.

Information

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16. General Manager's Report. *(Information on recent issues of interest to the Board).*
- 
17. Other Business:
- a. Comments and questions. *Directors can share information relating to District business and are welcome to request information from staff.*
  - b. Scheduling matters for future consideration.
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18. Adjournment – The Board will adjourn to the next Regular Meeting in the Boardroom on Monday, April 23, 2018, at 7:00 p.m.

The Public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District at least one working day prior to the meeting). If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. If the subject is within the Board's jurisdiction but not on the agenda, the speaker will be heard at the time "Oral Communications" is calendared. Oral comments are limited to three minutes per individual, with a maximum of 30 minutes per subject. Speaker's cards will be available in the Boardroom and are to be completed prior to discussion of the agenda item.

The facilities at the District Offices are wheelchair accessible. Any attendee requiring special accommodations at the meeting should contact the General Manager's office at (510) 477-7503 at least 24 hours in advance of the meeting. THE PUBLIC IS INVITED TO ATTEND



**LEGAL/COMMUNITY AFFAIRS COMMITTEE MEETING**  
Committee Members: Director Handley and Director Lathi

**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**AGENDA**  
**Thursday, April 5, 2018**  
**1:30 p.m.**

**Alvarado Conference Room**  
**5072 Benson Road**  
**Union City, CA 94587**

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**THIS MEETING WILL BE TELECONFERENCED WITH DIRECTOR HANDLEY AND DIRECTOR LATHI  
FROM 43225 MISSION BOULEVARD, FREMONT, CALIFORNIA**

1. Call to Order  
\_\_\_\_\_
2. Roll Call  
\_\_\_\_\_
3. Public Comment  
\_\_\_\_\_
4. Items to be reviewed for the Regular Board meeting of April 9, 2018:
  - Certificates of Merit to Union Sanitary District's Class I Permitted Industries
  - Earth Day 2018\_\_\_\_\_
5. Adjournment  
\_\_\_\_\_

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings.

The Public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District at least one working day prior to the meeting).

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**THE PUBLIC IS INVITED TO ATTEND**



**BUDGET & FINANCE COMMITTEE MEETING**  
Committee Members: Director Handley and Director Toy

**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**AGENDA**  
**Friday, April 6, 2018**  
**11:00 a.m.**

**Alvarado Conference Room**  
**5072 Benson Road**  
**Union City, CA 94587**

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

1. Call to Order

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2. Roll Call

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3. Public Comment

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4. Items to be reviewed for the Regular Board meeting of April 9, 2018:

- Review and Consider Emergency Fund Balance Options and Provide Direction

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5. Adjournment

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Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings.

The Public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District at least one working day prior to the meeting).

If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. If the subject is within the Board's jurisdiction but not on the agenda, the speaker will be heard at the time "Public Comment" is calendared. Oral comments are limited to three minutes per individual, with a maximum of 30 minutes per subject. Speaker's cards will be available and are to be completed prior to discussion of the agenda item.

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THE PUBLIC IS INVITED TO ATTEND



**LEGISLATIVE COMMITTEE MEETING**  
Committee Members: Director Lathi and Director Toy

**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**AGENDA**  
**Friday, April 6, 2018**  
**11:30 a.m.**

**Alvarado Conference Room**  
**5072 Benson Road**  
**Union City, CA 94587**

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**THIS MEETING WILL BE TELECONFERENCED WITH DIRECTOR LATHI  
FROM 43225 MISSION BOULEVARD, FREMONT, CALIFORNIA**

1. Call to Order  
\_\_\_\_\_
2. Roll Call  
\_\_\_\_\_
3. Public Comment  
\_\_\_\_\_
4. Items to be reviewed for the Regular Board meeting of April 9, 2018:
  - California Association of Sanitation Agencies (CASA) Winter 2018 Conference\_\_\_\_\_
5. Adjournment  
\_\_\_\_\_

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings.

The Public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District at least one working day prior to the meeting).

If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. If the subject is within the Board's jurisdiction but not on the agenda, the speaker will be heard at the time "Public Comment" is calendared. Oral comments are limited to three minutes per individual, with a maximum of 30 minutes per subject. Speaker's cards will be available and are to be completed prior to discussion of the agenda item.

The facilities at the District Offices are wheelchair accessible. Any attendee requiring special accommodations at the meeting should contact the General Manager's office at (510) 477-7503 at least 24 hours in advance of the meeting.

**THE PUBLIC IS INVITED TO ATTEND**

**MINUTES OF THE SPECIAL MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT  
March 19, 2018**

**CALL TO ORDER**

President Kite called the special meeting to order at 5:30 p.m.

**ROLL CALL**

PRESENT: Pat Kite, President  
Anjali Lathi, Vice President  
Manny Fernandez, Secretary  
Jennifer Toy, Director  
Tom Handley, Director

STAFF: Paul Eldredge, General Manager/District Engineer  
Sami Ghossain, Technical Services Manager  
James Schofield, Collection Services Manager  
Robert Simonich, Fabrication, Maintenance, and Construction Manager  
Armando Lopez, Treatment and Disposal Services Manager  
Curtis Bosick, Associate Engineer

VISITORS: Dave Richardson, Woodard and Curran  
Mark Takemoto, Woodard and Curran

**PUBLIC COMMENT**

There was no public comment.

**BOARD WORKSHOP**

Dave Richardson and Mark Takemoto presented the Plant Master Plan #2 Wastewater Treatment Process materials, and responded to questions.

**ADJOURNMENT:**

The special meeting was adjourned at approximately 7:45 p.m. to the next Regular Board Meeting in the Boardroom on Monday, March 26, 2018, at 7:00 p.m.

SUBMITTED:

ATTEST:

\_\_\_\_\_  
REGINA McEVOY  
BOARD CLERK

\_\_\_\_\_  
MANNY FERNANDEZ  
SECRETARY

APPROVED:

\_\_\_\_\_  
PAT KITE  
PRESIDENT

Adopted this 9<sup>th</sup> day of April, 2017

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT  
March 26, 2018**

**CALL TO ORDER**

President Kite called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT: Pat Kite, President  
Manny Fernandez, Secretary  
Anjali Lathi, Vice President  
Jennifer Toy, Director  
Tom Handley, Director

STAFF: Paul Eldredge, General Manager  
Karen Murphy, District Counsel  
James Schofield, Collection Services Manager  
Sami Ghossain, Technical Services Manager  
Armando Lopez, Treatment and Disposal Services Manager  
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

VISITORS: Howard Cin, East Bay Dischargers Authority Maintenance Manager  
Alice Johnson, League of Women Voters  
Roelle Balan, Tri-City Voice Newspaper

**APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF FEBRUARY 27, 2018**

It was moved by Director Handley, seconded by Vice President Lathi, to approve the Minutes of the Special Meeting of February 27, 2018. Motion carried unanimously.

**APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF MARCH 1, 2018**

It was moved by Vice President Lathi, seconded by Director Handley, to approve the Minutes of the Special Meeting of March 1, 2018. Motion carried unanimously.

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MARCH 12, 2018**

It was moved by Director Toy, seconded by Vice President Lathi, to approve the Minutes of the Regular Meeting of March 12, 2018. Motion carried unanimously.

**FEBRUARY 2018 MONTHLY OPERATIONS REPORT**

General Manager Eldredge provided details regarding two odor reports, an overview of the February 2018 Monthly Operations Report included in the Board meeting packet, and an overview of the February 2018 financial reports.

### **WRITTEN COMMUNICATIONS**

There were no written communications.

### **ORAL COMMUNICATIONS**

There were no oral communications.

### **AWARD THE CONSTRUCTION CONTRACT FOR THE FORCE MAIN CORROSION REPAIRS PROJECT, PHASE 2 TO CRATUS, INC.**

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the District operates and maintains the transport system consisting of three pump stations, three lift stations, and 12 ½ miles of twin force main pipelines to convey wastewater to the Plant. There are 78 manholes along the pipeline alignment. Over time the manhole manways, blind flanges, and appurtenances have corroded. Staff performed visual inspection inside all 78 manholes and hired Carollo Engineers in 2016 to review the data collected during the inspections. Carollo recommended the corroded elements be rehabilitated or replaced. West Yost Associates completed the preliminary design services for the Project and outlined a three-phase plan to accomplish the repairs. Phase 1 addressed corrosion repairs on the eastern force main's manholes. Phase 2 will address corrosion repairs for manholes on the western force main between Newark Pump Station and the Alvarado Wastewater Treatment Plant. Cratus, Inc. was the lowest responsive and responsible bidder for Phase 2 with a total base bid amount of \$931,800. The bid also included prices for Bid Alternates A through D that were not included in the Total Base Bid Amount. The four bid alternates account for different repair details for the blow off and combo manholes. Depending on the extent of the corrosion damage discovered during construction, staff can direct the contractor to change the repair detail per the bid alternate prices or negotiate a different cost at staff's discretion. Staff recommended the Board award the construction contract for the Force Main Corrosion Repairs Project, Phase 2 to Cratus, Inc., in the amount of \$931,800 and authorize staff to issue the Notice of Award for the Project.

It was moved by Director Handley, seconded by Vice President Lathi, to Award the Construction Contract for the Force Main Corrosion Repairs Project, Phase 2 to Cratus, Inc., in the Amount of \$931,800. Motion carried unanimously.

### **REVIEW AND CONSIDER STAFF RECOMMENDATIONS FOR THE 2018 HYDRAULIC ANALYSIS CONDUCTED BY THE EAST BAY DISCHARGERS AUTHORITY AND PROVIDE DIRECTION ON THE JPA NEGOTIATIONS**

This item was reviewed by the Legal/Community Affairs Committee. General Manager Eldredge stated the East Bay Dischargers Authority (EBDA) is a Joint Powers Authority (JPA) of which Union Sanitary District is a member. The JPA agreement was formed and entered by the City of Hayward, City of San Leandro, Oro Loma Sanitary District, Union Sanitary District, and Castro Valley Sanitary District. The JPA currently provides a wastewater transport system to collect effluent from six wastewater treatment plants in the East Bay, including two non-member agencies, and removes chlorine prior to its discharge through a deep-water outfall to the San Francisco Bay.

The JPA Agreement was amended in 1978, 1986, and 2007. The current JPA is set to expire in January of 2020; discussions and negotiations have been taking place over the last few years to develop deal points and a framework for a renewed agreement. The deal points under consideration include: term, escape clause, spending cap, cost allocation/system capacity, and penalty clause. The cost allocation/system capacity is complicated due to the financial implications for the agencies.

When the JPA was established, each agency selected its capacity in the system. The capacity an agency has in the system is directly proportional to the fixed costs an agency is responsible for annually. The member agencies have been evaluating capacity needs in conjunction with JPA negotiations, and EBDA conducted a hydraulic model to study the maximum capacity. USD's existing capacity is 42.9, and the District had initially proposed a sustained flow rate of 55 mgd for the new EBDA JPA. The maximum flow rate for USD supported by the hydraulic model was between 46.5 and 50 mgd with the Hayward Marsh offline, which did not support the District's desired flow rate. Staff recommended the Board support making no changes to the District's capacity, and requested the Board provide direction regarding the cost allocation/system capacity for renewal of the EBDA JPA.

Director Handley stated it would not make sense for the District to pay more for the same capacity going forward; Vice President Lathi and Director Toy agreed with Director Handley's statement.

It was moved by Vice President Lathi, seconded by Director Fernandez, to Direct Staff to Make No Changes to the District's Purchased Flow Rate for the New East Bay Dischargers Authority Joint Powers Agreement. Motion carried unanimously.

**REVIEW AND CONSIDER PROPOSED EDITS TO DISTRICT ORDINANCE NO. 44 AND POLICY NO. 3040, BOARDMEMBER COMPENSATION**

This item was reviewed by the Legal/Community Affairs Committee. District Counsel Murphy stated California Health and Safety Code Section 4733 and 6489 allow for an increase in Boardmember compensation of up to 5% per year. In 2000, the Board adopted Ordinance #44 stating that on January 1 or each year, Boardmember compensation shall be increased by the amount of increased of classified employees' wages for the year. The Ordinance also provides for the Board to review the compensation increase prior to it going into effect. The Board has not voted to increase their meeting stipend since 2003. Per Board direction, staff prepared a revised version of the Ordinance as well as a revised version of Policy No. 3040,

Boardmember Compensation. The revised Ordinance and Policy modify the review date for the end of the fiscal year, as opposed to the end of the calendar year. The policy has also been revised to provide that review of Director Compensation will take place in April or May of each year to allow any increases to be incorporated in the operating budget. Staff recommended the Board adopt the revised Ordinance 44.01 and proposed revisions to Policy No. 3040, Boardmember Compensation.

It was moved by Director Handley, seconded by Director Toy, to Adopt Revised Ordinance 44.01 and Policy 3040, Boardmember Compensation. Motion carried unanimously.

**INFORMATION ITEMS:**

**Report on the East Bay Dischargers Authority (EBDA) Meeting of March 15, 2018**

Director Toy provided an overview of the EBDA meeting of March 15, 2018.

**Check Register**

All questions were answered to the Board's satisfaction.

**COMMITTEE MEETING REPORTS:**

The Engineering and Information Technology, Legal/Community Affairs, and Budget & Finance Committees met.

**GENERAL MANAGER'S REPORT:**

General Manager Eldredge reported the following:

- § The Fremont State of the City Luncheon will be held March 28, 2018
- § The Newark State of the City Luncheon will be held April 19, 2018
- § First round interviews for the District's Business Services Manager/Chief Financial Officer were held the week of March 19, 2018, and second round interviews will be held in April

**OTHER BUSINESS:**

There was no other business.

**ADJOURNMENT:**

The meeting was adjourned at 7:42 p.m. to the next Board Meeting in the Boardroom on Monday, April 9, 2018, at 7:00 p.m.

SUBMITTED:

ATTEST:

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REGINA McEVOY  
BOARD CLERK

\_\_\_\_\_  
MANNY FERNANDEZ  
SECRETARY

APPROVED:

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PAT KITE  
PRESIDENT

Adopted this 9<sup>th</sup> day of April 2018



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** January 12, 2018

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**SUBJECT:** Agenda Item No. 8 - Meeting of April 9, 2018  
**Consider a Motion to Cancel the July 9, 2018, Board of Directors Meeting**

### **Recommendation**

Consider a motion to cancel the July 9, 2018, Board of Directors meeting.

### **Background**

The first regularly scheduled meeting of the Board of Directors in July 2018 falls on the week after the 4<sup>th</sup> of July holiday. The 4<sup>th</sup> of July is a Wednesday this year, and the holiday would impact Board and staff availability for scheduling committee meetings that week. Staff recommends the Board consider the following options:

1. Cancel the July 9, 2018, Board meeting.
2. Cancel the July 9, 2018, Board meeting and schedule a special meeting for July 16, 2018.
3. Keep the July 9, 2018, Board meeting and do not schedule committee meetings.



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** April 2, 2018

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer

**SUBJECT:** Agenda Item No. 9 - Meeting of April 9, 2018  
Information and Direction Item: **Review and Consider Emergency Fund Balance Options and Provide Direction**

### **Recommendation**

Receive the information and provide direction as necessary.

### **Background**

The District has an emergency reserve fund pursuant to Policy 2090, to help mitigate the financial impacts of an emergency or catastrophic event. The target for this reserve fund is \$5,000,000, and it is currently funded at this amount.

The District experienced a sinkhole in October of 2015 around one of the main gravity sewer lines in Union City. The repair was extensive and ended up being very costly, which required a significant investment from the emergency reserve fund. The fund served the intended purpose of providing the necessary funding to resolve an unforeseen condition that can place a significant burden on the District's resources and, ultimately, the rate payers.

The overall cost of the sinkhole repairs prompted the District's Board of Directors to inquire about the sufficiency of the emergency reserve target. A natural disaster or other catastrophic event would quickly exhaust the emergency fund at the current funding level as more than likely multiple facilities would be impacted.

The Board requested staff present options to allow the Board to discuss and consider increasing the fund and/or including an inflationary factor to offset projected future increased construction costs.

Staff reached out to other agencies to see if they had an emergency reserve fund, or if there was common rationale in setting funding targets. The District received responses from several cities and eight special Districts. A summary of the responses is below:

- Some Cities have a reserve target that ranges between 5% to 30% of the General Fund Budget
- Fixed amount, no inflation factor
- No emergency reserve, but reserves for Operating, Capital, and Rate Stabilization
- Reserves that range between 4 months (33%) to 8 months (67%) of operating budget
- Rate stabilization fund based upon historical average of additional costs under adverse conditions
- 10% of annual budget plus 1 million
- 2% of the total value of capital assets, minus property

Staff evaluated several alternatives, in addition to the examples above, and prepared the following options for the Board's consideration. It is assumed that any increase to the emergency fund target would be phased in over a period of time, using the annual amount in the current policy of \$750,000, to minimize the financial impact to the budget and rates. The options are listed in no particular order:

#### Option 1

% of Operating Budget with a target of either 2 (16.7%) or 3 months (25%) of operating budget with a maximum of 6 months (50%). Current operating budget for FY 18 is \$36,816,878

<b>16.7% = \$6,148,418</b>	<b>phase in = 1.53 years @\$750,000</b>
<b>25.0% = \$9,204,219</b>	<b>phase in = 5.6 years @\$750,000</b>
<b>50.0% = \$18,408,439</b>	<b>phase in = 17.9* years @\$750,000</b>

*\* - for purposes of comparison only*

#### Option 2

Increase the current emergency reserve target amount by 50% (\$2.5 million), then increase annually by the Engineering News Record Construction Cost Index for the SF Region (ENR CCI) once the base target is reached and cap it at a reasonable amount (e.g. 50% of operating budget).

**Total target = \$7,500,000**  
**Phase in = 3.3 years at \$750,000**  
**Current ENR CCI = 3.86%**  
**\$7,500,000 @ 3.86% = \$289,500**

Option 3

% of the total value of the District's Capital assets (minus land) with a maximum cap.

Use 2% for purposes of comparison

FY17 Capital Assets = \$669,151,317

FY17 Land Value = \$37,063,104

NET Capital Assets = \$632,088,213

**Reserve target @ 2% = \$12,641,764            phase in = 16.8 years @ \$750,000**

Option 4

Do nothing and leave the current emergency reserve target at \$5,000,000

Staff is seeking input from the Board on the options above which range from doing nothing, selecting a preferred option, to combining aspects from different options to develop a new option. If the direction is to increase the emergency reserve target staff will further develop the option, evaluate fiscal considerations, and revise the reserve policy accordingly to bring back for Board consideration at a future meeting. Currently the best-case scenario would be to complete any necessary modifications to the reserve policy prior to FY 19 draft budget preparation, or if necessary, any modifications to the policy could be incorporated in the FY 20 budget.

Attachment  
Policy 2090



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** April 2, 2018

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk  
Michelle Powell, Communications and Intergovernmental Relations Coordinator

**SUBJECT:** Agenda Item No. 10 - Meeting of April 9, 2018  
**RECEIVE CENTENNIAL OPEN HOUSE PLANNING UPDATE AND PROVIDE DIRECTION**

### **Recommendation**

Staff recommends the Board receive an update on the planning efforts for the District's Centennial Open House Event in 2018, consider options for Board involvement during the event, and provide direction as necessary.

### **Background**

The Board directed staff to plan an Open House in celebration of the District's centennial anniversary in 2018. Per direction received at the regular Board meeting held January 23, 2017, the event has been scheduled for 10:00 a.m. – 2:00 p.m. on Saturday, May 19, 2018. An internal Open House planning committee, comprised of representatives from each workgroup, has been meeting regularly to prepare for the event.

### **Event planning update:**

Staff have been publicizing the Open House in a variety of ways. Two "Union Sanitary District Centennial Stories" have been published in recent editions of the Tri-City Voice, and staff will submit two more stories to be published before the event. An announcement was made, and flyers were distributed, to over 1,000 students and parents who attended the Alameda County

Science and Engineering Fair Awards Ceremony. The General Manager personally invited former executive managers, members of the State Water Resources Control Board and the Air Board, as well as City Managers and staff from cities served by the District. Invitation flyers were sent to the District's retirees, and staff will continue to communicate with various stakeholders via email.

Teams are putting the finishing touches on their displays and activity plans. The Plant Tour Video may not be shown at the Open House due to logistical challenges. Staff are continuing to explore a variety of options.

**Board involvement during the event:**

Per Board direction received at the special meeting of December 18, 2017, there will be a booth for the Board of Directors. The Board had previously indicated they would plan to take turns at the booth during the event hours of 10:00 a.m. – 2:00 p.m. and would consider handing out the plunger pens purchased for the event. Some options for activities at the booth could be:

- Meet and greet
- General District overview
- Plunger pen giveaway
- Some combination of the items listed above

Staff requests the Board provide direction for the booth schedule and activities.



**Directors**  
Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**  
Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** April 2, 2018

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer

**SUBJECT:** Agenda Item No. 11 - Meeting of April 9, 2018  
Information Item: **CASA 2018 Winter Conference**

### **Recommendation**

Receive an informational report on the California Association of Sanitation Agencies (CASA) 2018 Winter Conference on the sessions attended by the General Manager.

### **Background**

CASA held its annual conference on January 24-26, 2018. The following is a summary of the presentations from the conference attended by the General Manager. Handouts are available for most of the presentations. Please let us know what session you would be interested in obtaining more information on, and copies or links to the presentations can be provided.

- Water 4.0 – What Does the Future Really Look Like?
- Under Fire: Santa Rosa's Emergency Response
- Protecting Your Assets
- Collection Systems – Assessing Current Trends
- Bay Area Biosolids Coalition Meeting
- State Legislative Committee
- Pensions and Politics
- Defining Flushability through Standards, Statutes, and Lawsuits

### **Attachments:**

CASA 2018 Winter Conference Program Guide

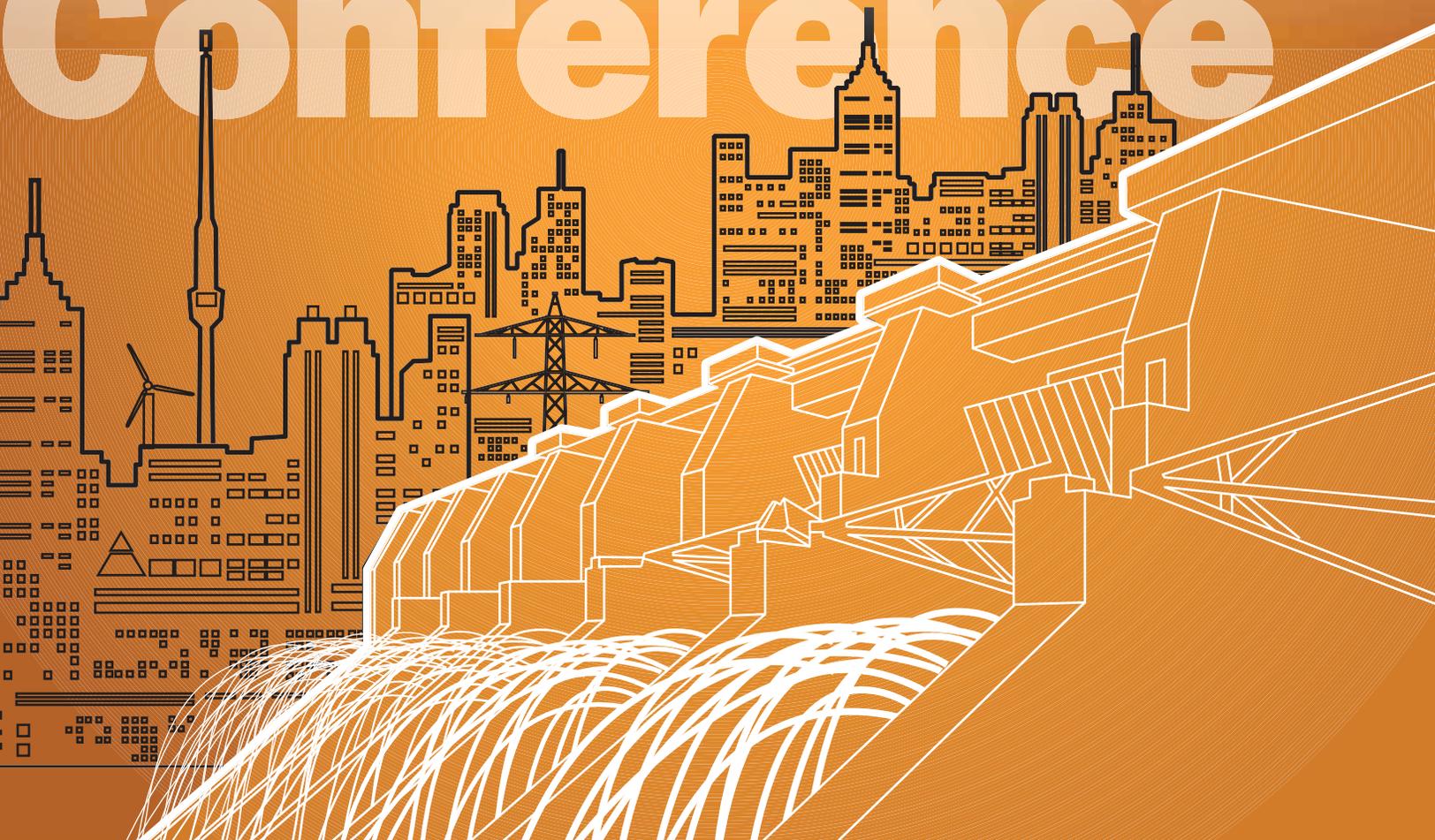
CASA Winter 2018 Federal Legislative Committee Meeting Agenda and attachments

CASA Winter 2018 State Legislative Committee Meeting Agenda and attachments



**Plan for the Best  
Prepare for the Rest**

# Winter Conference



**January 24–26, 2018  
Palm Springs Hilton**

Meeting WiFi Password: winter

# Message from the Executive Director



## Welcome to CASA's 2018 Winter Conference. We're glad you're here.

The California Office of Emergency Services referred to 2017 as "one for the record books." Following the fifth straight year of drought, the winter brought torrential rains and flooding, mudslides and crumbling roadways. This was only the beginning, as the state moved on to the Oroville dam crisis and then the devastating wildfires in both northern and southern California. Throw in the Equifax data exposure and other cyber security breaches and it's no wonder many were tempted to hunker down and wait for it all to pass.

Unfortunately, this year began with another tragedy – the severe mudslides in Montecito. Clearly, we must continue to prepare our facilities, workforces and communities for what lies ahead. Our conference theme, Plan for the Best, Prepare for the Rest is designed to provide our members with tested preparedness and response strategies and approaches. Our keynote speaker, Dr. David Sedlak, will set the stage with his vision of the future of water and how systems will be reinvented. We'll hear from Santa Rosa Water about their emergency response to the catastrophic fires and the challenges the utility still faces in the aftermath. Other panels and speakers will address disaster response, cybersecurity, drought impacts on collection systems, and tackling the problem of nonflushable wipes.



**Bobbi Larson,**  
*CASA Executive Director*



### **Associates Committee Giving Back**

#### **Acting Together to Support CASA.**

*We thank you for your ongoing  
commitment and generous contribution  
to our 2018 conference programs!*

The roundtable discussions are back by popular demand. We encourage you to take advantage of these sessions, which allow you to engage with a small group of your peers in an informal setting to share experiences, issues and challenges on a wide variety of topics from toxicity to potable reuse to transparency.

The Associates are once again generously sponsoring the Thursday evening reception and CASA Education Foundation auction. Join your colleagues for cocktails and conversation, and come prepared to bid on the great items donated to support the foundation.

CASA has been advancing the interests of our members for more than 60 years. As an association, we too are embracing and preparing for the changes ahead that will allow us to continue to provide excellent service to you and to be the most respected, effective and credible voice for California wastewater agencies.

With the strength of our members behind us, we're ready for the opportunities and challenges the new year will bring.

## CALL FOR APPLICATIONS FOR THE CASA AWARD OF EXCELLENCE

### 2018 MARKS THE 21st ANNIVERSARY OF THE CASA AWARDS PROGRAM

#### Schedule:

- Applications will be accepted beginning January 27, 2018.
- Deadline for submissions is Friday, April 13, 2018.

#### Presentation:

The Awards Committee is exploring exciting ways to honor nominees and recipients at our annual conference at the Monterey Marriott in August.

Please visit [casaweb.org](http://casaweb.org) for more information and to download the application. We look forward to recognizing your great work!



## A Fundraiser *with a* PURPOSE

#### WHAT

Associates Reception with  
Silent Auction & Raffle

#### WHEN

Thursday, 5:30-6:30 p.m.

#### WHERE

Plaza Ballroom

Join us Thursday evening as the CASA Associates host a reception in support of the CASA Education Foundation.

Meet the CASA Associates and help support the next generation of clean water professionals. To learn more about the Foundation or make a donation, please contact any CASA Education Foundation Board Member or visit [casaedfoundation.org](http://casaedfoundation.org).

Jim Dunbar  
Mike Dunbar  
Bob Ghirelli

Joyce Gwidt  
Jim Kelly  
Jeff Moorhouse

Marco Palilla  
Eric Sapirstein  
Rick Vaccaro

# Conference Schedule

## Wednesday, January 24, 2018

7:30 a.m. – 12:00 p.m.

### CSRMA Training Seminar

Location: Plaza Ballroom, 1st Floor

8:00 a.m. – 5:00 p.m.

### Registration

Location: Lobby, 1st Floor

10:30 a.m. – 12:00 p.m.

### CASA Board of Directors Meeting

Location: Tapestry Room, 1st Floor

12:00 p.m. – 1:15 p.m.

### Lunch on Your Own

12:00 p.m. – 1:15 p.m.

### Associates Committee Meeting

Location: Palm Canyon AB, 2nd Floor

### Capital Improvement Projects

*Karri Ving, San Francisco Public Utilities Commission*

12:00 p.m. – 1:15 p.m.

### Communications Workgroup Meeting

Location: Caliente Room, 2nd Floor

12:00 p.m. – 1:30 p.m.

### CSRMA Executive Board Meeting

Location: Oasis II, 2nd Floor

1:30 p.m. – 4:00 p.m.

### Roundtable Series

Location: Horizon 1 and Foyer, 2nd Floor

1:30 p.m. – 2:30 p.m. Session 1 (13 Table topics)

2:30 p.m. – 3:00 p.m. Networking Break,  
Location: Horizon Foyer

3:00 p.m. – 4:00 p.m. Session 2 (Repeat from Session 1)

4:15 p.m. – 5:15 p.m.

### Federal Legislative Committee Meeting

Location: Palm Canyon AB, 1st Floor

4:15 p.m. – 5:30 p.m.

### CSRMA Board of Directors Meeting

Location: Plaza Ballroom, 1st Floor

5:30 p.m. – 6:30 p.m.

### Icebreaker Reception

Location: Poolside

## Thursday, January 25, 2018

7:30 a.m. – 4:30 p.m.

### Registration

Location: Lobby, 1st Floor

8:00 a.m. – 9:00 a.m.

### CASA Education Foundation Meeting

Location: Hilton Restaurant

8:00 a.m. – 9:00 a.m.

### Utility Leadership Committee Meeting

Location: Plaza Ballroom, 1st Floor

8:00 a.m. – 9:00 a.m.

### Breakfast

Location: Horizon Foyer, 2nd Floor

9:15 a.m. – 11:45 p.m.

### General Session

*Vice President Traci Minamide, Presiding*

Location: Horizon I/II, 2nd Floor

### Water 4.0 – What Does the Future Really Look Like?

#### Keynote Address:

*Dr. David Sedlak, U.C. Berkeley*

### Under Fire: Santa Rosa's Emergency Response

*Ben Horenstein, Santa Rosa Water*

10:45 a.m. – 12:00 p.m.

### Protecting Your Assets

*Moderator: Robert Grantham,  
Santa Margarita Water District*

### Systems Efficiency by Design

*Carrie Mattingly, City of San Luis Obispo*

### Disaster Preparedness

*Vicki Conway, County Sanitation District of Los Angeles*

### Top 10 Cybersecurity Mistakes Water Utilities Make and How to Avoid Them

*Daniel Groves, West Yost Associates*

*Joel Cox, West Yost Associates*

12:00 p.m. – 1:30 p.m.

### Conference Luncheon

Location: Plaza Ballroom, 1st Floor

President's Remarks

Federal Legislative Report

CASA Education Foundation Scholarship Recipient/Update

Sierra Winter, 2017 Scholarship Recipient

2:00 p.m. – 4:00 p.m.

**Afternoon Session**

Location: Horizon Ballroom, 2nd Floor

**Collection Systems – Assessing Current Trends**

Moderator: Paul Causey,  
Central Contra Costa Sanitary District

**CUWA Survey and Study on Impacts from Drought and Conservation**

Wendy Broley, Brown & Caldwell

**The SSS WDR: A Decade in Review and Future Prospects**

Jim Fischer, State Water Board

**Private Sewer Lateral Survey**

Paul Causey, Central Contra Costa Sanitary District

**Implementing California’s Organics Diversion Law: SB 1383**

Moderator: Greg Kester, CASA  
Hank Brady, CalRecycle  
Jackie Zipkin, East Bay Municipal Utilities District

4:30 p.m. – 5:30 p.m.

**Bay Area Biosolids to Energy Coalition Meeting**

Location: Tapestry Room, 1st Floor

5:30 p.m. – 6:30 p.m.

**Associates Reception and Education Foundation Fundraiser**

Location: Plaza Ballroom, 1st Floor



**Make a Difference on Capitol Hill**

Actions speak louder than words. Join your colleagues in the nation’s capital February 26 – 28, 2018 to stand up for citizen suit reform, recycled water funding, and regulatory streamlining. Hear first-hand from members of the California congressional delegation, USEPA and members of the Washington press corps, and have your voice heard.

Registration Now Open:

<https://casaweb.org/events/casa-washington-dc-policy-forum/>

**Friday, January 26, 2018**

8:00 a.m. – 9:30 a.m.

**Breakfast**

Location: Horizon Foyer, 2nd Floor

8:15 a.m. – 9:15 a.m.

**State Legislative Committee Meeting**

Location: Plaza Ballroom, 1st Floor

8:00 a.m. – 11:00 a.m.

**Registration**

Location: Lobby, 1st Floor

9:30 a.m. – 11:00 a.m.

**Closing Session**

President Paul Bushee, Presiding  
Location: Horizon Ballroom, 2nd Floor

**Pensions and Politics**

Speaker: Amy Brown, DiMare Brown Hicks Kessler

**Nonflushables: From Mess to Messaging**

Moderator: Adam Link, CASA

**Defining Flushability Through Standards, Statutes and Lawsuits**

Cynthia Finley, NACWA

**What 2 Flush Campaign**

Jennifer Cabral, Orange County Sanitation District

**CASA 2018 Nonflushables Action Plan**

Adam Link, CASA

**President’s Closing Remarks**

11:00 a.m. – 3:00 p.m.

**Attorneys Committee Meeting**

Location: Plaza Ballroom, 1st Floor

**Upcoming CASA Events**

February 26 – 28, 2018

Washington D.C. Policy Forum  
Washington, D.C.

April 11, 2018

Public Policy Forum  
Sacramento, CA

August 8-10, 2018

63rd Annual Conference  
Monterey, CA



Read your **CASA Connects** newsletter and visit our website for event updates.

# Roundtable Series Schedule

**Horizon Ballroom and Horizon Foyer**  
**Sessions will be Repeated**

**Session 1: 1:30 – 2:30 pm.**  
**Session 2: 3:00 – 4:00 pm.**

Table #	2018 Topics	Facilitator
1	Through the Looking Glass: Are You Transparent Enough?	Sue Stephenson, Dublin San Ramon Services District; Beth Beeman, Irvine Ranch Water District
2	The Wastewater Assets You Can't Operate Without: Reputation and Branding	Angela Lowrey, Delta Diablo; Michelle Powell, Union Sanitary District
3	Is Stormwater Diversion the Next Big Thing?	Melissa Thorme, Downey Brand
4	How to Get Results Out of Your Legislative Meetings (DC & Sac PPF)	Eric Sapirstein, ENS Resources, Inc.; Adam Link, CASA
5	Climate Change Adaptation and NPDES Permits	Sarah Deslauriers, Carollo Engineers
6	Is there a Potable Reuse Partnership in Your Future?	Dave Richardson, Woodard & Curran, Inc.
7	Long-Term Solutions for Biosolids (It's Not Just Disposal!)	Layne Baroldi, Synagro
8	Major Treatment Upgrades – What to Expect When You Have a Contractor In Your Treatment Plant for Two Years	Chris Davenport, The Covello Group, Inc.; Brian Danley, Anchor CM
9	SRF/Leveraging and Streamlining	Greg Swartz, Piper Jaffray
10	Toxicity	Lorien Fono, BACWA
11	Regulatory Hot Topics	Lisa Haney, Orange County Sanitation District
12	Science & Research Workgroup	Karri Ving, San Francisco Public Utilities Commission
13	Microplastics	David Williams, BACWA

## The 2018 CASA Winter Conference has Gone Mobile!

Use the **Guidebook** App and Stay Organized!

**guidebook**

Get the app on your mobile device now, for free.

<https://guidebook.com/g/casawinter18/>

- 1 Visit the above URL on your device
- 2 Tap the "download" button to get the free Guidebook app
- 3 Open Guidebook and look for the guide: **2018 CASA Winter Conference**



## Save the Date

Participate in the **Policy Process in 2018**

April 11th is the one-day joint **CASA/WaterReuse Public Policy Forum** in Sacramento, CA.

Join us in advocating for priority issues with key policymakers and legislators, and get all of the insider details on critical legislative issues of interest. Take action on behalf of your agency in 2018!



# Speaker Profiles



**Hank Brady,  
Calrecycle**

Hank Brady is the SB 1383 Manager for the Department of Resources Recycling and Recovery

(CalRecycle). In this role, Hank oversees CalRecycle's efforts to achieve California's ambitious organic waste recycling targets. Prior to this role Hank worked as the Chief Legislative Consultant for the department. Before joining CalRecycle, he served as a legislative aide in the offices of Assemblymember Marc Levine and State Senator Joe Simitian.



**Wendy Broley,  
Brown &  
Caldwell**

Wendy Broley is a licensed professional engineer with over 14 years

of experience in water and wastewater engineering and operations. As Brown and Caldwell's Water Reuse leader, she works with clients to evaluate alternative water uses and develop diverse and resilient water portfolios.



**Amy Brown,  
DiMare  
Brown  
Hicks  
Kessler**

Amy Brown represents DBHK's clients before the California State

Legislature and Administration and provides consulting services to various local agencies. She is also the Editor and Publisher of the Public Retirement Journal and the PERS Public Agency Coalition Alert – two monthly publications that cover public pension and health care issues, local government employee relations, and industry expert perspectives.

Prior to her work with the firm, Amy was a legislative representative for the League of California Cities, advocating on behalf of all 478 cities in the state in the areas of public retirement, workers' compensation, labor relations, telecommunications, elections, open meetings and records, and conflict of interest issues. During this time, she also served on the Board of Directors of the California Commission on Workers' Compensation (CCWC), an organization actively involved in the 2004 workers' compensation reform package.

While working towards her Master's degree in Public Administration from Cal State Hayward, Amy served as a legislative aide to former Assembly Member Mike Sweeney. She has a Bachelor of Arts degree in Politics from the University of California at Santa Cruz and currently serves on the Board of Directors of the Leadership California Institute.



**Jennifer Cabral,  
Orange  
County  
Sanitation  
District**

Jennifer Cabral is the Public Affairs Supervisor for the

Orange County Sanitation District. Jennifer provides executive counsel and support, strategic planning, and manages marketing communications, community relations, public affairs, legislative and government affairs, branding, stakeholder relationships, event planning and media relations for the district. Jennifer is also involved with strategic planning and leadership development for the agency.

Jennifer has over 15 years of public outreach strategy and wastewater industry background. Her professional experience includes development and implementation of award-winning proactive public participation and community outreach programs.

Jennifer is a graduate of California State University of Long Beach where she earned her Master of Arts degree in Public Policy and Administration and a Bachelor of Arts degree in Communications with a minor in Human Services from California State University of Fullerton (CSUF). She is a member of the CASA Communications Workgroup.

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# Speaker Profiles



**Paul Causey, Central Contra Costa Sanitary District**

Paul Causey is a registered

Professional Engineer with more than 45 years of water and wastewater utility management experience. As owner of Causey Consulting, he has been providing wastewater management services to municipal and special district agencies since 2004. His former positions include General Manager of the Oro Loma Sanitary District, General Manager/District Engineer of the Delta Diablo Sanitation District, Interim District Manager of the Tiburon Sanitary District, and Interim District Manager of the Ross Valley Sanitary District.

Mr. Causey holds a Master of Engineering Degree from U.C. Berkeley and a Bachelor of Science Degree in Mechanical Engineering from Santa Clara University. He is active in several professional organizations, including CASA, the National Association of Clean Water Agencies, the Water Environment Federation, the California Sanitation Risk Management Authority, and the American Water Works Association.



**Victoria Conway, P.E., BCEE, County Sanitation Districts of Los Angeles County**

Vicki Conway has over 30

years of professional experience in the engineering field including over 26 years of experience in the wastewater treatment industry. Vicki currently is Head of the Wastewater Management Department and oversees the operation and maintenance of 11 wastewater treatment plants, 48 pumping plants and approximately 1,400 miles of trunk sewers with an annual operations and maintenance budget of approximately \$200 million. In addition to her operational responsibilities, Vicki oversees the Industrial Waste Section, which regulates approximately 900 Significant Industrial User dischargers into the Sanitation Districts' collection system. She previously was the Assistant Head of the Technical Services Department. In that capacity, she was responsible for the overall administration of treated wastewater compliance, water reclamation, and laboratory and research programs.

Vicki has a Bachelor of Science Degree in Mechanical Engineering and a Master of Science Degree in Civil/Environmental Engineering. She is a registered Mechanical Engineer in California and is a Board Certified Environmental Engineer with the American Academy of Environmental Engineers & Scientists.



**Joel Cox, West Yost**

Joel Cox has 25 years of experience providing a broad range of design and delivery of communications

systems and data center infrastructure with a focus on network communications and cybersecurity. He has served as Project Manager, Subject Matter Expert for the design and implementation of Information Technology (IT) enterprise systems and Operational Technology (OT) to support manufacturing, services and municipal water and wastewater treatment systems.



**Cynthia Finley, NACWA**

Cynthia Finley is Director of Regulatory Affairs at the National Association of Clean Water

Agencies (NACWA), which represents the interests of nearly 300 municipal wastewater utilities. Dr. Finley earned her PhD in civil engineering from the University of Texas at Austin, specializing in the risk-based assessment of contaminated groundwater remediation. She received a MS in civil engineering from the University of Washington and a BS in civil engineering from Texas A&M University.

Prior to joining NACWA, Dr. Finley was an assistant professor in the Department of Civil and Environmental Engineering at the University of Missouri – Columbia, where she worked on international engineering

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education programs and taught courses in risk and reliability, landfill design, and groundwater flow and contamination. She joined NACWA in 2006 and works on regulatory issues related to wet weather management, collection systems, energy, security and emergency preparedness, and pretreatment and pollution prevention.



**Jim Fischer,  
State Water Board**

Mr. Fischer has nearly 30 years of “applied” professional engineering experience in the

public sector. He started his Water Board tenure in 2008 as Statewide SSO Program Manager before moving to the Office of Enforcement to lead the Statewide SSO Enforcement Initiative.

Mr. Fischer currently provides technical assistance, training, and strategic coaching to regional water quality control board clients throughout the state.



**Robb Grantham,  
Santa Margarita Water District**

Robb Grantham is the Assistant General Manager

for the Santa Margarita Water District. Prior to joining the District in 2017, Robb was a management and financial consultant for 17 years, most recently as a Vice President with Carollo Engineers, having led their National Business Solutions Group. Robb is actively involved with several industry associations

and is currently leading the update of the American Water Works Associations’ book titled Water Rates, Fees, and Legal Environment.



**Daniel Groves,  
West Yost**

Daniel Groves has 25 years of experience providing planning, design and

implementation of Operational Technology (OT) systems in the water and wastewater infrastructure. For the past 10 years, Dan has focused on Cybersecurity for OT systems, including system assessments, design and implementation of system improvements to improve system performance and resilience against cyber threats.



**Ben Horenstein,  
Santa Rosa Water District**

Ben Horenstein has been the Director of Santa Rosa Water

since March 2017, responsible for all of the water-related activities for the City of Santa Rosa, including; potable water supply and distribution, storm water and flood control programs, a regional wastewater treatment facility and a complex water recycling program. Mr. Horenstein has approximately 30 years of extensive experience overseeing a wide range of water, wastewater and water recycling programs and activities. Prior to this role, Ben worked for the East Bay

Municipal Utility District (EBMUD) for almost 25 years, most recently as the Director of Wastewater with management oversight of the District’s wastewater treatment and water recycling enterprise functions. Prior to joining EBMUD, Ben worked as a Process Engineer with the City of Los Angeles, working for the Bureau of Sanitation for 5 years.



**Greg Kester,  
CASA**

Greg is CASA’s subject matter expert on matters pertaining to renewable resources. He

manages emerging issues at the local, state and federal level and within the private sector on all biosolids, renewable energy, recycled water, climate change mitigation and related issues.

Greg has been with CASA since 2007. He previously served as the state biosolids coordinator for the Wisconsin Department of Natural Resources, where he represented all states in the nation, by their election, to the USEPA on all biosolids issues.

Greg holds a BS in Civil and Environmental Engineering from the University of Wisconsin and is a registered professional engineer.

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# Speaker Profiles



**Adam Link,  
CASA**

As Director of Government Affairs, Adam leads a variety of legal, regulatory and legislative initiatives for the

association. He regularly works with state and federal regulatory agencies, as well as with members of the California Legislature.

Adam manages the CASA regulatory workgroup water committee and helps develop the association's position on key regulatory issues and policies involving water quality. Adam serves as lead staff for the CASA attorneys committee and point person for CASA's involvement in litigation of significance to the wastewater industry.

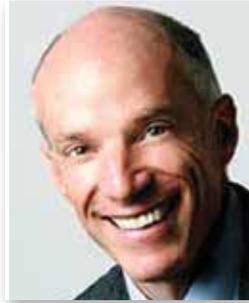
Prior to joining CASA in 2013, Adam was a practicing attorney with the law firm of Somach, Simmons, & Dunn, focusing on water quality, environmental and local government issues. He has also previously worked in the California Legislature and for the business consulting firm Accenture.



**Carrie Mattingly,  
City of San Luis Obispo**

Carrie Mattingly is the Utilities Director for the City of San Luis Obispo. Prior to

her appointment in 2008, she worked in the utility field as an inspector, superintendent, and department director for various public agencies. Carrie has a Bachelor of Science degree in Public Administration from the University of La Verne. She is an avid gardener, and enjoys hiking and playing in the ocean.



**Dr. David Sedlak,  
University of California,  
Berkeley**

Dr. David Sedlak is the Molezemoff Chair Professor of the

Department of Civil and Environmental Engineering at the University of California, Berkeley. His research focuses on fate of chemical contaminants, with the long-term goal of developing cost-effective, safe, and sustainable systems to manage water resources. He is particularly interested in the development of local sources of water. Professor Sedlak's research has addressed water reuse as well as the treatment and use of urban runoff to contaminated groundwater form contaminated industrial sites as water supplies.

In recent years, his research on the fate of wastewater-derived contaminants has received considerable attention. He and his students have studied the fate of hormones, pharmaceuticals, toxic disinfection byproducts and other chemicals. His research team has also studied approaches for remediating contaminated soil and groundwater by in situ chemical oxidation (ISCO) and advanced oxidation processes.

Dr. Sedlak is the author of "Water 4.0", a book that examines the ways in which we can gain insight into current water issues by understanding the history of urban water systems.

He is a graduate of Cornell University and earned his PhD in Water Chemistry at the University of Wisconsin.



**Sierra Winter,  
Student, CEF  
Recipient**

Sierra Winter is a junior environmental science and

management major at University of California, Davis. Sierra has always loved being in nature and first became interested in water systems from a high school science project. Sierra is interning at UC Davis helping graduate students with their research projects. In the future, she plans on earning a PhD and working in water management while doing research.



**Jackie Zipkin,  
East Bay Municipal  
Utility District**

Jackie Zipkin is the Manager of Environmental

Services for East Bay Municipal Utility District in Oakland. Her role includes oversight of the District's Pretreatment, Pollution Prevention, Inflow/Infiltration, and Resource Recovery Programs. Prior to joining the District, Jackie worked as a consultant, assisting water and wastewater agencies with a broad range of issues, including serving as CASA's Climate Change Program Manager from 2009-2011. Jackie served as Chair of CASA's Regulatory Work Group from 2014-2017 and currently serves as Chair of CASA's Air, Climate Change, and Energy Work Group. Jackie holds a B.S. in Civil and Environmental Engineering and an M.S. in Environmental Engineering and Science from Stanford University and is a registered Civil Engineer in California.

# Common Acronyms

<b>ACWA</b>	Assoc of California Water Agencies
<b>ANPRM</b>	Advanced Notice of Proposed Rulemaking
<b>APWA</b>	American Public Works Association
<b>ATCM</b>	Airborne Toxic Control Measure
<b>AWWA</b>	American Water Works Association
<b>BACWA</b>	Bay Area Clean Water Agencies
<b>BOD</b>	Biochemical Oxygen Demand
<b>CAAQS</b>	Calif Ambient Air Quality Standard
<b>CaIARP</b>	Calif Accidental Release Prevention Program
<b>CARB</b>	Calif Air Resources Board
<b>CDFA</b>	Calif Dept of Food & Agriculture
<b>CDO</b>	Cease and Desist Order
<b>CECs</b>	Constituents of Emerging Concern
<b>CEQA</b>	Calif Environmental Quality Act
<b>CFR</b>	Code of Federal Regulations
<b>CMOM</b>	Capacity, Management, Operation and Maintenance
<b>CIWMB</b>	Calif Integrated Waste Management Board
<b>CPUC</b>	Calif Public Utilities Commission
<b>CSO</b>	Combined Sewer Overflow
<b>CTR</b>	California Toxics Rule
<b>CVCWA</b>	Central Valley Clean Water Association
<b>CWA</b>	Clean Water Act
<b>CWAP</b>	Clean Water Action Plan
<b>CWARA</b>	Clean Water Authority Restoration Act
<b>CWEA</b>	Calif Water Environment Association
<b>DHS</b>	Dept of Health Services
<b>DO</b>	Dissolved Oxygen
<b>DTSC</b>	Dept of Toxic Substances Control
<b>EBEP</b>	Enclosed Bays and Estuaries Plan
<b>EDW</b>	Effluent Dominated Waterbody
<b>EIS/EIR</b>	Environmental Impact Statement/Report
<b>EPA</b>	Environmental Protection Agency
<b>ERAF</b>	Educational Reserve Augmentation Fund
<b>ESMP</b>	Electronic Self-Monitoring Report
<b>FOG</b>	Fats, Oils and Grease
<b>GASB</b>	Government Accounting Standards Board
<b>HAP</b>	Hazardous Air Pollutant

<b>ISWP</b>	Inland Surface Waters Plan
<b>JPA</b>	Joint Powers Authority
<b>LA</b>	Load Allocation (non-point sources)
<b>LAFCO</b>	Local Agency Formation Commission
<b>LOCC</b>	League of California Cities
<b>LHC</b>	Little Hoover Commission
<b>MACT</b>	Maximum Achievable Control Technology (air controls)
<b>MCL</b>	Maximum Contaminant Level
<b>MGD</b>	Million Gallons per Day
<b>MMP</b>	Mandatory Minimum Penalty
<b>MOU</b>	Memorandum of Understanding
<b>MUN</b>	Municipal Drinking Water Use
<b>NACWA</b>	National Association of Clean Water Agencies
<b>NAS</b>	National Academy of Sciences'
<b>NGOs</b>	Non Governmental Organizations
<b>NOP</b>	Notice of Preparation
<b>NOX</b>	Nitrogen Oxides
<b>NPDES</b>	Nat'l Pollutant Discharge Elimination System
<b>NPS</b>	Non-Point Source
<b>NRDC</b>	Natural Resources Defense Council
<b>NTR</b>	National Toxics Rule
<b>OMB</b>	Office of Management and Budget
<b>ONRW</b>	Outstanding National Resource Water
<b>PAG</b>	Public Advisory Group
<b>PAHs</b>	Polynuclear Aromatic Hydrocarbons
<b>PCBs</b>	PolyChlorinated Biphenyls
<b>POTWs</b>	Publicly Owned Treatment Works
<b>PPCPs</b>	Pharmaceutical and personal Care Products
<b>PSSEP</b>	Partnership for Sound Science in Environmental Policy
<b>QA/QC</b>	Quality Assurance / Quality Control
<b>Region IX</b>	Western Region of EPA (CA, AZ, NV & HI)
<b>RFP</b>	Request For Proposals
<b>RMP</b>	Risk Management Program
<b>RFQ</b>	Request For Qualifications
<b>RO</b>	Reverse Osmosis
<b>RWQCB</b>	Regional Water Quality Control Board
<b>SCAP</b>	Southern California Alliance of POTWs

<b>SEP</b>	Supplementary Environmental Projects
<b>SERTs</b>	Soluble or Extractable Regulatory Thresholds
<b>SLAPP</b>	Strategic Lawsuit Against Public Participation
<b>SIP</b>	State Implementation Policy (CTR/NTR criteria)
<b>SRF</b>	State Revolving Fund
<b>SS</b>	Suspended Solids
<b>SSO</b>	Sanitary Sewer Overflow
<b>SSMP</b>	Sewer System Management Plan
<b>SWRCB</b>	State Water Resources Control Board
<b>TAC</b>	Toxic Air Contaminant
<b>TCLP</b>	Federal Toxicity Characteristics Leaching Procedure
<b>TDS</b>	Total Dissolved Solids
<b>TMDL</b>	Total Maximum Daily Load
<b>Tri-TAC</b>	Technical Advisory Committee of CASA, CWEA, and LOCC
<b>TSD</b>	Total Solids Dissolved
<b>TSO</b>	Time Schedule Order
<b>TSS</b>	Total Suspended Solids
<b>UPCCAA</b>	Uniform Public Construction Cost Accounting Act
<b>UV</b>	Ultraviolet Treatment
<b>VOCs</b>	Volatile Organic Compounds
<b>WAS</b>	Waste Activated Sludge
<b>WDR</b>	Waste Discharge Requirements
<b>WEF</b>	Water Environment Federation
<b>WERF</b>	Water Environment Research Foundation
<b>WET</b>	Whole Effluent Toxicity or Waste Extraction Test
<b>WESTCAS</b>	Western Coalition of Arid States
<b>WIN</b>	Water Infrastructure Network
<b>WLA</b>	Waste Load Allocation (point sources)
<b>WMI</b>	Watershed Management Initiative
<b>WRFP</b>	Water Recycling Funding Program
<b>WRDA</b>	Water Resource Development Act
<b>WWTP</b>	Wastewater Treatment Plant
<b>WQBEL</b>	Water Quality Based Effluent Limitation
<b>WQS</b>	Water Quality Standards
<b>WWWIFA</b>	Water and Wastewater Infrastructure Financing Agency

## 2018 CASA Board of Directors

### **Paul Bushee**

*President*

**Leucadia Wastewater District**

### **Traci Minamide**

*Vice President*

**City of Los Angeles,  
LA Sanitation**

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Meetings and Membership*

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### **Joyce Gwidt**

*Conference Arrangements*

### **Eric Sapirstein**

*Federal Legislative Advocate*



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# California Association of Sanitation Agencies

## Federal Legislative Committee Agenda

Wednesday, January 24, 2018

4:15 p.m. – 5:15 p.m.

Palm Springs Hilton Hotel

Palm Canyon AB, 2<sup>nd</sup> Floor

### COMMENCEMENT (4:15 – 4:25)

ITEM	PRESENTER
Call to order	Talyon Sortor
Welcome, introductions, roll call	Talyon Sortor
Review/approval of agenda	Talyon Sortor

### A. ISSUE UPDATES (4:25 – 4:45)

	ITEM	PRESENTER	ATTACHMENTS / NEXT STEPS
1.	Congressional Update	Eric Sapirstein	
2.	Tax Reform Recap	Eric Sapirstein / Bobbi Larson	<ul style="list-style-type: none"> <li>Final disposition of SALT, PABs, advanced refunding of municipal bonds, and related issues.</li> </ul>
3.	Infrastructure Policy Outlook	Eric Sapirstein	

### B. PRIORITY ISSUES (4:45 – 5:05)

	ITEM	PRESENTER	ATTACHMENTS / NEXT STEPS
1.	Planning Session Report Out	Adam Link / Talyon Sortor	<ul style="list-style-type: none"> <li>FLC Planning Session Notes and Action Items <b>[attached]</b></li> </ul>
2.	Infrastructure Policy and Financing	Eric Sapirstein / Adam Link	<ul style="list-style-type: none"> <li>Includes continued support for the CWSRF, CASA positioning on P3s, examining position on “new” state-centric WIFIA program <b>[attached]</b>, the Water Infrastructure Loan Act (WILA), positioning on increasing “set-asides” within funding programs, and funding for climate resiliency, water recycling, and projects pertaining to fire-ravaged lands.</li> </ul>
3.	NPDES Permit Term Extension	Adam Link	<ul style="list-style-type: none"> <li>Continued advocacy for extension of NPDES permit terms to 10 years, including potential amendment to be introduced as part of the integrated planning legislation currently pending.</li> </ul>
4.	Regulatory Reform	Eric Sapirstein / Adam Link	<ul style="list-style-type: none"> <li>Includes applicability of memorandum on use of guidance as regulation at federal agencies <b>[attached]</b>, modifications to the SRF allocation formula, and administrative reorganization and streamlining at federal agencies including USEPA.</li> </ul>

### C. ADDITIONAL DISCUSSION ITEMS (5:00 – 5:10)

	ITEM	PRESENTER	NOTES
1.	FY 2018 and 2019 Appropriations	Eric Sapirstein	
2.	Disaster Relief Funding	Eric Sapirstein	Attempts to include use of biosolids in addressing fire ravaged lands as part of relief package.

3.	Energy Bill—Water Softeners	Eric Sapirstein	Monitor development of legislation
4.	Other Regulatory Reform Initiatives	Adam Link / Eric Sapirstein	Track and report on any potential efforts to overturn the Clean Water Rule or modify other statutes (e.g. ESA, NEPA)

**D. INFORMATIONAL ITEMS (5:10 – 5:15)**

	ITEM	PRESENTER	STATUS
1.	Washington D.C. Policy Forum	Eric Sapirstein	February 26-28, 2018 Preliminary Program <b>[attached]</b>

**CLOSING**

Next Meeting	TBD by Conference Call
Adjourn	

**CASA Federal Legislative Committee Planning Meeting  
Action Items and Summary Notes**

At our December 1, 2017 Federal Legislative Committee planning session, the committee identified its federal legislative priorities for the year as well as other issues of interest that we will continue to track on behalf of CASA as Congress prepares for the second session in January. Much of what was discussed as our priorities for 2018 reflected the committee’s 2017 priorities. The committee’s decisions were agreed upon based on the myriad of developments at the federal level over the last year.

The committee identified three high priorities for the year: (1) infrastructure policy and financing; (2) NPDES permit term extensions; and (3) regulatory reform. These items are explored further in the tables below:

<b>Issue Category: Infrastructure Policy &amp; Financing</b>
<b>2018 Action Items and Positions</b>
<ul style="list-style-type: none"> <li>▪ <b>Tax Reform:</b> Continue to advocate for the protection of the state and local tax (SALT) deduction, the protection of municipal bonds, the property tax exemption, and eliminate the “advanced refund” provisions currently in the tax reform package.</li> <li>▪ <b>Clean Water SRF:</b> Continue to advocate for the preservation and enhanced financing of the clean water state revolving loan fund program. Make clear that any additional or innovative funding mechanism should NOT be at the expense of the SRF, which is backbone of wastewater infrastructure financing. Also continue to oppose private entity access to the clean water SRF.</li> <li>▪ <b>P3s:</b> Maintain current position on public private partnerships (P3s), which is that they are acceptable as a discretionary tool when they work, and potentially even acceptable for use in getting other funding preferences, but certainly do not replace the need for existing and new grant and loan funding programs and do not work in many circumstances.</li> <li>▪ <b>WIFIA:</b> Support the WIFIA program generally, and look for potential opportunities to improve program such as increased project percentages (above 49%) and. Also support state-centric WIFIA program so long as it is not at the expense of any other programs.</li> <li>▪ <b>WILA:</b> Closely examine the proposed Water Infrastructure Loan Act (WILA) and the role it may play in future infrastructure policy and funding.</li> <li>▪ <b>Set-Asides:</b> Develop a position or policy principle to cover “set-asides” within funding programs, balancing support for important programs such as disadvantaged communities with the reality that multiple set-asides can undermine funding for core wastewater infrastructure needs.</li> <li>▪ <b>Climate Resiliency Funding:</b> Watch for climate resiliency funding opportunities that may arise in the coming year.</li> <li>▪ <b>Water Recycling:</b> Follow closely the activities of the ad hoc water recycling group led by EMWD and IEUA and assist where appropriate.</li> <li>▪ <b>Fire-Ravaged Lands:</b> Attempt to get biosolids included as eligible material for restoring fire ravaged lands and associated funding opportunities in federal legislation.</li> </ul> <p><b>Note:</b> The highest priority item in this set is increased funding, and specifically maintenance and enhancement of the SRF.</p>

<b>Issue Category: Extension of NPDES Permit Terms</b>
<b>2018 Action Items and Positions</b>
<ul style="list-style-type: none"> <li>▪ CASA will continue to advocate for extension of NPDES permit terms to 10 years. Some of the near-term action items in support of this goal include: <ul style="list-style-type: none"> <li>○ Working with the California State Water Resources Control Board to get a position statement in support of extending permit terms.</li> <li>○ Working with Congressional representatives to get the amendment introduced as part of the integrated planning legislation currently pending.</li> <li>○ Continue working closely with other associations including NACWA and ACWA on gathering support for extended permit terms.</li> </ul> </li> <li>▪ CASA will continue to refine its issue paper and talking points on the need for and merits of ten year permits in response to some of the arguments made during the September, 2017 Congressional hearing on this topic, and will make this a discussion point at the Washington D.C. public policy forum.</li> </ul>

<b>Issue Category: Regulatory Reform</b>
<b>2018 Action Items and Positions</b>
<ul style="list-style-type: none"> <li>▪ <b>Guidance as Regulation:</b> Work to expand the concept in Department of Justice memo curtailing use of guidance as regulation to other federal agencies, including USEPA.</li> <li>▪ <b>Conflict of Interest:</b> Identify opportunities to address conflict of interest rule reform at the administrative level as opposed to via legislation.</li> <li>▪ <b>Allocation Formula:</b> Continue to advocate for changes to the SRF allocation formula consistent with a recent report concluding California deserves a greater share of the overall annual appropriations. Utilize findings in the formula report in other contexts where allocations are distributed by state.</li> <li>▪ <b>Administrative Reorganization:</b> Identify opportunities with the budget process for beneficial administrative reorganization changes, including those identified in letters sent last year in response to Executive Orders.</li> </ul>

Several other issues were brought to the committee’s attention that may be of interest or require some involvement, as identified below:

- **Citizen Suits:** Legislation introduced by Representative Duncan Hunter to address some of the problems with CWA citizen suits is still pending, but is not expected to move forward. Given the viability of that legislation and the committee’s desire to focus on NPDES permit terms, this has been dropped to a second tier-item for 2018.
- **Flushable Wipes and Microplastics:** These are priorities for CASA in the regulatory and state legislative context, but there is little tie. CASA will continue to monitor if opportunities present themselves on these issues at the federal level, but no specific action is needed at this time.
- **Affordability and Integrated Planning:** NACWA has pursued integrated planning and affordability issues in 2017 and continues to do so in 2018. CASA will continue to work with NACWA and support their efforts to the extent they align with our priorities.

## EPA Technical Assistance on SRF WIN Program

It is our understanding that the intent of the legislation is to provide funding for two distinct cohorts of loans for SRF programs. One cohort will have interest rates set at 100% of treasury rates and the other at 80% of treasury rates.

- At 80% of treasury rates the leverage ratio will be approximately 8.5:1
- At 100% of treasury rates the leverage ratio will be approximately 100:1
- If each cohort is fully funded and expended the weighted average leverage ratio will be slightly higher than 50:1

Our understanding of the sliding scale for interest rates is that the language is intended to require all SRFs to borrow at 100% of treasury rates, except for certain states that borrow at no greater than 80%, and no lower than 50% of treasury rates. However, the language as written is not clear and may be interpreted to allow EPA to provide any SRF borrower an interest rate as low as 50% of treasury rates. We recommend amending the language to state that SRFs may borrow from WIFIA at no less than 100% of treasury rates (same as base program), except for certain states that may borrow at interest rates between 50% and 80% of treasury rates.

The following table was provided as technical assistance on 9/25/17. Please note the assumptions used in order to calculate that leverage ratios.

Subsidy Cost Based on Percentage of Treasury Rate:

Percentage of Treasury Rate	50%	75%	80%	90%
Financing Subsidy Cost	\$27,339,299	\$14,523,760	\$11,759,787	\$6,022,716
% Subsidy Cost	27.34%	14.52%	11.76%	6.02%
Leverage Ratio	3.66 to 1	6.89 to 1	8.50 to 1	16.6 to 1

Table assumptions:

- Due to SRF's having a low risk of default, credit subsidy was assumed to be 0. The subsidy costs/percentages are derived solely from our estimation of the financing differential that results from WIFIA borrowing at a higher interest rate than the rate at which WIFIA lends to SRFs.
- The loan amount is assumed to be \$100 million and WIFIA borrows from the treasury at 3.0% and lends to SRFs at 50%, 75%, 80%, and 90% of this rate. Therefore, at 50% of treasury, WIFIA would be lending at 1.50% to SRFs.
- We take the net present value (NPV) of the SRF loan repayments to WIFIA using WIFIA's 3.0% borrowing interest rate.
- The difference in the NPV and the original loan value represents the financing subsidy cost.

# SRF WIN Act

## Securing Required Funding for Water Infrastructure Now Act Section by Section Summary

Sec. 1. Short Title

Sec. 2. Innovative Financing for State Loan Funds

***The Water Infrastructure Finance and Innovation Act (WIFIA) of 2014 is amended:***

### **SEC. 5036. INNOVATIVE FINANCING FOR STATE LOAN FUNDS**

(a) Definition of State Loan Funds to mean Clean Water and Drinking Water State Revolving Funds (SRF).

(b) Authorizes EPA Administrator to provide financial assistance to State infrastructure financing authorities for SRFs to carry out water and wastewater infrastructure projects.

(c) Designates activities eligible for financial assistance as:

- Activities under intended use plans of Clean Water and Drinking Water SRFs.
- Administrative costs.
- Application fees.

(d) Requirements and Procedures of Projects

- **Loan Interest Rate**

- **Track A** – Interest rates on a secured loan under Track A are determined by the Administrator with respect to each loan. The rate cannot be less than 50 percent and not more than 100 percent of the U.S. Treasury rate.
- **Track B** – Interest rates on a loan under Track B are fixed at 80% of U.S. Treasury Rate. States eligible for Track B include:
  - States that received less than 2 percent of the total amount of funds made available to states for State loan funds (SRF dollars) for the most recent fiscal year for which data is available.<sup>1</sup>
  - States in which the President has declared a major disaster during the period between January 1, 2017 and the bill’s enactment, and if the loan is for a project related to wastewater or drinking water infrastructure damaged by the major disaster.

- **Distribution of Loans**

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<sup>1</sup> This percentage of funds is derived from the Drinking Water Infrastructure Needs Survey conducted every 4 years as required by the Safe Drinking Water Act Section 1452(h) to identify the drinking water capital needs in each state.

- Of total amount of funds made available, 50% is provided to Track A and 50% is provided to Track B.
- For any fiscal year, any funds remaining available may be reallocated by the Administrator to meet applicant demand.
- **Certain State Reviews**
  - Projects must comply with any applicable State environmental or engineering reviews. No new or additional reviews are required.
- **Federal Share**
  - Authorizes financial assistance to be used for up to 100% of a project's costs, notwithstanding [section 5029\(b\)\(9\)](#).
- **Total Amount Per State**
  - Establishes a \$5 billion project cap per State for fiscal years 2018 through 2022.

(e) Expedited Review of Applications

- Not later than 180 days after Administrator receives a complete application, the Administrator must provide a written notice to the State infrastructure financing authority approving or denying the project. If denied, an explanation as to why is required.

(f) Funding

- Authorizes \$200 million to be appropriated for each of fiscal years 2018 through 2022, to remain available until expended.
- Establishes sense of Congress that, for each fiscal year, amounts authorized to be appropriated will support \$10 billion under Track A and \$850 million under Track B.<sup>i</sup>
- Authorizes use of up to \$5 million for Administrator administrative costs. These funds may be used to cover application fees and other costs related to processing and reviewing applications.

**No Impact on Other Federal Funding**

- Funding is contingent on SRFs and WIFIA being funded no less than fiscal year 2017 levels.<sup>2</sup>

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<sup>2</sup> A statutory “hold-harmless” provision ensures that states retain the ability to utilize SRF grant funding for subsidies or credit enhancements and ensure that the core WIFIA program remains competitive.

- FY17 WIFIA Funding Level: \$30 million
- FY17 SRF Funding Level: \$2.257 billion<sup>3</sup>

(g) Distribution and Allotment of Funds

- Directs the Administrator to provide financial assistance based on need and to give equal consideration to drinking water projects and wastewater projects.
- Projects are selected based on need, as determined by Administrator, notwithstanding [section 5028\(b\)](#).

**SEC. 5037. SUNSET**

The authority to provide this assistance terminates on September 30, 2022.

The current WIFIA authorization is extended through 2022 and the pilot designation is removed.

EPA shall report to Congress on implementation of the Act.

<sup>i</sup> *EPA Technical Assistance, December 2017*

Percentage of Treasury Rate	50%	75%	80%	90%
Financing Subsidy Cost	\$27,339,299	\$14,523,760	\$11,759,787	\$6,022,716
% Subsidy Cost	27.34%	14.52%	11.76%	6.02%
Leverage Ratio	3.66 to 1	6.89 to 1	8.50 to 1	16.6 to 1

Table assumptions:

- Due to SRF's having a low risk of default, credit subsidy was assumed to be 0. The subsidy costs/percentages are derived solely from our estimation of the financing differential that results from WIFIA borrowing at a higher interest rate than the rate at which WIFIA lends to SRFs.
- The loan amount is assumed to be \$100 million and WIFIA borrows from the treasury at 3.0% and lends to SRFs at 50%, 75%, 80%, and 90% of this rate. Therefore, at 50% of treasury, WIFIA would be lending at 1.50% to SRFs.
- We take the net present value (NPV) of the SRF loan repayments to WIFIA using WIFIA's 3.0% borrowing interest rate.
- The difference in the NPV and the original loan value represents the financing subsidy cost.

<sup>3</sup> \$1.394 billion for clean water SRF capitalization grants. \$863 million for drinking water SRF capitalization grants.

## **Securing Required Funding for Water Infrastructure Now Act (SRF WIN Act)**

### **Why is the SRF WIN Act Necessary?**

- The SRF WIN Act will provide a direct and politically viable path to providing dramatic increases in funding for our nation's State Revolving Fund (SRF) programs that will help address the backlog of long-awaited local infrastructure projects.
- This legislation would allow thousands of vetted water and wastewater projects to receive funding without EPA having to process thousands of additional applications.
- This approach will complement the already successful Water Infrastructure Financing and Innovation Act (WIFIA) program.
- WIFIA has a proven leveraging capacity – the FY17 appropriation of \$25M leveraged \$1.5B in direct loans for water infrastructure – one state (IN) received roughly ¼ of all 2017 WIFIA funding.
- WIFIA has only received a fraction of its authorized funding (\$25 million in FY17)
- WIFIA funding for individual infrastructure projects will continue to remain in place.
- The SRF WIN Act will allow State Infrastructure Authorities to utilize the financing available through WIFIA and the SRF to fund multiple local infrastructure projects at once, compete against other projects for a larger pot of funding, and not be limited by high application fees.
- EPA will be processing fewer applications, but funding more projects in a given year compared to the current WIFIA program.
- There is strong, longstanding, bipartisan, support for the SRF in Congress.
- EPA Budget was cut by 31% by the Administration, however the SRF Programs were fully funded.
- SRF grant funding must be preserved – No funding for this provision will be available in years where Congress fails to fully appropriate SRF grant dollars at FY2017 levels or higher

## LEGISLATIVE COMPONENTS

The objective of this legislation is to build upon the success of the existing Clean Water Act (CWA) and Safe Drinking Water Act (SDWA) in State Revolving Funds in delivering water infrastructure funding to communities of all sizes, through the utilization of the WIFIA financing.

Legislative components of the Securing Required Funding for Water Infrastructure Now Act (SRF WIN Act) include:

- The SRF WIN Act builds on the leveraging concepts in WIFIA to provide a minimum of \$50B in new funds for the existing State Revolving Funds.
- The SRF WIN Act would be a five-year bill that authorizes \$200M each year for a total of \$1B over five years.
- Availability of SRF WIN Act funding is contingent upon an annual appropriation equal to FY17 SRF and WIFIA funding levels, helping guarantee SRF and WIFIA funding.
- Interest rates for SRF WIN Act funds must be attractive to the states – Legislation provides certain states for loans below the Treasury Rate – at a 20% discount (if undersubscribed, EPA has the flexibility to give up to a 50% discount)
- High Fees for State Finance Authorities seeking funds are waived.
- All activities included on CWA and SDWA Intended Use Plan are eligible for funding.
- State Infrastructure Authorities receive an expedited review process of 180 days.
- State Finance Authorities will be able to apply for 100% funding, not the traditional 49/51 split in WIFIA.
- The SRF WIN Act removes “Pilot Designation” from WIFIA.
- Participation in the SRF WIN Act by states will be voluntary.
- The SRF WIN Act will be subject to all existing WIFIA requirements.
- The SRF WIN Act provides for equal consideration of water and wastewater projects.
- Repayment of SRF WIN Act funding would be from the States Finance Authorities and would be governed by the same timeframes and limitations in WIFIA.
- This means no massive rate spikes for rural communities.
- With 35 years to pay the loan back, communities can plan ahead to invest in their infrastructure without citizens seeing their water utility bills skyrocket.

## TALKING POINTS

### **1. Provide leveraged funding, \$50 billion over 5 years in secured loans directly to the 50 State Infrastructure Financing Authorities (existing Clean Water Act (CWA) and Safe Drinking Water Act (SDWA) State Revolving Funds (SRF))**

#### Benefits:

- \$1B in budget authority will result in \$50B of water infrastructure construction - loaned money paid back to Treasury with extremely low risk of default.
- All 50 financing authorities enjoy AAA Bond Rating.
- Federal Government only needs to assess 50 loan applications to provide \$50B.
- State Infrastructure Financing Authorities have the experience and expertise to efficiently distribute funding to thousands of water infrastructure projects.
- States would not need to come up with a match to access leveraged funding that is available. They will be able to apply for 100% funding.
- Program is completely voluntary - State Infrastructure Financing Authorities seek loans at their discretion.

### **2. State Infrastructure Financing Authorities can use the secured loan for all eligible SRF uses, including additional leveraging**

#### Benefits:

- States effectively manage SRF loans - less than 1/2 of 1 percent of all SRF loans are not fully repaid.
- State Infrastructure Financing Authorities (AAA Bond Rating) have an extremely low risk of default on a loan from Treasury.
- State Infrastructure Financing Authorities and the SRFs enjoy strong support among the ultimate consumers of water infrastructure funding, both rural communities and cities.
- State Infrastructure Financing Authorities have thousands of water projects awaiting SRF funding.

**3. State Infrastructure Financing Authorities will repay the loan to Treasury over 35 years (same timeline for loan repayment already established under WIFIA)**

Benefits:

- Loans to states allow the Federal Government to support the construction of significantly more water infrastructure than grants to states.
- Increased water infrastructure construction will generate millions of new jobs (23,000 jobs per billion invested) and billions of new tax revenues for Federal and State Governments.

**4. Ensure continued Federal funding of the SRF Capitalization Grants at current levels**

Benefits:

- Current SRF Loans are extremely effective - local and state governments do not want to see existing SRF funding drained to support new WIFIA-like proposals.
- Ensures that revolving dollars will continue to be available once loans to State Infrastructure Financing Authorities are repaid.

**5. Provide expedited disaster relief**

- State Infrastructure Authorities receive an expedited review process of 180 days.
- States in which the President has declared a major disaster, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, will be eligible for a discount of 20% off the treasury rate.



Office of the Attorney General  
Washington, D. C. 20530

November 16, 2017

MEMORANDUM FOR ALL COMPONENTS

FROM: THE ATTORNEY GENERAL

SUBJECT: Prohibition on Improper Guidance Documents

The Department of Justice has the duty to uphold the laws of the United States and to ensure the fair and impartial administration of justice. Therefore, when the Department engages in regulatory activity, it should model the lawful exercise of regulatory power.

In promulgating regulations, the Department must abide by constitutional principles and follow the rules imposed by Congress and the President. These principles and rules include the fundamental requirement that agencies regulate only within the authority delegated to them by Congress. They also include the Administrative Procedure Act's requirement to use, in most cases, notice-and-comment rulemaking when purporting to create rights or obligations binding on members of the public or the agency. Not only is notice-and-comment rulemaking generally required by law, but it has the benefit of availing agencies of more complete information about a proposed rule's effects than the agency could ascertain on its own, and therefore results in better decision making by regulators.

Not every agency action is required to undergo notice-and-comment rulemaking. For example, agencies may use guidance and similar documents to educate regulated parties through plain-language restatements of existing legal requirements or provide non-binding advice on technical issues through examples or practices to guide the application or interpretation of statutes and regulations. But guidance may not be used as a substitute for rulemaking and may not be used to impose new requirements on entities outside the Executive Branch. Nor should guidance create binding standards by which the Department will determine compliance with existing regulatory or statutory requirements.

It has come to my attention that the Department has in the past published guidance documents—or similar instruments of future effect by other names, such as letters to regulated entities—that effectively bind private parties without undergoing the rulemaking process.

The Department will no longer engage in this practice. Effective immediately, Department components may not issue guidance documents that purport to create rights or obligations binding on persons or entities outside the Executive Branch (including state, local,

and tribal governments). To avoid circumventing the rulemaking process, Department components should adhere to the following principles when issuing guidance documents:

- Guidance documents should identify themselves as guidance, disclaim any force or effect of law, and avoid language suggesting that the public has obligations that go beyond those set forth in the applicable statutes or legislative rules.
- Guidance documents should clearly state that they are not final agency actions, have no legally binding effect on persons or entities outside the federal government, and may be rescinded or modified in the Department's complete discretion.
- Guidance documents should not be used for the purpose of coercing persons or entities outside the federal government into taking any action or refraining from taking any action beyond what is required by the terms of the applicable statute or regulation.
- Guidance documents should not use mandatory language such as "shall," "must," "required," or "requirement" to direct parties outside the federal government to take or refrain from taking action, except when restating—with citations to statutes, regulations, or binding judicial precedent—clear mandates contained in a statute or regulation. In all cases, guidance documents should clearly identify the underlying law that they are explaining.
- To the extent guidance documents set out voluntary standards (e.g., recommended practices), they should clearly state that compliance with those standards is voluntary and that noncompliance will not, in itself, result in any enforcement action.

All components shall implement these principles immediately with respect to all future guidance documents, in consultation with the Office of Legal Policy. Components should also implement these principles consistent with policies issued by the Office of Management and Budget, including its Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007). Furthermore, I direct the Associate Attorney General, as Chair of the Department's Regulatory Reform Task Force, to work with components to identify existing guidance documents that should be repealed, replaced, or modified in light of these principles.

For purposes of this memorandum, guidance documents include any Department statements of general applicability and future effect, whether styled as guidance or otherwise that are designed to advise parties outside the federal Executive Branch about legal rights and obligations falling within the Department's regulatory or enforcement authority. This memorandum does not apply to adjudicatory actions that do not have the aim or effect of binding anyone beyond the parties involved, and it does not address documents informing the public of the Department's enforcement priorities or factors the Department considers in exercising its prosecutorial discretion. Nor does it address internal directives, memoranda, or training materials for

Department personnel directing them on how to carry out their duties, positions taken by the Department in litigation, or advice provided by the Attorney General or the Office of Legal Counsel. This memorandum is an internal Department of Justice policy directed at Department components and employees. As such, it is not intended to, does not, and may not be relied upon to, create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal.



The Honorable Dianne Feinstein  
U.S. Senate  
Washington, D.C. 20515

Dear Senator Feinstein:

The California Association of Sanitation Agencies (CASA) and National Association of Clean Water Agencies (NACWA) write to request your support and leadership on important reforms related to post-wildfire recovery assistance through the Federal Emergency Management Agency's (FEMA) disaster response and recovery programs. We request that these reforms authorize the application of biosolids as an eligible post wildfire activity.

As passed in the House, Section 2004 of Further Additional Supplemental Appropriations for Disaster Relief Requirements, 2017 (H.R. 4667), identifies specific post wildfire mitigation measures that would be deemed eligible under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c), which provides hazard mitigation assistance to reduce future losses due to a natural disaster.

We ask for your support to amend Section 2004, in any final disaster assistance bill, to authorize the application of biosolids as an eligible post wildfire recovery activity to accelerate recovery of burned areas in California and other states.

Recent catastrophic wildfires in California have increased the vulnerability of critical watersheds to severe flooding and erosion. Research conducted by the University of California – Riverside, Colorado State University, Utah State University and the U.S. Environmental Protection Agency (USEPA) demonstrates that application of biosolids can enhance revegetation efforts, minimize water quality impacts, provide erosion control and improve slope stability. Biosolids created from the municipal wastewater treatment process are commonly applied as fertilizer and soil amendment for agricultural purposes throughout the U.S. Biosolids are closely regulated by the USEPA under 40 CFR Part 503 of the Clean Water Act, which dictates strict pollutant limits, management practices, and operational standards, for the final use or disposal of biosolids.

CASA and NACWA believe this change would ensure multiple benefits including the restoration of watersheds, improved water quality, the establishment of vegetation which can serve as a fire break to reduce the severity of future fires, and protect ecosystems and aquatic life.

If you have any questions, please contact Adam Link, CASA Director of Government Affairs at 916-446-0388 or Chris Hornback, NACWA Chief Technical Officer at 202-833-9106. Thank you for your attention to this request.

Sincerely Yours,



Adam Link  
Director of Government Affairs  
California Association of Sanitation Agencies



Chris Hornback  
Chief Technical Officer  
National Association of Clean Water Agencies



# 2018 D.C. POLICY FORUM

February 26– 28, 2018 • The St. Regis Washington, D.C.

[www.casaweb.org](http://www.casaweb.org)

## Preliminary Program and speakers are subject to change

### Monday, February 26, 9:00 a.m. – 5:00 p.m.

Location: Astor Ballroom, Lobby Level

8:30 – 9:15 a.m.

Breakfast

Location: Salon Room

9:15 – 9:30 a.m.

Welcome and Introductions

President Paul Bushee, presiding

9:30 – 10:15 a.m.

Opening Address

Norman Ornstein, Scholar, American Enterprise Institute

10:15 – 11:45 a.m.

Congressional Outlook: Infrastructure Policymaking

**Closed to members of the media.**

- Joe Brown, Professional Staff, Committee on Environment and Public Works, U.S. Senate
- Mae Stevens, Professional Staff, Office of Senator Ben Cardin (D-MD)
- **Ryan Seiger, Counsel, Committee on Transportation & Infrastructure, U.S. House of Representatives (invited)**
- Jonathan Pawlow, Counsel, Subcommittee on Water Resources and Environment, Committee on Transportation and Infrastructure, U.S. House of Representatives

11:45 – 12:15 p.m. Break

12:15 – 1:45 p.m. Luncheon

Speaker: Edward-Isaac Dovere, Chief Washington Correspondent, Politico

1:45 – 3:00 p.m.

U.S. EPA Environmental Actions and Policy Changes

- Andrew Sawyers, Director, Office of Wastewater Management, USEPA
- Deborah Nagle, Director, Office of Science and Technology
- Adam Krantz Chief Executive Officer, NACWA
- **Scott Schlesinger, Legislative Director, NRDC (invited)**

3:00 – 3:45 p.m.

Infrastructure Initiatives for 2018

**Alex Hergott, Council on Environmental Quality, Office of the President (invited)**

5:00 – 6:00 p.m. Networking Session/Dinner on your own

### Tuesday, February 27, 8:00 a.m. – 5:00 p.m.

Location: Andrew Jackson Room, Lower Lobby Level

8:30 – 9:00 a.m. Breakfast

9:00 – 9:15 a.m.

**Congressman Jeff Denham (Invited)**

9:15 – 10:00 a.m.

**David Ross, Assistant Administrator, Office of Water, U.S. EPA (invited)**

10:00 – 10:30 a.m.

Group Preparation for Capitol Hill Visits

11:00 – 5:00 p.m.

Capitol Hill Congressional Visits

6:00 – 8:00 p.m. doors open at 6p.m.

California Water Congressional Reception

**Location: U.S. Botanic Garden Conservatory**

Hosted by: CASA and ACWA

### Wednesday, February 28, 8:00 a.m. – 11:00 a.m.

Location: Astor Ballroom, Lobby Level

8:00 – 9:00 a.m. Closing Breakfast

9:00 – 11:00 a.m.

Joint Session ACWA and CASA

Opening Presentation

The Honorable Dianne Feinstein

11:00 a.m. Adjourn



## State Legislative Committee Agenda

Friday, January 26, 2018

8:15 a.m. – 9:15 a.m.

Palm Springs Hilton  
Plaza Ballroom, 1<sup>st</sup> Floor

### COMMENCEMENT

	Presenter
Call to order	T. Minamide, Chair
Welcome, introductions	T. Minamide, All
Review/approval of agenda	All

### A. 2017 SESSION AND STRATEGIC PLANNING RECAP

	LEGISLATION	DESCRIPTION	LEAD	POSITION/NOTES
1.	AB 574 (Quirk)	Raw water augmentation regulations	B. Larson	
2.	SB 967 (Gloria)	Biocremation regulatory structure	A. Link	▪ Fact Sheet <b>attached</b>
3.	SB 229 (Weickowski) AB 494 (Bloom)	Accessory Dwelling Unit Cleanup	A. Link	▪ Fact Sheet <b>attached</b>
4.	SB 231 (Hertzberg)	Stormwater Financing	A. Link	
5.	Annual December Strategic Planning Session Recap		T. Minamide	▪ Legislative Calendar <b>attached</b>

### B. BUDGET UPDATE & TWO-YEAR BILLS REMAINING

	LEGISLATION	DESCRIPTION	LEAD	POSITION/NOTES
1.	SB 623 (Monning)	Would impose a tax on water and fertilizer to fund safe drinking water.	M. Dillon	
2.	Governor's FY 2018-19 Budget Details	Proposed budget released, cap and trade funds spending plan to come.	M. Dillon	

### C. ANTICIPATED LEGISLATION OF INTEREST IN 2018

	ISSUE	DESCRIPTION	LEAD	POSITION/NOTES
1.	SB 831 (Weickowski)	Further modifications to ADU legislation, including elimination of language in SB 229 and 1069.	A. Link M. Dillon	▪ Bill <b>attached</b> .
2.	CalPERS / SEIU JPA Legislation	SEIU to pursue legislation (at encouragement of CalPERS) that would require public agencies to report public retirement system liabilities of each JPA they participate in as their own liabilities. Likely applies retroactively.	A. Link M. Dillon	▪ CASA Connects Alert ▪ Latest from CSDA
3.	Sales Tax on Wastewater Chemicals Legislation	Possible legislation to change Rev. & Tax Code to clarify wastewater chemicals exempt from sales tax.	A. Link T. Mitchell M. Dillon	

4.	OCSD Contract Advertisement Legislation	Possible legislation to change county sanitation district public contracting requirements for construction procurement to add flexibility.	J. Cabral	
5.	Potential Septic to Sewer Legislation (Hertzberg)	Possible legislation resembling SB 88 water district consolidation approach, but focused on small communities with septic systems, possible funding components and other criteria.	A. Link M. Dillon	
6.	Nonflushables Campaign	CASA Advocacy plans and draft NACWA legislation	A. Link S. Green	<ul style="list-style-type: none"> <li>▪ NACWA developing model legislation, may be slowed due to recent D.C. litigation decision.</li> <li>▪ Task force met recently to scope approach for 2018. Possible pursuit of legislation in 2019.</li> </ul>

#### D. OTHER ISSUES & TOPICS FOR DISCUSSION

	ISSUE	DESCRIPTION	LEAD	POSITION/NOTES
1.	Private Sewer Lateral Study Legislation	Recommendation by Little Hoover Commission (LHC) to conduct state sponsored study on private sewer lateral inspections upon the sale of private property.	A. Link	Recommendation from LHC attached. Not likely to proceed at this time.
3.	Future Meeting Schedule		A. Link	<ul style="list-style-type: none"> <li>▪ Tentative 2018 Meeting Schedule <b>attached.</b></li> </ul>
4.	Joint WaterReuse CA and CASA Sacramento Public Policy Forum	Wednesday, April 11, 2018 Sutter Club	A. Link	

#### CLOSING

Upcoming Events	Next SLC Meeting: March 16, 2018
Adjourn	

# AB 967

## WHAT YOU SHOULD KNOW Licensure/Permitting Requirements for Commercial Biocremation Facilities

### About AB 967

AB 967 (Gloria) was signed by Governor Brown in 2017 and becomes law on January 1, 2018 (*Chapter 846, Statutes of 2017*). The bill authorizes the practice of liquid cremation of human remains. Provisions of the law address the disposal of the alkaline hydrolysis effluent (hydrolysate), which may be hauled-in to a wastewater treatment plant for co-digestion. The bill also alternatively prescribes the conditions for permitting a licensed hydrolysis facility to discharge hydrolysate into the sewer system.

The provisions relating to disposal of hydrolysate, which specifically impact wastewater agencies, are included in the California Business and Professions Code, Section 4. Article 2.7 (commencing with Section 7639).

### Accepting Hydrolysate as Hauled-In Waste For Direct Injection to an Anaerobic Digester

**Acceptance of hydrolysate is voluntary. The decision to accept it as hauled-in waste is at the discretion of each individual wastewater agency. If your agency decides to accept hydrolysate as hauled-in waste, the following conditions must be met:**

- A licensed hydrolysis facility (LHF) must ensure that hydrolysate is transported to the wastewater treatment plant by a state-licensed biomaterials handler.
- A LHF must ensure that hydrolysate is transported to a POTW, licensed industrial anaerobic digestion facility, waste-to-energy, or biomass facility for the beneficial use or disposal of the hydrolysate (via anaerobic digestion).
- If a licensed industrial digestion facility, waste-to-energy, or biomass facility agrees to accept hauled-in hydrolysate from a LHF, and they have an industrial process sewer connection, they must obtain permission to accept the material from the POTW (control agency) who services the disposal facility.

### Acceptance of Hydrolysate Discharges Through the Sewer System

**AB 967 gives explicit discretion to wastewater agencies to either prohibit or allow disposal of hydrolysate via the sewer system based on their community's needs.**

- The acceptance of hydrolysate discharges into the sewer system is voluntary and discretionary. Each agency can determine the appropriateness of these discharges into their systems as they see fit.
- Agencies can prohibit hydrolysate discharges for any reason, including for public perception reasons or other issues outside of the scope of pretreatment program requirements.



**If an agency chooses to authorize this type of discharge, hydrolysate may be disposed of in the sewer system by a LHF if all of the following conditions are met:**

- The entity that provides wastewater treatment and disposal (control agency) to the LHF expressly authorizes the disposal of hydrolysate into the sewer collection system.
- In the case that the LHF is serviced by a collection system that issues discharge permits, authorization from both the collection system and control agency is required.
- A LHF that has secured the necessary permits must comply with all local ordinances, pretreatment requirements, permitting requirements, waste discharge requirements, and all other applicable federal, state, and local laws, ordinances and regulations governing the protection of water quality and public health, the promotion of water recycling, and discharge into the sewer system.
- The LHF must demonstrate compliance as determined by the authorizing agency. At a minimum, the bill requires the LHF to be subject to annual water quality compliance testing. Specific compliance requirements are to be determined by the authorizing agency.

### **Considerations for Your Pretreatment Program**

**While AB 967 was being considered by the Legislature, the funeral industry estimated that between 10-15 commercial biocremation facilities will apply for licensure in 2018. All of these facilities will be seeking authorization to use one of the two available disposal methods.**

- Agencies may wish to review their pretreatment ordinances to address requirements for hydrolysate disposal in their systems.
- Agencies that decide to prohibit these types of discharges into their systems may wish to review and/or revise their pretreatment ordinances to reflect that determination.

# SB 229

## WHAT YOU SHOULD KNOW California's Accessory Dwelling Unit Laws

### What are the new laws?

Two bills designed to address California's housing crisis by making it easier for property owners to build accessory dwelling units (ADUs) have been signed into law. Accessory dwelling units come in many shapes and sizes, but are generally defined as attached or detached residential dwelling units which provide complete independent living facilities for one or more persons. SB 1069 became law this year, and SB 229 was signed by the Governor on October 8, 2017.

### Is my agency affected?

SB 1069 applied to "local agencies", defined as cities and counties. Because SB 1069 was adopted in 2016, the requirements for cities and counties took effect on January 1, 2017. SB 229 expanded the applicability of the relevant provisions to include special districts. This change to incorporate special districts will take effect on January 1, 2018.

### How does this new law impact my agency?

SB 229 and SB 1069 dealt with a wide variety of land use and permitting issues related to the approval of ADUs. However, the provisions that pertain specifically to water and wastewater agencies are found in Government Code section 65852.2(f). These provisions limit the circumstances and manner in which local agencies may charge connection fees or capacity charges to their customers when ADUs are built. More specifically, the legislation creates a dual system of regulating ADUs:

- If the unit is contained within the existing space of a single-family residence or accessory structure (i.e. adds no new square footage), the local agency cannot impose a new connection fee or capacity charge. **(Government Code section 65852.2(f)(2)(A).)**
- For all other ADUs, consistent with [Government Code] Section 66013, the local agency may still: (1) require a new or separate utility connection directly between the accessory dwelling unit and the utility and (2) levy a connection fee or capacity charge that is proportionate to the burden of the proposed accessory dwelling unit, based upon either its size or the number of its plumbing fixtures. This fee or charge shall not exceed the reasonable cost of providing this service. **(Government Code section 65852.2(f)(2)(B).)**

### Are the laws retroactive?

No. As applied to special districts, the law becomes effective January 1, 2018 and applies prospectively to how agencies charge connection fees and capacity charges in future years. No refund of past connection fees or capacity charges was contemplated under this bill.



### **Does this impact how my agency charges for monthly wastewater service?**

No. This bill only deals with the initial collection of connection fees and capacity charges for accessory dwelling units. It does not impact your agency's ability to charge more for ongoing wastewater service to the property with an ADU (consistent with existing law), or impose other requirements not otherwise prohibited under the legislation.

### **What about existing, illegal ADUs?**

The legislation does not specify how to deal with existing ADUs that were not formally approved through appropriate processes. We advise consulting your agency's legal counsel regarding the applicability of this law to existing ADUs if the issue arises.

### **What about Prop 218 and Prop 26?**

The issue of how to comply with these new connection fee/capacity charge requirements while maintaining compliance with Propositions 218 and 26 was not resolved by the legislation, and is highly dependent on local circumstances. Many local agency attorneys have expressed concern that it may be challenging to comply with these new requirements while still meeting the agency's constitutional obligations of proportionality pursuant to Propositions 218 and 26. We advise agencies with questions on this issue to discuss the relationship of this new law to other existing obligations with your agency's legal counsel.

### **Does CASA have any additional resources on this issue?**

Yes. CASA offered a panel on SB 1069 and SB 229 at its annual conference in August of 2017. The presentations featured the perspectives of two attorneys familiar with the new legislation as well as a rate consultant familiar with these matters. These materials are available at <http://casaweb.org/calendar/speaker-presentations>

### **What should my agency do in response to these new requirements?**

As noted above, the answer to this question depends upon your local circumstances. The first step is to consult your legal counsel about your agency's connection fee and capacity charge ordinance or policy to determine whether it is in compliance with the new law.

**2018 TENTATIVE LEGISLATIVE CALENDAR**

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK

Revised 9-20-17

**DEADLINES**

JANUARY							
	S	M	T	W	TH	F	S
Wk. 1		1	2	3	4	5	6
Wk. 2	7	8	9	10	11	12	13
Wk. 3	14	15	16	17	18	19	20
Wk. 4	21	22	23	24	25	26	27
Wk. 1	28	29	30	31			

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 3** Legislature reconvenes (J.R. 51(a)(4)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 12** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house in the odd-numbered year (J.R. 61(b)(1)).
- Jan. 15** Martin Luther King, Jr. Day.
- Jan. 19** Last day for any committee to hear and report to the **Floor** bills introduced in that house in the odd-numbered year. (J.R. 61(b)(2)). Last day to submit **bill requests** to the Office of Legislative Counsel.
- Jan. 31** Last day for each house to pass bills introduced in that house in the odd-numbered year (J.R. 61(b)(3)) (Art. IV, Sec. 10(c)).

FEBRUARY							
	S	M	T	W	TH	F	S
Wk. 1					1	2	3
Wk. 2	4	5	6	7	8	9	10
Wk. 3	11	12	13	14	15	16	17
Wk. 4	18	19	20	21	22	23	24
Wk. 1	25	26	27	28			

- Feb. 16** Last day for bills to be **introduced** (J.R. 61(b)(4), J.R. 54(a)).
- Feb. 19** Presidents' Day.

MARCH							
	S	M	T	W	TH	F	S
Wk. 1					1	2	3
Wk. 2	4	5	6	7	8	9	10
Wk. 3	11	12	13	14	15	16	17
Wk. 4	18	19	20	21	22	23	24
Spring Recess	25	26	27	28	29	30	31

- Mar. 22** **Spring Recess** begins upon adjournment (J.R. 51(b)(1)).
- Mar. 30** Cesar Chavez Day observed.

APRIL							
	S	M	T	W	TH	F	S
Wk. 1	1	2	3	4	5	6	7
Wk. 2	8	9	10	11	12	13	14
Wk. 3	15	16	17	18	19	20	21
Wk. 4	22	23	24	25	26	27	28
Wk. 1	29	30					

- Apr. 2** Legislature reconvenes from Spring Recess (J.R. 51 (b)(1)).
- Apr. 27** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house (J.R. 61(b)(5)).

MAY							
	S	M	T	W	TH	F	S
Wk. 1			1	2	3	4	5
Wk. 2	6	7	8	9	10	11	12
Wk. 3	13	14	15	16	17	18	19
Wk. 4	20	21	22	23	24	25	26
No Hrgs.	27	28	29	30	31		

- May 11** Last day for **policy committees** to hear and report to the Floor **nonfiscal** bills introduced in their house (J.R. 61(b)(6)).
- May 18** Last day for **policy committees** to meet prior to June 4 (J.R. 61(b)(7)).
- May 25** Last day for **fiscal committees** to hear and report to the **Floor** bills introduced in their house (J.R. 61 (b)(8)). Last day for **fiscal committees** to meet prior to June 4 (J.R. 61 (b)(9)).
- May 28** Memorial Day.
- May 29 – June 1** **Floor session only.** No committee may meet for any purpose except for Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(10)).

\*Holiday schedule subject to final approval by Rules Committee.

**2018 TENTATIVE LEGISLATIVE CALENDAR**  
 COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK  
 Revised 9-20-17

JUNE							
	S	M	T	W	TH	F	S
No Hrgs.						1	2
Wk. 1	3	4	5	6	7	8	9
Wk. 2	10	11	12	13	14	15	16
Wk. 3	17	18	19	20	21	22	23
Wk. 4	24	25	26	27	28	29	30

- June 1** Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).
- June 4** Committee meetings may resume (J.R. 61(b)(12)).
- June 15** Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)).
- June 28** Last day for a legislative measure to qualify for the Nov. 6 General Election ballot. (Elec. Code Sec. 9040)
- June 29** Last day for **policy committees** to hear and report **fiscal bills** to fiscal committees (J.R. 61(b)(13)).

JULY							
	S	M	T	W	TH	F	S
Wk. 1	1	2	3	4	5	6	7
Summer Recess	8	9	10	11	12	13	14
Summer Recess	15	16	17	18	19	20	21
Summer Recess	22	23	24	25	26	27	28
Summer Recess	29	30	31				

- July 4** Independence Day.
- July 6** Last day for **policy committees** to meet and report bills (J.R. 61(b)(14)). **Summer Recess** begins on adjournment, provided Budget Bill has been passed (J.R. 51(b)(2)).

AUGUST							
	S	M	T	W	TH	F	S
Summer Recess				1	2	3	4
Wk. 2	5	6	7	8	9	10	11
Wk. 3	12	13	14	15	16	17	18
No Hrgs.	19	20	21	22	23	24	25
No Hrgs.	26	27	28	29	30	31	

- Aug. 6** Legislature reconvenes from Summer Recess (J.R. 51(b)(2)).
- Aug. 17** Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(15)).
- Aug. 20 – 31** **Floor session only.** No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(16)).
- Aug. 24** Last day to **amend** on Floor (J.R. 61(b)(17)).
- Aug. 31** Last day for each house to pass bills (Art. IV, Sec 10(c), J.R. 61(b)(18)). **Final Recess** begins on adjournment (J.R. 51(b)(3)).

**IMPORTANT DATES OCCURRING DURING FINAL RECESS**

**2018**

- Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec.10(b)(2)).
- Oct. 1 Bills enacted on or before this date take effect January 1, 2019 (Art. IV, Sec. 8(c)).
- Nov. 6 General Election.
- Nov. 30 Adjournment *sine die* at midnight (Art. IV, Sec. 3(a)).
- Dec. 3 2019-20 Regular Session convenes for Organizational Session at 12 noon (Art. IV, Sec. 3(a)).

**2019**

- Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

\*Holiday schedule subject to final approval by Rules Committee.

**Introduced by Senator Wieckowski**January 4, 2018

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An act to amend Sections 65852.2 and 65852.22 of, and to add and repeal Section 65852.23 of, the Government Code, relating to land use.

## LEGISLATIVE COUNSEL'S DIGEST

SB 831, as introduced, Wieckowski. Land use: accessory dwelling units.

The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of accessory dwelling units in single-family and multifamily residential zones and sets forth standards the ordinance is required to impose, including, among others, maximum unit size, parking, and height standards. Existing law authorizes a local agency, special district, or water corporation to require a new or separate utility connection between the accessory dwelling unit and the utility and authorizes a fee to be charged, except as specified. Existing law requires a local agency to submit an ordinance adopted for the creation of accessory dwelling units to the Department of Housing and Community Development and authorizes the department to review and comment on the ordinance.

This bill would delete the requirement that the area be zoned to allow single-family or multifamily use. The bill would specify that if a local agency does not act on an application for a accessory dwelling unit within 120 days, then the application shall be deemed approved. The bill would specify that an accessory dwelling unit shall not be considered to exceed the allowable floor-to-area lot ratio upon which the accessory dwelling unit is located and would prohibit a local agency from requiring offstreet parking spaces be replaced when a garage, carport, or covered parking structure is demolished or converted in conjunction with the

construction of an accessory dwelling unit. The bill would delete provisions authorizing a local agency, special district, or water corporation to require an applicant to install a separate utility connection for the accessory dwelling unit and would state that an accessory dwelling unit shall not be considered a new residential use for purposes of calculating fees and shall not be subject to impact fees, connection fees, capacity charges, or any other fees levied by those entities. The bill would authorize the department, upon submission of an adopted ordinance for the creation of accessory dwelling units, to submit written findings to the local agency regarding whether the ordinance complies with statutory provisions. The bill would authorize the department to adopt guidelines to implement uniform standards or criteria to supplement or clarify the terms, references, or standards set forth in statute and would exempt the adoption of those guidelines from the Administrative Procedure Act. The bill would also specify the applicable building code standards for accessory dwelling units constructed before January 1, 2018.

Existing law authorizes a local agency to provide by ordinance for the creation of junior accessory dwelling units in single-family residential zones.

This bill would instead require a local agency to do so. By increasing the duties of local agencies with respect to land use regulations, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 65852.2 of the Government Code is  
2 amended to read:  
3 65852.2. (a) (1) A local agency may, by ordinance, provide  
4 for the creation of accessory dwelling units in areas zoned to allow

1 ~~single-family or multifamily use.~~ *units*. The ordinance shall do all  
2 of the following:

3 (A) Designate areas within the jurisdiction of the local agency  
4 where accessory dwelling units may be permitted. The designation  
5 of areas may be based on criteria that may include, but are not  
6 limited to, the adequacy of water and sewer services and the impact  
7 of accessory dwelling units on traffic flow and public safety.

8 (B) (i) Impose standards on accessory dwelling units that  
9 include, but are not limited to, parking, height, setback, lot  
10 coverage, landscape, architectural review, maximum size of a unit,  
11 and standards that prevent adverse impacts on any real property  
12 that is listed in the California Register of Historic Places.

13 (ii) Notwithstanding clause (i), a local agency may reduce or  
14 eliminate parking requirements for any accessory dwelling unit  
15 located within its jurisdiction.

16 (C) Provide that accessory dwelling units do not exceed the  
17 allowable density for the lot upon which the accessory dwelling  
18 unit is located, and that accessory dwelling units are a residential  
19 use that is consistent with the existing general plan and zoning  
20 designation for the lot. *An accessory dwelling unit shall not be*  
21 *considered to exceed the allowable floor-to -area ratio for the lot*  
22 *upon which the accessory dwelling unit is located.*

23 (D) Require the accessory dwelling units to comply with all of  
24 the following:

25 (i) The unit may be rented separate from the primary residence,  
26 buy may not be sold or otherwise conveyed separate from the  
27 primary residence.

28 ~~(ii) The lot is zoned to allow single-family or multifamily use~~  
29 ~~and~~ includes a proposed or existing single-family dwelling.

30 (iii) The accessory dwelling unit is either attached or located  
31 within the *proposed or existing* living area of the proposed or  
32 existing primary dwelling *or accessory structure* or detached from  
33 the proposed or existing primary dwelling and located on the same  
34 lot as the proposed or existing primary dwelling.

35 (iv) The total area of floorspace of an attached accessory  
36 dwelling unit shall not exceed 50 percent of the proposed or  
37 existing primary dwelling living area or 1,200 square feet.

38 (v) The total area of floorspace for a detached accessory  
39 dwelling unit shall not exceed 1,200 square feet.

- 1 (vi) No passageway shall be required in conjunction with the  
2 construction of an accessory dwelling unit.
- 3 (vii) No setback shall be required for an existing ~~garage living~~  
4 ~~area or accessory structure~~ that is converted to an accessory  
5 dwelling unit or to a portion of an accessory dwelling unit, and a  
6 setback of no more than five feet from the side and rear lot lines  
7 shall be required for an accessory dwelling unit that is constructed  
8 ~~above a garage: unit.~~
- 9 (viii) Local building code requirements that apply to detached  
10 dwellings, as appropriate.
- 11 (ix) Approval by the local health officer where a private sewage  
12 disposal system is being used, if required.
- 13 (x) (I) Parking requirements for accessory dwelling units shall  
14 not exceed one parking space per unit or per bedroom, whichever  
15 is less. These spaces may be provided as tandem parking on a  
16 driveway.
- 17 (II) Offstreet parking shall be permitted in setback areas in  
18 locations determined by the local agency or through tandem  
19 parking, unless specific findings are made that parking in setback  
20 areas or tandem parking is not feasible based upon specific site or  
21 regional topographical or fire and life safety conditions.
- 22 (III) This clause shall not apply to a unit that is described in  
23 subdivision (d).
- 24 (xi) When a garage, carport, or covered parking structure is  
25 demolished in conjunction with the construction of an accessory  
26 dwelling unit or converted to an accessory dwelling unit, ~~and the~~  
27 ~~a local agency requires shall not require~~ that those offstreet parking  
28 spaces be replaced, the replacement spaces may be located in any  
29 configuration on the same lot as the accessory dwelling unit,  
30 including, but not limited to, as covered spaces, uncovered spaces,  
31 or tandem spaces, or by the use of mechanical automobile parking  
32 lifts. This clause shall not apply to a unit that is described in  
33 subdivision (d). ~~replaced.~~
- 34 (2) The ordinance shall not be considered in the application of  
35 any local ordinance, policy, or program to limit residential growth.
- 36 (3) ~~When a local agency receives its first application on or after~~  
37 ~~July 1, 2003, for a permit pursuant to this subdivision, the A permit~~  
38 ~~application for an accessory dwelling unit~~ shall be considered  
39 ministerially without discretionary review or a hearing,  
40 notwithstanding Section 65901 or 65906 or any local ordinance

1 regulating the issuance of variances or special use permits, within  
2 120 days after receiving the application. *If the local agency has*  
3 *not acted upon the submitted application with 120 days, the*  
4 *application shall be deemed approved.* A local agency may charge  
5 a fee to reimburse it for costs that it incurs as a result of  
6 amendments to this paragraph enacted during the 2001–02 Regular  
7 Session of the Legislature, including the costs of adopting or  
8 amending any ordinance that provides for the creation of an  
9 accessory dwelling unit.

10 (4) An existing ordinance governing the creation of an accessory  
11 dwelling unit by a local agency or an accessory dwelling ordinance  
12 adopted by a local agency ~~subsequent to the effective date of the~~  
13 ~~act adding this paragraph~~ shall provide an approval process that  
14 includes only ministerial provisions for the approval of accessory  
15 dwelling units and shall not include any discretionary processes,  
16 provisions, or requirements for those units, except as otherwise  
17 provided in this subdivision. In the event that a local agency has  
18 an existing accessory dwelling unit ordinance that fails to meet  
19 the requirements of this subdivision, that ordinance shall be null  
20 and void ~~upon the effective date of the act adding this paragraph~~  
21 and that agency shall thereafter apply the standards established in  
22 this subdivision for the approval of accessory dwelling units, unless  
23 and until the agency adopts an ordinance that complies with this  
24 section.

25 (5) No other local ordinance, policy, or regulation shall be the  
26 basis for the denial of a building permit or a use permit under this  
27 subdivision.

28 (6) This subdivision establishes the maximum standards that  
29 local agencies shall use to evaluate a proposed accessory dwelling  
30 unit on a lot zoned for residential use that includes a proposed or  
31 existing single-family dwelling. No additional standards, other  
32 than those provided in this subdivision, shall be utilized or imposed,  
33 except that a local agency may require an applicant for a permit  
34 issued pursuant to this subdivision to be an owner-occupant or that  
35 the property be used for rentals of terms longer than 30 days.

36 (7) A local agency may amend its zoning ordinance or general  
37 plan to incorporate the policies, procedures, or other provisions  
38 applicable to the creation of an accessory dwelling unit if these  
39 provisions are consistent with the limitations of this subdivision.

1 (8) An accessory dwelling unit that conforms to this subdivision  
2 shall be deemed to be an accessory use or an accessory building  
3 and shall not be considered to exceed the allowable density for the  
4 lot upon which it is located, and shall be deemed to be a residential  
5 use that is consistent with the existing general plan and zoning  
6 designations for the lot. The accessory dwelling unit shall not be  
7 considered in the application of any local ordinance, policy, or  
8 program to limit residential growth.

9 (b) When a local agency that has not adopted an ordinance  
10 governing accessory dwelling units in accordance with subdivision  
11 (a) receives an application for a permit to create an accessory  
12 dwelling unit pursuant to this subdivision, the local agency shall  
13 approve or disapprove the application ministerially without  
14 discretionary review pursuant to subdivision (a) within 120 days  
15 after receiving the application. *If the local agency has not acted*  
16 *upon the submitted application within 120 days, it shall be deemed*  
17 *approved.*

18 (c) A local agency may establish minimum and maximum unit  
19 size requirements for both attached and detached accessory  
20 dwelling units. No minimum or maximum size for an accessory  
21 dwelling unit, or size based upon a percentage of the proposed or  
22 existing primary dwelling, shall be established by ordinance for  
23 either attached or detached dwellings that does not permit at least  
24 an efficiency unit to be constructed in compliance with local  
25 development standards. Accessory dwelling units shall not be  
26 required to provide fire sprinklers if they are not required for the  
27 primary residence.

28 (d) Notwithstanding any other law, a local agency, whether or  
29 not it has adopted an ordinance governing accessory dwelling units  
30 in accordance with subdivision (a), shall not impose parking  
31 standards for an accessory dwelling unit in any of the following  
32 instances:

33 (1) The accessory dwelling unit is located within one-half mile  
34 of public transit.

35 (2) The accessory dwelling unit is located within an  
36 architecturally and historically significant historic district.

37 (3) The accessory dwelling unit is part of the proposed or  
38 existing primary residence or an accessory structure.

39 (4) When on-street parking permits are required but not offered  
40 to the occupant of the accessory dwelling unit.

1 (5) When there is a car share vehicle located within one block  
2 of the accessory dwelling unit.

3 (e) Notwithstanding subdivisions (a) to (d), inclusive, a local  
4 agency shall ministerially approve an application for a building  
5 permit to create ~~within a zone for single-family use~~ one accessory  
6 dwelling unit ~~per single-family~~ lot if the unit is contained within  
7 the existing space of a single-family residence or accessory  
8 structure, including, but not limited to, a studio, pool house, or  
9 other similar structure, has independent exterior access from the  
10 existing residence, and the side and rear setbacks are sufficient for  
11 fire safety. Accessory dwelling units shall not be required to  
12 provide fire sprinklers if they are not required for the primary  
13 residence. A city may require owner occupancy for either the  
14 primary or the accessory dwelling unit created through this process.

15 ~~(f) (1) Fees charged for the construction of accessory dwelling~~  
16 ~~units shall be determined in accordance with Chapter 5~~  
17 ~~(commencing with Section 66000) and Chapter 7 (commencing~~  
18 ~~with Section 66012).~~

19 *(f) A local agency shall not implement standards for minimum*  
20 *lot size requirements for accessory dwelling units and shall allow*  
21 *for the construction of an accessory dwelling unit that complies*  
22 *with this section on any lot that allows for construction of a home,*  
23 *unless specific findings are made by the local agency that the*  
24 *construction of the unit would adversely impact public safety.*

25 ~~(2) Accessory~~

26 *(g) An accessory dwelling unit shall not be considered by*  
27 *a local agency, school district, special district, or water corporation*  
28 *to be a new residential use for the purposes of calculating*  
29 *connection fees or capacity charges for utilities, including water*  
30 *and sewer service. fees.*

31 ~~(A) For an accessory dwelling unit described in subdivision (c),~~  
32 ~~a local agency, special district, or water corporation shall not~~  
33 ~~require the applicant to install a new or separate utility connection~~  
34 ~~directly between the accessory dwelling unit and the utility or~~  
35 ~~impose a related connection fee or capacity charge.~~

36 ~~(B) For an accessory dwelling unit that is not described in~~  
37 ~~subdivision (c), a local agency, special district, or water corporation~~  
38 ~~may require a new or separate utility connection directly between~~  
39 ~~the accessory dwelling unit and the utility. Consistent with Section~~  
40 ~~66013, the connection may be subject to a connection fee or~~

1 capacity charge that shall be proportionate to the burden of the  
 2 proposed accessory dwelling unit, based upon either its size or the  
 3 number of its plumbing fixtures, upon the water or sewer system.  
 4 This fee or charge shall not exceed the reasonable cost of providing  
 5 this service.

6 (h) *An accessory dwelling unit permitted pursuant to this section*  
 7 *shall not be subject to impact fees, connection fees, capacity*  
 8 *charges, or any other fees levied by a local agency, school district,*  
 9 *special district, or water corporation.*

10 ~~(g)~~

11 (i) This section does not limit the authority of local agencies to  
 12 adopt less restrictive requirements for the creation of an accessory  
 13 dwelling unit.

14 ~~(h) Local agencies~~

15 (j) *A local agency shall submit a copy of the ordinance adopted*  
 16 *pursuant to subdivision (a) to the Department of Housing and*  
 17 *Community Development within 60 days after adoption. The*  
 18 ~~*department may review and comment on this submitted ordinance.*~~  
 19 *After adoption of an ordinance, the department may submit written*  
 20 *findings to the local agency as to whether the ordinance complies*  
 21 *with this section. If the department finds that the local agency's*  
 22 *ordinance does not comply with this section, the department shall*  
 23 *notify the local agency and may notify the office of the Attorney*  
 24 *General that the local agency is in violation of state law. The local*  
 25 *agency shall consider findings made by the department and may*  
 26 *change the ordinance to comply with this section or adopt the*  
 27 *ordinance without changes. The legislative body shall include*  
 28 *findings in its resolution adopting the ordinance that explain the*  
 29 *reasons the legislative body believes the ordinance complies with*  
 30 *this section despite the findings of the department.*

31 (k) *The department may review, adopt, amend, or repeal*  
 32 *guidelines to implement uniform standards or criteria that*  
 33 *supplement or clarify the terms, references, and standards set forth*  
 34 *in this section. The guidelines adopted pursuant to this subdivision*  
 35 *are not subject to Chapter 3.5 (commencing with Section 11340)*  
 36 *of Part 1 of Division 3 of Title 2.*

37 ~~(i)~~

38 (l) As used in this section, the following terms mean:

1 (1) “Living area” means the interior habitable area of a dwelling  
2 unit including basements and attics but does not include a garage  
3 or any accessory structure.

4 (2) “Local agency” means a city, county, or city and county,  
5 whether general law or chartered.

6 (3) For purposes of this section, “neighborhood” has the same  
7 meaning as set forth in Section 65589.5.

8 (4) “Accessory dwelling unit” means an attached or a detached  
9 residential dwelling unit which provides complete independent  
10 living facilities for one or more persons. It shall include permanent  
11 provisions for living, sleeping, eating, cooking, and sanitation on  
12 the same parcel as the single-family dwelling is situated. An  
13 accessory dwelling unit also includes the following:

14 (A) An efficiency unit, as defined in Section 17958.1 of the  
15 Health and Safety Code.

16 (B) A manufactured home, as defined in Section 18007 of the  
17 Health and Safety Code.

18 (5) “Passageway” means a pathway that is unobstructed clear  
19 to the sky and extends from a street to one entrance of the accessory  
20 dwelling unit.

21 (6) “Public transit” means buses, trains, subways, and other  
22 forms of transportation that charge set fares, run on fixed routes,  
23 and are available to the public.

24 ~~(6)~~

25 (7) “Tandem parking” means that two or more automobiles are  
26 parked on a driveway or in any other location on a lot, lined up  
27 behind one another.

28 ~~(j)~~

29 (m) Nothing in this section shall be construed to supersede or  
30 in any way alter or lessen the effect or application of the California  
31 Coastal Act of 1976 (Division 20 (commencing with Section  
32 30000) of the Public Resources Code), except that the local  
33 government shall not be required to hold public hearings for coastal  
34 development permit applications for accessory dwelling units.

35 SEC. 2. Section 65852.22 of the Government Code is amended  
36 to read:

37 65852.22. (a) Notwithstanding Section 65852.2, a local agency  
38 ~~may~~, shall, by ordinance, provide for the creation of junior  
39 accessory dwelling units in single-family residential zones. The

1 ordinance may require a permit to be obtained for the creation of  
2 a junior accessory dwelling unit, and shall do all of the following:

3 (1) Limit the number of junior accessory dwelling units to one  
4 per residential lot zoned for single-family residences with a  
5 single-family residence already built on the lot.

6 (2) Require owner-occupancy in the single-family residence in  
7 which the junior accessory dwelling unit will be permitted. The  
8 owner may reside in either the remaining portion of the structure  
9 or the newly created junior accessory dwelling unit.  
10 Owner-occupancy shall not be required if the owner is another  
11 governmental agency, land trust, or housing organization.

12 (3) Require the recordation of a deed restriction, which shall  
13 run with the land, shall be filed with the permitting agency, and  
14 shall include both of the following:

15 (A) A prohibition on the sale of the junior accessory dwelling  
16 unit separate from the sale of the single-family residence, including  
17 a statement that the deed restriction may be enforced against future  
18 purchasers.

19 (B) A restriction on the size and attributes of the junior accessory  
20 dwelling unit that conforms with this section.

21 (4) Require a permitted junior accessory dwelling unit to be  
22 constructed within the existing walls of the structure, and require  
23 the inclusion of an existing bedroom.

24 (5) Require a permitted junior accessory dwelling to include a  
25 separate entrance from the main entrance to the structure, with an  
26 interior entry to the main living area. A permitted junior accessory  
27 dwelling may include a second interior doorway for sound  
28 attenuation.

29 (6) Require the permitted junior accessory dwelling unit to  
30 include an efficiency kitchen, which shall include all of the  
31 following:

32 (A) A sink with a maximum waste line diameter of 1.5 inches.

33 (B) A cooking facility with appliances that do not require  
34 electrical service greater than 120 volts, or natural or propane gas.

35 (C) A food preparation counter and storage cabinets that are of  
36 reasonable size in relation to the size of the junior accessory  
37 dwelling unit.

38 (b) (1) An ordinance shall not require additional parking as a  
39 condition to grant a permit.

1 (2) This subdivision shall not be interpreted to prohibit the  
2 requirement of an inspection, including the imposition of a fee for  
3 that inspection, to determine whether the junior accessory dwelling  
4 unit is in compliance with applicable building standards.

5 (c) An application for a permit pursuant to this section shall,  
6 notwithstanding Section 65901 or 65906 or any local ordinance  
7 regulating the issuance of variances or special use permits, be  
8 considered ministerially, without discretionary review or a hearing.  
9 A permit shall be issued within 120 days of submission of an  
10 application for a permit pursuant to this section. A local agency  
11 may charge a fee to reimburse the local agency for costs incurred  
12 in connection with the issuance of a permit pursuant to this section.

13 (d) For the purposes of any fire or life protection ordinance or  
14 regulation, a junior accessory dwelling unit shall not be considered  
15 a separate or new dwelling unit. This section shall not be construed  
16 to prohibit a city, county, city and county, or other local public  
17 entity from adopting an ordinance or regulation relating to fire and  
18 life protection requirements within a single-family residence that  
19 contains a junior accessory dwelling unit so long as the ordinance  
20 or regulation applies uniformly to all single-family residences  
21 within the zone regardless of whether the single-family residence  
22 includes a junior accessory dwelling unit or not.

23 (e) For the purposes of providing service for water, sewer, or  
24 power, including a connection fee, a junior accessory dwelling  
25 unit shall not be considered a separate or new dwelling unit.

26 (f) This section shall not be construed to prohibit a local agency  
27 from adopting an ordinance or regulation, related to parking or a  
28 service or a connection fee for water, sewer, or power, that applies  
29 to a single-family residence that contains a junior accessory  
30 dwelling unit, so long as that ordinance or regulation applies  
31 uniformly to all single-family residences regardless of whether the  
32 single-family residence includes a junior accessory dwelling unit.

33 (g) For purposes of this section, the following terms have the  
34 following meanings:

35 (1) “Junior accessory dwelling unit” means a unit that is no  
36 more than 500 square feet in size and contained entirely within an  
37 existing single-family structure. A junior accessory dwelling unit  
38 may include separate sanitation facilities, or may share sanitation  
39 facilities with the existing structure.

1 (2) “Local agency” means a city, county, or city and county,  
2 whether general law or chartered.

3 SEC. 3. Section 65852.23 is added to the Government Code,  
4 immediately following Section 65852.22, to read:

5 65852.23. (a) As used in this section, the following definitions  
6 apply:

7 (1) “Accessory dwelling unit” is defined as in Section 65852.2.

8 (2) “Building code” includes, but is not limited to, a local  
9 building code, the California Building Standards Code, or the  
10 International Building Code.

11 (3) “Local agency” is defined as in Section 65852.2.

12 (4) “Primary home” means the home on the same lot as the  
13 accessory dwelling unit.

14 (b) A local building official shall permit an accessory dwelling  
15 unit constructed before January 1, 2018, using the building code  
16 standards operative at the time the primary home was constructed.  
17 However, if the primary home was constructed before January 1,  
18 2007, an accessory dwelling unit constructed before January 1,  
19 2018, shall be subject to the building code standards operative on  
20 January 1, 2007.

21 (c) This section shall remain in effect only until January 1, 2026,  
22 and as of that date is repealed.

23 SEC. 4. If the Commission on State Mandates determines that  
24 this act contains costs mandated by the state, reimbursement to  
25 local agencies and school districts for those costs shall be made  
26 pursuant to Part 7 (commencing with Section 17500) of Division  
27 4 of Title 2 of the Government Code.

O



California Association of Sanitation Agencies



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## Legislative & Regulatory Updates

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### Legislative & Regulatory Updates

#### Potential Joint Powers Pension Legislation on the Horizon

The CalPERS Board is reviewing a proposal to sponsor JPA pension liability legislation. The proposed legislation will require public agencies to report public retirement system liabilities of each JPA they participate in as their own liabilities on their agency’s balance sheets. This retroactive proposal will be a significant departure from current law and would unilaterally change existing contract agreements. If CalPERS adopts the proposal, we will track this issue closely during the 2018 legislative session. We will voice our concerns alongside the California Special Districts Association and other organizations.

Specifically, the proposal will (1) attach joint and several liability to new and current JPAs for all unfunded pension liabilities for any public retirement system; and (2) allow a private right of action from a CalPERS active or retiree member, or a member of the CalPERS Board of Directors, against any local agency that is party to the JPA to seek damages for unfunded liabilities as well as attorney’s fees.

The California Special Districts Association has already expressed serious concerns to the CalPERS Board about this potential legislation. CSDA emphasized to the board that this legislation could detrimentally impact the credit ratings of local public agencies as well as their ability to bond for infrastructure improvements.



#### Share Your Input on Regulation and Technology Implementation

The U.S. EPA is seeking perspectives of utility managers and decision makers on the effects of regulation on new technology implementation in the wastewater treatment sector. Take this short survey to share your input. The findings will help the EPA and other regulatory agencies structure their practices and policies to facilitate innovation.

[Take the survey.](#)

By [Cheryl MacKelvie](#) | November 13th, 2017 | [Blog](#) | [Comments Off](#)

Share This Story, Choose Your Platform!



@CASA\_CleanWater

This Saturday @UCBerkeley School of Law will host the 14th annual water law symposium, "What's Coming Down the Pipeline? The Future of California's Water Infrastructure." It's not too late to attend. Register today. [waterlawsymposium2018.com/reg...](http://waterlawsymposium2018.com/reg...)

About 2 days ago from CASA\_CleanWater's Twitter

**ABOUT US**

CASA provides leadership, advocacy and information to our members, legislators and the public, and promotes partnerships on clean water and beneficial reuse issues that protect public health and the environment.

**CONTACT US**

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**State Legislative Committee**  
**2018 Tentative Meeting Schedule**  
 2018 Legislative Session

<b>Date</b>	<b>Time</b>	<b>Location</b>
Friday, January 26 <sup>th</sup>	8:00 a.m. – 9:00 a.m.	Winter Conference, Hilton Palm Springs, Palm Springs
Friday, March 16 <sup>th</sup>	9:30 a.m. – 1:30 p.m.	Carollo Engineers Conference Room, Sacramento
Friday, April 6 <sup>th</sup>	9:00 a.m. – 10:30 a.m.	Conference Call
Wednesday, April 11 <sup>th</sup>	9:00 a.m. – 1:30 p.m.	CASA & WaterReuse Joint Public Policy Forum, Sacramento, CA (No meeting, just FYI)
Friday, May 11 <sup>th</sup>	9:00 a.m. – 10:30 a.m.	Conference Call
Friday, June 8 <sup>th</sup>	9:00 a.m. – 10:30 a.m.	Conference Call
Friday, July 13 <sup>th</sup>	9:00 a.m. – 10:30 a.m.	Conference Call (if necessary)
Friday, August 10 <sup>th</sup>	8:00 a.m. – 9:00 a.m.	Annual Conference, Monterey Marriott
December - TBD	TBD	TBD



**Directors**

Manny Fernandez  
Tom Handley  
Pat Kite  
Anjali Lathi  
Jennifer Toy

**Officers**

Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** April 2, 2018

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Sami E. Ghossain, Manager of Technical Services  
Michael Dunning, Environmental Compliance Coach  
Alex Paredes, Environmental Programs Coordinator

**SUBJECT:** Agenda Item No. 12 - Meeting of April 9, 2018  
Information Item: **Certificates of Merit to Union Sanitary District's Class I Permitted Industries**

**Recommendation**

Information only.

**Background**

The Certificates of Merit presentation is an annual event that is held to recognize industries that have exceeded the requirements of their wastewater discharge permits during the prior calendar year and that have demonstrated their continued commitment to protecting the environment. In addition, the certificates recognize industries that have consistently complied with and implemented pollution prevention measures, maintained a cooperative relationship with the District and demonstrated continuing awareness and understanding of environmental issues and requirements.

The District has invited representatives from twenty-seven (27) Significant Industrial Users (SIUs) with Class I Wastewater Discharge Permits to receive Certificates of Merit on May 3, 2018 at 3:00 p.m. at the District offices. District staff commends these twenty-seven SIU's for their excellent performance during 2017 and the Board of Directors is invited to attend this presentation and congratulate the Certificate of Merit recipients for a job well done. In addition, staff will place an advertisement in the May 1<sup>st</sup> issue of the Tri-City Voice congratulating the awardees.

Companies receiving the Certificates of Merit are:

**City of Fremont** (23 of 28 SIUs)

Amphenol NovaSensor  
Applied Thin-Film Products  
Bay Area Circuits, Inc.  
Boehringer Ingelheim Fremont, Inc.  
Clean Sciences, Inc.  
Compugraphics, Inc.  
Enablence USA Components, Inc.  
Finisar Corporation  
Global Plating, Inc.  
Intematix Corporation  
Kaiser Permanente Hospital - Fremont  
Lam Research Corporation (CA03/CA3E)  
Lam Research Corporation (CA 30)  
Microwave Technology, Inc.  
NeoPhotonics Corporation  
Pantronix Corporation  
Quality Transport, Inc./Truck-Rail Handling, Inc.  
Quantum Clean #2  
Soraa, Inc.  
Tesla, Inc.  
Tri-Cities Recycling and Disposal Facility  
Washington Hospital Healthcare System  
Western Digital B1

**City of Newark** (2 of 3 SIUs)

Britech Electropolishing, Inc.  
Matheson Tri-Gas, Inc.

**City of Union City** (2 of 2 SIUs)

Electrochem Solutions, Inc.  
United States Pipe & Foundry Company, LLC

Attachments: Tri City Voice Advertisement

# Congratulations to Tri-City Industries

You're helping to keep San Francisco Bay clean!



**Union Sanitary District** congratulates  
the following industries. They have received USD's  
**2017 Certificate of Merit**  
for 100% compliance with water quality requirements



## Fremont

- ★ Amphenol NovaSensor (4)
- ★ Applied Thin-Film Products (12)
- ★ Bay Area Circuits, Inc. (4)
- ★ Boehringer Ingelheim Fremont, Inc. (3)
- Clean Sciences, Inc.
- ★ Compugraphics, Inc. (4)
- ★ Enable USA Components, Inc. (9)
- ★ Finisar Corporation (15)
- ★ Global Plating, Inc. (3)
- Intematix Corporation
- ★ Kaiser Permanente Hospital – Fremont (5)
- ★ Lam Research Corporation (CA03/CA3E) (7)
- ★ Lam Research Corporation (CA 30) (9)
- ★ Microwave Technology, Inc. (7)
- ★ NeoPhotonics Corporation (12)
- ★ Pantronix Corporation (13)
- ★ Quality Transport, Inc./Truck Rail Handling, Inc. (8)
- ★ Quantum Clean #2 (11)
- ★ Soraa, Inc. (6)
- ★ Tesla, Inc. (3)
- ★ Tri-Cities Recycling and Disposal Facility (13)
- ★ Washington Hospital Healthcare System (5)
- Western Digital B1

## Newark

- ★ Britech Electropolishing, Inc. (4)
- ★ Matheson Tri-Gas, Inc. (8)

## Union City

- ★ Electrochem Solutions, Inc. (2)
- ★ United States Pipe & Foundry Company, LLC (4)

- ★ (Consecutive years receiving award)



**Protecting The Tri-Cities & San Francisco Bay**

**Board of Directors**

**Manny Fernandez Tom Handley Pat Kite Anjali Lathi Jennifer Toy**



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**Officers**

Paul R. Eldredge  
*General Manager/  
District Engineer*

Karen W. Murphy  
*Attorney*

**DATE:** March 22, 2018

**MEMO TO:** Board of Directors - Union Sanitary District

**FROM:** Paul R. Eldredge, General Manager/District Engineer  
Sami E. Ghossain, Manager of Technical Services  
Michael Dunning, Environmental Compliance Coach  
Doug Dattawalker, Environmental Outreach Representative

**SUBJECT:** Agenda Item No. 13 – Meeting of April 9, 2018  
Information Item: **Earth Day 2018**

**Recommendation**

Information Only.

**Background**

On Saturday, April 21, 2018, the District's Environmental Compliance team will participate in the Earth Day event hosted by the City of Fremont and Washington Hospital. The event will be held at Washington Hospital's Conrad E. Anderson, M.D. Auditorium, at 2500 Mowry Ave, Fremont from 11:00 a.m. to 3:00 p.m.

Environmental Compliance staff will share information with the public related to Pollution Prevention, including the use of less toxic products at home, reducing discharge of grease to the sewers, and proper disposal of mercury-containing devices and unused medications.

Grease scrapers and various handouts related to the reduction of Fats, Oil, and Grease, Integrated Pest Management, and Green Business will be made available to the public at the event. For children, staff will hand out rulers and erasers. Additionally, reusable tote bags and Pollution Prevention Pledge magnets will be given to residents who sign the District's Pollution Prevention Pledge. Staff will also hand out our Centennial Open House celebration flyers.

The District will be placing an advertisement in the Tri-City Voice announcing the City of Fremont and Washington Hospital's Earth Day celebration. The advertisement will appear in the April 17<sup>th</sup> issue.

PRE/SEG/MD/DD:av

Attachments:

USD's Earth Day Advertisement

City of Fremont and Washington Hospital's Earth Day Advertisement



# Protect Your Bay On Earth Day



## Visit Union Sanitary District's Booth At Fremont's Earth Day Celebration

Saturday, April 21 – 11 a.m. to 3 p.m.  
Washington Hospital – Washington West  
2500 Mowry Avenue

### StopFOG With A FREE Grease Scraper!

Learn how to prevent expensive repairs and protect the environment by keeping Fats, Oil and Grease (FOG) out of your sewer.

### FREE Thermometer Exchange

USD will trade your mercury thermometer for a non-hazardous version at no charge. We will also recycle other mercury-containing devices for you.

For more information, call USD at (510) 477-7637  
or visit [www.unionsanitary.ca.gov](http://www.unionsanitary.ca.gov)

***Protecting The Tri-Cities and San Francisco Bay***



Planet Friendly  
Healthcare

# Let's GO GREEN Together 2018!



Join us as we celebrate Earth Day!  
A day to increase environmental and climate literacy

**Saturday, April 21, 2018 • 11 a.m. to 3 p.m.**

Conrad E. Anderson, MD, Auditorium, 2500 Mowry Ave. (Washington West), Fremont

### FREE residential drop-off:



- > Syringes and needles (in approved containers)
- > Confidential document shredding
- > Disposal of unused, unwanted medications
- > Mercury thermometer exchange
- > Donate eyeglasses



Fun  
for  
the  
kids!



### For children:

- > Bike Rodeo
- > Eco-tainment
- > Face painting
- > Earth Day art
- > Games & activities



### For families:

- > Free basic bike tune-ups
- > Free bicycle valet parking
- > Food trucks

### For everyone, learn about:

- > Recycling & waste reduction
- > Saving energy at home
- > Local sustainability program
- > Eco-friendly gardening & composting
- > Healthy eating & healthy produce



### Event Sponsors



### Special Thanks To



[www.whhs.com/green](http://www.whhs.com/green) • [www.Fremont.gov/earthday](http://www.Fremont.gov/earthday)

**UNION SANITARY DISTRICT  
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Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
167234	3/22/2018	20180124	SWRCB - STATE WATER RESOURCES	SRF LOAN #C065223110 - THICKENER		
					\$774,970.44	\$774,970.44
167295	3/29/2018	218034	TANNER PACIFIC INC	PROJ: TWIN FORCE MAIN RELOCATION - PHASE 1		
					\$61,335.69	\$61,335.69
167228	3/22/2018	25593	RMC WATER AND ENVIRONMENT	USD PLANT MASTER PLAN		
					\$50,942.07	\$50,942.07
167303	3/29/2018	2034480	WEST YOST ASSOCIATES	FORCE MAIN CORROSION REPAIRS - WEST		
					\$26,763.62	\$26,763.62
167266	3/29/2018	903464906	EVOQUA WATER TECHNOLOGIES	4529 GALS HYDROGEN PEROXIDE		
					\$21,721.42	\$21,721.42
167191	3/22/2018	808917	COAST CRANE COMPANY	CRANE REPAIRS		
					\$20,553.50	\$20,553.50
167278	3/29/2018	713429	MANSFIELD OIL CO OF GAINSVILLE	6006 GALS ULSD CARB DIESEL		
					\$17,127.62	\$17,127.62
167307	3/29/2018	4703	WORKSMART AUTOMATION INC	PROGRAMMING SERVICES - NEWARK PUMP STATION WET WELL		
					\$15,366.42	\$15,366.42
167216	3/22/2018	32822	LMK TECHNOLOGIES LLC	TRAILER AND CIPP EQUIPMENT		
					\$7,971.99	\$11,645.35
	3/22/2018	32825		FIELD TRAINING EQUIPMENT		
					\$3,673.36	
167245	3/29/2018	67808	3T EQUIPMENT COMPANY INC	17 PIPE PATCH KITS		
					\$9,321.07	\$10,766.18
	3/29/2018	67807		24 SEAL GUARDS		
					\$1,445.11	
167246	3/29/2018	4071038120180320	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 03/19/18-BENSON ROAD		
					\$115.76	\$10,697.92
	3/29/2018	4071037120180320		SERV TO: 03/19/18-BENSON ROAD		
					\$229.03	
	3/29/2018	4071036120180319		SERV TO: 03/19/18-BENSON ROAD		
					\$10,353.13	

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167271	3/29/2018	3L9545	HARRINGTON INDUSTRIAL PLASTICS	ASTD PARTS & MATERIALS	\$111.57	\$9,396.26
	3/29/2018	3L9544		ASTD PARTS & MATERIALS	\$9,093.34	
	3/29/2018	3L9325		ASTD PARTS & MATERIALS	\$191.35	
167187	3/22/2018	381135507	CH2M HILL INC	ODOR CONTROL ALTERNATIVES STUDY	\$9,271.30	\$9,271.30
167254	3/29/2018	32723	CALIFORNIA WATER TECHNOLOGIES	42,900 LBS FERROUS CHLORIDE	\$4,524.01	\$8,764.50
	3/29/2018	32749		41,840 LBS FERROUS CHLORIDE	\$4,240.49	
167256	3/29/2018	582717	CALTEST ANALYTICAL LABORATORY	51 LAB SAMPLE ANALYSIS	\$1,701.00	\$8,505.00
	3/29/2018	582836		51 LAB SAMPLE ANALYSIS	\$1,701.00	
	3/29/2018	582837		51 LAB SAMPLE ANALYSIS	\$1,701.00	
	3/29/2018	582838		51 LAB SAMPLE ANALYSIS	\$1,701.00	
	3/29/2018	582834		51 LAB SAMPLE ANALYSIS	\$1,701.00	
167241	3/22/2018	40398	WECO INDUSTRIES LLC	120 GALS SANAFOAM VAPOROOTER II	\$8,262.38	\$8,262.38
167227	3/22/2018	300239	RECOLOGY SONOMA MARIN	GRIT DISPOSAL - 2018 FEBRUARY	\$6,869.43	\$6,869.43
167260	3/29/2018	13414	CONSTRUCTION ZONE LLC, THE	400 SLIMLINE TRAFFIC CONES	\$6,563.05	\$6,563.05
167218	3/22/2018	15783	LOOKINGPOINT INC	ANNUAL SUPPORT FOR PHONE AND NETWORK	\$1,225.00	\$5,725.00
	3/22/2018	15739		IT STORAGE CONSULTING	\$4,500.00	
167261	3/29/2018	14737	CRANE WORKS INC	ANNUAL CRANE CERTIFICATIONS 2018	\$5,340.00	\$5,340.00
167171	3/22/2018	177529	ADVANCED CHEMICAL TRANSPORT	HAZARDOUS MATERIAL MANAGEMENT	\$2,617.85	\$5,300.57
	3/22/2018	176955		HAZARDOUS MATERIAL MANAGEMENT	\$2,682.72	

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167268	3/29/2018	239811	FRANK A OLSEN COMPANY	1 MIX PUMP DISCHARGE VALVE REPLACEMENT	\$5,270.03	\$5,270.03
167183	3/22/2018	20180314.1	WILDLIFE BAY DELTA REGION CALIFORNI	EMERGENCY OUTFALL OUTLET IMPROVEMENTS	\$5,000.00	\$5,000.00
167213	3/22/2018	8850	KB HOME SOUTH BAY, INC.	REFUND # 20882	\$2,500.00	\$5,000.00
	3/22/2018	8339		REFUND # 20881	\$2,500.00	
167237	3/22/2018	866643	UNIVAR USA INC	4800 GALS SODIUM HYPOCHLORITE	\$2,354.80	\$4,807.72
	3/22/2018	865837		5000 GALS SODIUM HYPOCHLORITE	\$2,452.92	
167299	3/29/2018	867768	UNIVAR USA INC	4998 GALS SODIUM HYPOCHLORITE	\$2,451.94	\$4,806.24
	3/29/2018	867050		4799 GALS SODIUM HYPOCHLORITE	\$2,354.30	
167174	3/22/2018	180201786	AIRTECH MECHANICAL INC	SERVICE CALL: BLDG 68 REPAIR AC #3	\$2,870.00	\$4,788.59
	3/22/2018	180201783		SERVICE CALL: BLDG 90 REPLACE CONDENSER FAN MOTOR	\$1,168.99	
	3/22/2018	180201798		SERVICE CALL: BLDG 70 AIR HANDLER #2	\$749.60	
167200	3/22/2018	2017215	FARALLON GEOGRAPHICS INC	PLANT GIS UPGRADE TO ARCGIS 10.4	\$4,585.00	\$4,585.00
167184	3/22/2018	32691	CALIFORNIA WATER TECHNOLOGIES	41,660 LBS FERROUS CHLORIDE	\$4,445.85	\$4,445.85
167231	3/22/2018	20180314.2	SFBRWQCB-SF BAY REGION WATER	EMERGENCY OUTFALL OUTLET IMPROVEMENTS	\$4,246.00	\$4,246.00
167288	3/29/2018	103975	PIIAN SYSTEMS LLC	6 5-GAL ODOR NEUTRALIZERS	\$3,670.81	\$3,670.81
167276	3/29/2018	1456094	LIEBERT CASSIDY WHITMORE	LEGAL SERVICES - GENERAL	\$3,180.00	\$3,405.00
	3/29/2018	1456095		LEGAL SERVICES - CALPERS AUDIT - UNIFORMS	\$225.00	
167258	3/29/2018	165213	CAROLLO ENGINEERS	PLANT SOLIDS SYSTEM/CAPACITY ASSESSMENT	\$3,217.10	\$3,217.10
167257	3/29/2018	18426262	CANON SOLUTIONS AMERICA INC	MONTHLY LEASE 6 CANON COLOR COPIERS	\$3,154.15	\$3,154.15

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167194	3/22/2018	20180225	DALE HARDWARE INC	02/18-ASTD PARTS & MATERIALS	\$3,133.49	\$3,133.49
167182	3/22/2018	223328	BURKE, WILLIAMS & SORENSON LLP	LEGAL SERVICES INSURANCE CLAIM - JANUARY 2018	\$262.08	\$3,030.24
	3/22/2018	223326		GENERAL LEGAL - JANUARY 2018	\$2,768.16	
167229	3/22/2018	9547	ROOTER HERO	REFUND # 20863	\$2,500.00	\$3,000.00
	3/22/2018	9536		REFUND # 20862	\$500.00	
167177	3/22/2018	1802133059	AVEPOINT PUBLIC SECTOR INC	CLOUD BACKUP FOR OFFICE 365, EMAIL, AND ONE DRIVE	\$2,995.00	\$2,995.00
167298	3/29/2018	95416916	ULINE INC	14 STORAGE TOTES + LIDS	\$2,559.02	\$2,559.02
167208	3/22/2018	9380	HOLT CONSTRUCTION, INC.	REFUND # 20878	\$2,500.00	\$2,500.00
167220	3/22/2018	58483433	MCMASTER SUPPLY INC	ASTD PARTS & MATERIALS	\$119.89	\$2,319.70
	3/22/2018	58339227		ASTD PARTS & MATERIALS	\$103.22	
	3/22/2018	58925042		ASTD PARTS & MATERIALS	\$976.96	
	3/22/2018	57690759		ASTD PARTS & MATERIALS	\$228.47	
	3/22/2018	51388874		ASTD PARTS & MATERIALS	\$61.32	
	3/22/2018	58720191		ASTD PARTS & MATERIALS	\$30.13	
	3/22/2018	58629841		ASTD PARTS & MATERIALS	\$252.64	
	3/22/2018	58388040		ASTD PARTS & MATERIALS	\$547.07	
167262	3/29/2018	312411	DEL CONTE'S LANDSCAPING INC	WEED ABATEMENT WORK MARCH 2018	\$915.00	\$2,280.00
	3/29/2018	38556		LANDSCAPE MAINTENANCE SERVICES MARCH 2018	\$1,365.00	
167198	3/22/2018	1094789	ENTHALPY ANALYTICAL LLC	62 LAB SAMPLE ANALYSIS	\$2,160.00	\$2,160.00

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167294	3/29/2018	9557	STREAMLINE PLUMBING & DRAIN	REFUND # 20902 AND #20903		
					\$1,500.00	\$2,000.00
	3/29/2018	9558		REFUND # 20904		
					\$500.00	
167207	3/22/2018	8605	GURDWARA SAHIB FREMONT	REFUND # 20870		
					\$1,996.75	\$1,996.75
167233	3/22/2018	3370122858	STAPLES CONTRACT & COMMERCIAL	JANITORIAL/BREAKROOM SUPPLIES		
					\$114.36	\$1,916.46
	3/22/2018	3370122860		JANITORIAL/BREAKROOM SUPPLIES		
					\$35.66	
	3/22/2018	3370122861		JANITORIAL/BREAKROOM SUPPLIES		
					\$914.58	
	3/22/2018	3370122857		JANITORIAL/BREAKROOM SUPPLIES		
					\$851.86	
167226	3/22/2018	117585	R-2 ENGINEERING INC	MOYNO PUMP REBUILD PARTS		
					\$1,896.24	\$1,896.24
167224	3/22/2018	20180315	SHAWN NESGIS	TRAVEL REIMB: LODGING, AIRFARE, PER DIEM, TAXI - CGA ANNUA		
					\$1,313.69	\$1,675.74
	3/22/2018	20180315.1		EXP REMIB: SAFETY RAFFLE PRIZES X 9		
					\$269.91	
	3/22/2018	20180316		EXP REIMB: LMK TRAINING - LUNCH		
					\$92.14	
167302	3/29/2018	8081460561	VWR INTERNATIONAL LLC	LAB SUPPLIES		
					\$169.30	\$1,665.62
	3/29/2018	8081577846		LAB SUPPLIES		
					\$830.61	
	3/29/2018	8081566812		LAB SUPPLIES		
					\$43.83	
	3/29/2018	8081577848		LAB SUPPLIES		
					\$235.48	
	3/29/2018	8081577847		LAB SUPPLIES		
					\$106.63	
	3/29/2018	8081622718		LAB SUPPLIES		
					\$472.78	
	3/29/2018	8081612350		CREDIT: INV 8080979469 - 1 PK TUBING		
					\$-193.01	
167244	3/22/2018	19821	WESTERN TRUCK FABRICATION INC	DUMP TRUCK REPAIRS FOR T3344		
					\$1,610.53	\$1,610.53

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167277	3/29/2018	540044	MANCO	2 PH PROBES	\$1,587.21	\$1,587.21
167238	3/22/2018	20180302	US POSTAL SERVICE	PO BOX FEE - 1 YEAR	\$1,580.00	\$1,580.00
167211	3/22/2018	PVH8175	IRON MOUNTAIN	OFF-SITE STORAGE AND SERVICE - FEBRUARY 2018	\$338.53	\$1,431.74
	3/22/2018	PVS9018		OFF-SITE STORAGE AND SERVICE - FEBRUARY 2018	\$773.05	
	3/22/2018	201541103		DATA/MEDIA OFF-SITE STORAGE - FEBRUARY 2018	\$320.16	
167306	3/29/2018	148029	WOODARD & CURRAN INC	NEWARK BASIN MASTER PLAN/PACP UPDATE	\$1,345.50	\$1,345.50
167248	3/29/2018	20180310	AMAZON.COM LLC	03/18-ASTD OFFICE SUPPLIES	\$1,312.02	\$1,312.02
167197	3/22/2018	121935	EMBARCADERO TECHNOLOGIES, INC.	ER STUDIO RENEWAL	\$1,303.00	\$1,303.00
167252	3/29/2018	95771	BRUCE BARTON PUMP SERVICE INC	1 SUMP PUMP	\$1,291.19	\$1,291.19
167206	3/22/2018	9699963303	GRAINGER INC	ASTD PARTS & MATERIALS	\$95.02	\$1,054.84
	3/22/2018	9697742592		ASTD PARTS & MATERIALS	\$1.47	
	3/22/2018	9700989008		ASTD PARTS & MATERIALS	\$136.79	
	3/22/2018	9696960591		ASTD PARTS & MATERIALS	\$131.84	
	3/22/2018	9700988992		ASTD PARTS & MATERIALS	\$352.52	
	3/22/2018	9699929973		ASTD PARTS & MATERIALS	\$50.01	
	3/22/2018	9697403377		3 10PK SAFETY GLASSES	\$74.80	
	3/22/2018	9690862850		ASTD PARTS & MATERIALS	\$212.39	
167275	3/29/2018	9027016	KELLY SERVICES INC	TEMP LABOR-GONZALEZ, E. WK END 03/04/2018	\$1,036.20	\$1,036.20
167192	3/22/2018	20180228	COMMUNICATION & CONTROL INC	UTILITY FEE/ANTENNA RENTAL	\$1,013.21	\$1,013.21

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167222	3/22/2018	8189	MR. ROOTER PLUMBING	REFUND # 20872	\$1,000.00	\$1,000.00
167185	3/22/2018	99040795	CALTROL INC	2 LIQUID FILLED GAUGES WITH SNUBBERS	\$921.34	\$921.34
167188	3/22/2018	54K109905	CINTAS CORPORATION NO. 2	UNIFORM LAUNDERING SERVICE	\$323.78	\$920.78
	3/22/2018	54K109081		UNIFORM LAUNDERING & RUGS	\$350.02	
	3/22/2018	54K109907		ASTD DUST MOPS, WET MOPS & TERRY TOWEL	\$17.22	
	3/22/2018	54K109906		UNIFORM LAUNDERING & RUGS	\$229.76	
167247	3/29/2018	5180205	ALL INDUSTRIAL ELECTRIC SUPPLY	ASTD PARTS & MATERIALS	\$893.69	\$893.69
167173	3/22/2018	9073385907	AIRGAS NCN	ASTD PARTS & MATERIALS	\$288.27	\$851.16
	3/22/2018	9951962959		CYLINDER RENTAL	\$562.89	
167214	3/22/2018	8023711	KELLY SERVICES INC	TEMP LABOR-GONZALEZ, E. WK END 02/25/2018	\$837.60	\$837.60
167204	3/22/2018	9146	FREMONT UNIFIED SCHOOL DIST.	REFUND # 20869	\$800.00	\$800.00
167186	3/22/2018	4025183932	CANON SOLUTIONS AMERICA INC	MTHLY MAINTENANCE BASED ON USE	\$784.73	\$784.73
167267	3/29/2018	6618876	FISHER SCIENTIFIC	ASTD PARTS & MATERIALS	\$762.90	\$762.90
167304	3/29/2018	14865	WESTERN MACHINE & FAB INC	1 RESLEEVE GEAR	\$740.00	\$740.00
167203	3/22/2018	10121	FREMONT EXPRESS COURIER SVC	COURIER SVCS: FEB 2018 DAILY MAIL/2 BOARDMEMBER DELIVER	\$735.00	\$735.00
167240	3/22/2018	8081486389	VWR INTERNATIONAL LLC	LAB SUPPLIES	\$638.85	\$728.05
	3/22/2018	8081510491		LAB SUPPLIES	\$89.20	
167282	3/29/2018	1576832	MOBILE MODULAR MANAGEMENT CORP	FMC TRAILER RENTAL - MAR 2018	\$693.63	\$693.63
167242	3/22/2018	20180319	WEF-WATER ENVIRONMENT FEDERATI	REG - BOSICK, C - RESIDUALS & BIOSOLIDS 2018	\$690.00	\$690.00

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167290	3/29/2018	32760	ROCHESTER MIDLAND CORPORATION	HOT WATER LOOP SERVICE	\$687.46	\$687.46
167305	3/29/2018	28347	WILEY PRICE & RADULOVICH LLP	LABOR & EMPLOYMENT LAW FEES	\$686.50	\$686.50
167250	3/29/2018	2522092455	BANK OF NEW YORK	FEB 2018 SERVICE FEE	\$674.24	\$674.24
167190	3/22/2018	42012	CLAREMONT BEHAVIORAL SERVICES	APR 2018 EAP PREMIUMS	\$639.40	\$639.40
167253	3/29/2018	223327	BURKE, WILLIAMS & SORENSON LLP	CIP - JANUARY 2018	\$622.44	\$622.44
167281	3/29/2018	180348	METROMOBILE COMMUNICATIONS INC	ANNUAL RADIO SERVICE - MARCH 2018	\$599.08	\$599.08
167287	3/29/2018	20180321	PETTY CASH	PETTY CASH REPLENISHMENT	\$591.12	\$591.12
167221	3/22/2018	24029160	MOTION INDUSTRIES INC	ASTD PARTS & MATERIALS	\$192.74	\$570.54
	3/22/2018	24029961		ASTD PARTS & MATERIALS	\$377.80	
167274	3/29/2018	721053	KAMAN INDUSTRIAL TECHNOLOGIES	ASTD PARTS & MATERIALS	\$563.58	\$563.58
167259	3/29/2018	54K110750	CINTAS CORPORATION NO. 2	UNIFORM LAUNDERING SERVICE	\$276.64	\$523.37
	3/29/2018	54K110751		UNIFORM LAUNDERING & RUGS	\$229.51	
	3/29/2018	54K110752		ASTD DUST MOPS, WET MOPS & TERRY TOWEL	\$17.22	
167236	3/22/2018	1011844900	TPX COMMUNICATIONS	WIRELESS INTERNET BACKUP - MARCH	\$513.59	\$513.59
167175	3/22/2018	5179329	ALL INDUSTRIAL ELECTRIC SUPPLY	ASTD PARTS & MATERIALS	\$92.89	\$513.47
	3/22/2018	5179728		ASTD PARTS & MATERIALS	\$92.89	
	3/22/2018	5178930		CREDIT: INV 5178288 - ASTD PARTS & MATERIALS	\$-115.40	
	3/22/2018	5179961		3 LED EMERGENCY EXIT LIGHTS	\$424.73	
	3/22/2018	5180305		ASTD PARTS & MATERIALS	\$18.36	

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167212	3/22/2018	104968	KAMAN INDUSTRIAL TECHNOLOGIES	ASTD PARTS & MATERIALS	\$506.79	\$506.79
167181	3/22/2018	8912	BUCCANEER DEMOLITION INC	REFUND # 20879	\$500.00	\$500.00
167202	3/22/2018	9549	FIX-IT PLUMBING INC	REFUND # 20864	\$500.00	\$500.00
167217	3/22/2018	8173	EUGENE LOH	REFUND # 20871	\$500.00	\$500.00
167232	3/22/2018	8033	MOHAMMAD SHAIQ	REFUND # 20867	\$500.00	\$500.00
167243	3/22/2018	8115	WESTCOAST PLUMBING SERVICE INC	REFUND # 20868	\$500.00	\$500.00
167263	3/29/2018	9552	TRUC DO	REFUND # 20884	\$500.00	\$500.00
167279	3/29/2018	9559	MARTINEZ CONSTRUCTION	REFUND # 20905	\$500.00	\$500.00
167283	3/29/2018	8221	MR. ROOTER PLUMBING	REFUND # 20885	\$500.00	\$500.00
167285	3/29/2018	9537	VINCENT NIGRO	REFUND # 20888	\$500.00	\$500.00
167286	3/29/2018	9525	PENINSULA HAULING & DEMOLITION	REFUND # 20883	\$500.00	\$500.00
167293	3/29/2018	9349	STAR ROOTER AND PLUMBING	REFUND # 20901	\$500.00	\$500.00
167301	3/29/2018	8181	VD FREMONT CENTRAL LLC	REFUND # 20889	\$500.00	\$500.00
167264	3/29/2018	1096310	ENTHALPY ANALYTICAL LLC	3 LAB SAMPLE ANALYSIS	\$180.00	\$490.00
	3/29/2018	1097273		1 LAB SAMPLE ANALYSIS	\$20.00	
	3/29/2018	1096878		17 LAB SAMPLE ANALYSIS	\$290.00	
167269	3/29/2018	9701876634	GRAINGER INC	ASTD PARTS & MATERIALS	\$36.75	\$473.07
	3/29/2018	9707783685		20 VESTS	\$373.15	
	3/29/2018	9705836873		ASTD PARTS & MATERIALS	\$63.17	

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167178	3/22/2018	1111472	BAY AREA NEWS GROUP EAST BAY	FORCE MAIN CORROSION REPAIRS-PHASE 2	\$450.45	\$450.45
167289	3/29/2018	08C0036018380	NESTLE WATERS NO. AMERICA READYRE	WATER SERVICE 02/07/18 - 03/06/18	\$438.56	\$438.56
167189	3/22/2018	65957	CITYLEAF INC	PLANT MAINTENANCE - MAR 2018	\$431.86	\$431.86
167249	3/29/2018	7012792253	APPLIED INDUSTRIAL TECHNOLOGIE	ASTD PARTS & MATERIALS	\$66.70	\$427.07
	3/29/2018	7012792135		ASTD PARTS & MATERIALS	\$189.93	
	3/29/2018	7012837201		ASTD PARTS & MATERIALS	\$170.44	
167196	3/22/2018	8933	EAST BAY MUNI UTILITY DISTRICT	8 LAB SAMPLE ANALYSIS	\$400.00	\$400.00
167193	3/22/2018	20180315	CWEA	CONF REG: JACKSON, DAN - CWEA ANNUAL CONFERENCE	\$390.00	\$390.00
167179	3/22/2018	21864	BEECHER ENGINEERING	MCC & PLC REPLACEMENT - PHASE 3	\$360.00	\$360.00
167273	3/29/2018	1057367	INDUSTRIAL SAFETY SUPPLY	1 FALL PROTECTION HARNESS	\$344.14	\$344.14
167199	3/22/2018	1000499035	ENVIRONMENTAL EXPRESS	3 - 100PK FILTERS	\$341.60	\$341.60
167225	3/22/2018	139207	PREFERRED ALLIANCE INC	FEBRUARY 2018 SERVICE FEE	\$298.96	\$298.96
167223	3/22/2018	13845	NASSCO, INC.	MEMBERSHIP: NESGIS, SHAWN - NASSCO	\$295.00	\$295.00
167265	3/29/2018	1000499603	ENVIRONMENTAL EXPRESS	1 CLP INTERFERENTS A SOLUTION, 500ML	\$285.35	\$285.35
167284	3/29/2018	192234	NAYLOR STEEL INC	ASTD PARTS & MATERIALS	\$251.77	\$251.77
167296	3/29/2018	180312818	TRENCH PLATE RENTAL COMPANY	TRENCHING/SHORING SAFETY TRAINING MAKEUP - 1 EMPLOYEE	\$250.00	\$250.00
167292	3/29/2018	85340220180322	SAN FRANCISCO WATER DEPT	SERVICE 02/20/2018 TO 03/21/2018	\$249.20	\$249.20
167297	3/29/2018	9289	TURNER RISK CONSULTING INC	FIRST AID & CPR TRAINING - SOTH, S. & FARSAI, A.	\$190.00	\$190.00
167170	3/22/2018	9534812	ABC IMAGING, INC.	OPEN HOUSE POSTERS	\$167.64	\$167.64

**UNION SANITARY DISTRICT  
CHECK REGISTER  
03/16/2018-03/29/2018**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
167235	3/22/2018	20180316	SWRCB - STATE WATER RESOURCES	GRADE III OPERATOR CERTIFICATE RENEWAL - A. BERLING	\$150.00	\$150.00
167291	3/29/2018	20180328	JOSE RODRIGUES JR	EXP REIMB: MANAGEMENT MEETING LUNCH	\$148.76	\$148.76
167210	3/22/2018	3027905061	IDEXX DISTRIBUTION INC	ASTD LAB SAMPLING SUPPLIES	\$127.26	\$127.26
167205	3/22/2018	2773806008	GLACIER ICE COMPANY INC	84 7-LB BAGS OF ICE	\$123.48	\$123.48
167280	3/29/2018	59127602	MCMASTER SUPPLY INC	ASTD PARTS & MATERIALS	\$31.33	\$106.42
	3/29/2018	47552293		CREDIT: INV 47265999 - 6 CANS PAINT AND COATING REMOVER	\$-72.70	
	3/29/2018	58100101		ASTD PARTS & MATERIALS	\$94.60	
	3/29/2018	59143213		ASTD PARTS & MATERIALS	\$53.19	
167230	3/22/2018	20180314	& DEVELOPMENT COMMISSION SAN FRAI	EMERGENCY OUTFALL OUTLET IMPROVEMENTS	\$100.00	\$100.00
167176	3/22/2018	1769682	ANALYSTS, INC.	4 LAB SAMPLE ANALYSIS	\$92.30	\$92.30
167251	3/29/2018	12503150	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$31.83	\$90.90
	3/29/2018	12508810		ASTD OFFICE SUPPLIES	\$25.53	
	3/29/2018	12503151		ASTD OFFICE SUPPLIES	\$33.54	
167219	3/22/2018	77885843	MATHESON TRI-GAS INC	MONTHLY CYLINDER RENTAL - FEBRUARY 2018	\$78.12	\$78.12
167172	3/22/2018	68451	AIR & TOOL ENGINEERING COMPANY	1 HOSE/ 1 INLET BUSHING	\$72.09	\$72.09
	3/22/2018	68252		CREDIT-ASTD PARTS & MATERIALS INV 67927	\$-273.18	
	3/22/2018	67927		ASTD PARTS & MATERIALS	\$273.18	
167239	3/22/2018	9802599147	VERIZON WIRELESS	WIRELESS SERV 02/02/18 - 03/01/18	\$64.68	\$64.68
167195	3/22/2018	615320180320	DISH NETWORK	APR 2018 - SERVICE FEE	\$60.90	\$60.90

**UNION SANITARY DISTRICT  
CHECK REGISTER  
03/16/2018-03/29/2018**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
167272	3/29/2018	1159439	HAYWARD WATER SYSTEM	WATER SERV 01/06/18 - 03/07/18	\$41.19	\$41.19
167270	3/29/2018	268864	HANIGAN COMPANY INC	1 LOT BUSINESS CARDS: SCHWARTZ, R	\$37.68	\$37.68
167209	3/22/2018	5754425	HOSE & FITTINGS ETC	ASTD PARTS & MATERIALS	\$37.50	\$37.50
167255	3/29/2018	290375	STATE OF CALIFORNIA	1 NEW HIRE FINGERPRINTS	\$32.00	\$32.00
167180	3/22/2018	12494820	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$30.87	\$30.87
167300	3/29/2018	98XW53098	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 03/03/18	\$12.55	\$12.55
167215	3/22/2018	20180321	ANJALI LATHI	EXP REIMB: MEAL - BOARD WORKSHOP	\$10.91	\$10.91
167201	3/22/2018	1118866	FASTENAL	ASTD PARTS & MATERIALS	\$3.76	\$3.76

**Invoices:**

Credit Memos :	4	-654.29
\$0 - \$1,000 :	141	46,210.59
\$1,000 - \$10,000 :	59	190,294.20
\$10,000 - \$100,000 :	8	224,163.47
Over \$100,000 :	1	774,970.44
<b>Total:</b>	<b>213</b>	<b>1,234,984.41</b>

**Checks:**

\$0 - \$1,000 :	78	33,006.50
\$1,000 - \$10,000 :	49	180,087.68
\$10,000 - \$100,000 :	10	246,919.79
Over \$100,000 :	1	774,970.44
<b>Total:</b>	<b>138</b>	<b>1,234,984.41</b>

## 'Miraculous': Teen survives 12 hours in Los Angeles sewer

By The Associated Press |

PUBLISHED: April 3, 2018 at 5:29 am | UPDATED: April 3, 2018 at 5:48 am

By **AMANDA LEE MYERS** | **The Associated Press**

LOS ANGELES — A 13-year-old boy was miraculously rescued Monday after falling into a river of sewage in Los Angeles, getting swept away and spending more than 12 hours in the city's toxic and mazelike underground sewer system.

Jesse Hernandez had been playing with other children on wooden planks over an access portal to the sewer system during a family outing Sunday at a Los Angeles park. When a plank broke, Jesse fell about 25 feet (8 meters) and landed in fast-moving sewage, said Brian Humphrey, a spokesman for the Los Angeles Fire Department.

The other children immediately notified adults, who called 911, initiating a frantic and exhaustive 12-hour search of labyrinthine underground pipes using cameras propped on flotation devices.

Rescuers finally found Jesse after seeing images of handprints on a sewage pipe. A sanitation crew rushed to the area and opened a manhole.

"The first thing they heard was 'Help!'" said Adel Hagekhalil, assistant general manager of the sanitation department.

The crew lowered down a hose to Jesse, who was about 11 feet (3 meters) deep in the pipe.

"He caught onto the hose and was reeled back up," Hagekhalil said.

Rescuers gave him immediate medical attention, including hosing him down to get rid of the sewage and cleaning out his eyes and nose with sterile saline, Humphrey said.

Jesse immediately asked for a cellphone to call his family. A worker handed him a phone, and he called his mom.

The boy later told KNBC-TV that he was tired and a bit scraped up, but otherwise OK.

"I was praying to God to help me and to not die," Jesse said. "It was all quiet. You could just hear the water running through and you couldn't see anything. It was dark."

Video released by the city later in the day showed long dark marks on the sides of the dank sewage pipe, which was about 4 feet (1 meter) in diameter, where Jesse's fingers would have slid.

After an accident like Jesse's, rescuers say the likelihood of someone being found safe diminishes by the hour. Hagekhalil said rescuers were thrilled at the outcome.

"They never gave up hope," Hagekhalil said. "They wanted to bring Jesse back to his family."

About 2,400 feet (731 meters) of pipe had been inspected when rescuers found Jesse less than a mile from where he disappeared. He was taken to a hospital for a full evaluation and to be reunited with his family.

In addition to the massive rescue effort involving more than 100 people, Humphrey credited Jesse for his survival. Not only did he survive getting swept through sewage moving at 15 mph (24 kph), he managed to find a pocket of breathable air and hang on until he was found, authorities said.

"Any subterranean location, particularly one that involves waste, can produce toxic gases — methane, hydrogen sulfide — so breathable air is a key element," Humphrey said. "The odds of someone falling into such a pipe and surviving are slim. The odds were not in his favor, and many would call it miraculous."

He called Jesse "a resolute young man."

"He has tremendous inner strength," Humphrey said. "It's obvious he's not a quitter."

Los Angeles Mayor Eric Garcetti was among the many Angelenos closely watching the rescue efforts for Jesse. In a string of tweets, Garcetti praised rescuers and thanked the teen's family for their "patience and optimism during this harrowing experience."

"We're keeping Jesse's health and recovery in our thoughts today," he said.

Also Sunday, an 11-year-old boy fell into a canal in Meadow Vista, about 40 miles (64 kilometers) northwest of Sacramento. He was found dead a couple hours later.

Famously in October 1987, rescuers freed an 18-month-old girl who had been trapped in a narrow, abandoned well in Midland, Texas, for more than 58 hours. Jessica McClure's rescue captured the nation's attention in some of the first round-the-clock television coverage in the U.S.

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# Pie Party and Celebration

SUBMITTED BY CAROLYN BERKE

Niles Pie Company is an artisanal worker-owned bakery in Union City that specializes in handmade seasonal pie and pastry with fresh, local produce. In business since 2010, they opened their retail location in the Dowe Business Park on Alvarado-Niles Road in the spring of 2013. In the summer of 2017, they changed their business model from being a sole proprietorship to a worker-owned cooperative, and have continued to grow and expand their business. In addition to their retail shop, they sell at farmers' markets from Oakland to San Jose, host monthly dinners and regular baking and cooking classes, and provide pie and pastry to East Bay and Silicon Valley companies. They are deeply committed to their support of local non-profit organizations, particularly those that directly support local people and families in need.

Niles Pie is celebrating the beginning of their sixth year in the Dowe Business Park, and looking forward to the next five years, by throwing a celebration and pie party on Saturday, April 7. If you haven't figured out where their shop is yet, now is the time to seek them out! They've been transforming their bakery and retail space over the past five years into a bright and welcoming haven for local pie lovers. There's a comfy couch, a giant communal table, plenty of reading material, and free Wi-Fi. Chalkboards change around with various talented customers drawing their love for pie and community. At the celebration, there will be more chalkboards and plenty of colored chalk for artists of all ages to leave their marks too. There will be live music and promotions and specials, perhaps a giveaway or two.

Niles Pie wants to thank the local community for the strong support they've given the business in their first five years in Union City, and to celebrate the promise of their future growth and commitment to the community. If the weather cooperates we'll bring our party into the parking lot. We'll have a pie-eating contest for kids – and maybe for the grownups too. Prizes, treats, and all the happiness that pie brings will be the order of the day!

**Pie Party and Celebration**  
Saturday, Apr 7  
12 p.m. – 4 p.m.  
Niles Pie Company  
32990 Alvarado-Niles Rd, suite 960, Union City  
(510) 324-4743  
www.nilespie.com

# The art of public speaking lives

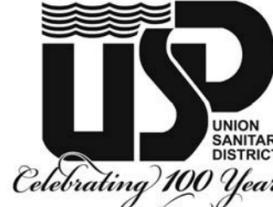
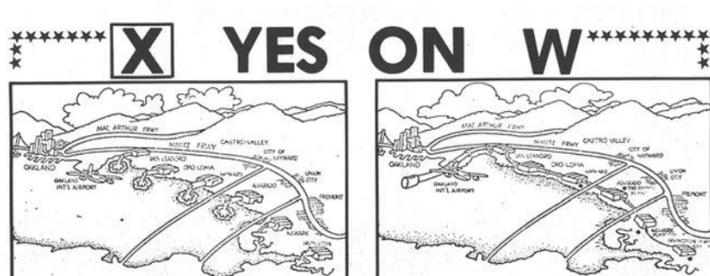
SUBMITTED BY PENNY NEUHAUS

James Logan Forensics is hosting a Speech & Debate Showcase on Friday, April 13. This event showcases our students' public speaking and debate skills and is an opportunity to demonstrate to our families, friends and neighbors what critical thinking, organized presentation, body language, and verbal dexterity can accomplish. All proceeds support our award-winning program.

**Speech and Debate Showcase**  
Friday, Apr 13  
6:00 p.m.  
James Logan Little Theater  
1800 H St, Union City  
www.jamesloganforensics.com  
Suggested donation: \$10 for adults, \$5 for students

## Centennial Stories

How the Clean Water Act Put the "Super" in the USD's Super Sewer

**'SUPER SEWER'...NAME FOR WASTE PROPOSAL**

The East Bay Dischargers Authority (EBDA) covers a 180 square mile area, 450,000 people and is composed of five incorporated cities and three sanitary districts. During wet weather, these joint powers currently discharge up to 175 million gallons of treated wastewater a day, directly into the Bay estuary.

The proposed project for a "Super Sewer" would essentially connect current facilities and pump treated wastewater three miles off the Oakland Airport. Discharge would be to deep waters of the Bay, providing better natural action for purification.

SUBMITTED BY MICHELLE POWELL

Most readers have heard of the Federal Clean Water Act, but did you know that it was the catalyst that made Union Sanitary District's (USD) infrastructure what it is today? Prior to changes required by 1972 amendments to the Act, USD had three treatment plants: Irvington in south Fremont, Newark, and Alvarado in Union City. The Irvington and Newark plants disposed of treated wastewater in the bay, south of the Dumbarton bridge, as did several other agencies in the region. The amended Clean Water Act led the Environmental Protection Agency (EPA) to determine that the bay was too shallow in those areas to receive wastewater at the level of treatment that was common back then. USD and many other agencies were given a timetable for phasing out those types of discharges there.

New regulations affecting discharges close to shorelines all around the Bay led several agencies to search for solutions. USD teamed up with Oro Loma and Castro Valley Sanitary Districts and the Cities of Hayward and San Leandro, forming the East Bay Dischargers Authority (EBDA), to explore possibilities. This is where the concept of the "Super Sewer", a shared large-diameter line that would discharge treated wastewater further offshore and in deeper waters of the Bay, was developed.

This seemingly simple idea was in fact a very complex venture. To participate in the "Super Sewer", USD had to find a way to convey wastewater from its former Irvington and Newark locations up to the Alvarado plant for treatment, and the plant would need expansion to handle the additional flows. Although the EPA and state would partially fund the project, investment by communities using the EBDA line would be necessary.

There were many potential downsides to not moving forward with the Super Sewer, including

daily fines for discharging in the current locations, cease and desist orders from the State Water Board, and building moratoriums imposed by the state. Still, public debate about the necessity of the project was lively, to say the least, sparking extensive media coverage and passionate campaigns for USD Board directorships.

A bond measure for the Super Sewer was on the November 1976 ballot, and after many public meetings, newspaper articles, and advertisements, Measure W to fund the EBDA line was passed by its communities. Twin pressurized lines called Force Mains, each about three feet in diameter, and three large pump stations were completed in 1980 to transport wastewater from the Irvington and Newark locations to our Alvarado Plant, where it is treated and released to the much larger EBDA line. USD's discharge is joined by the releases of our EBDA partners as it travels north

underground near the East Bay's edge. The EBDA pipeline turns left just below the Oakland airport, moving treated wastewater about four miles out into a deeper shipping channel in the Bay where it is dispersed through a diffuser.

USD's Newark and Irvington Plants were decommissioned after the EBDA line became operational. Our Newark and Irvington pump stations constructed on their sites are still in use today to pump wastewater into the Force Mains. Like much of the nation's infrastructure, the Super Sewer is aging and requires attentive maintenance. You can find out more about how USD's staff cleans and maintains our Force Mains at our Centennial Open House on May 19, 2018, from 10 a.m. to 2 p.m. at our Treatment Plant and Headquarters in Union City. Hear about "pigging the Force Mains" – and no, real pigs are not involved!

**VOTE YES ON MEASURE "W"** NOV. 2



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**Better Bay Water**  
**Clinches Federal and State funding**